

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED *CAB*
AUG 20 2015

KS State Board of Healing Arts

In the Matter of)
MARY C. TAKAISHI, P.A.)
)
Kansas License No. 15-01134)
_____)

KSBHA Docket No. 14-HA00098

**FINAL ORDER GRANTING MOTION TO STAY SUSPENSION
AND FOR REINSTATEMENT OF LICENSE**

NOW this 14th day of August, 2015, comes on for conference hearing before the Kansas State Board of Healing Arts (Board), the Motion of Mary C. Takaishi, P.A. (“Licensee”) to Stay Suspension and for Reinstatement of License. Licensee appears in person, and by and through his counsel, Ivery Goldstein of Simpson, Logback, Lynch, Norris, P.A. Reese Hays, Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to the Board by the Kansas Healing Arts Act, K.S.A. 65-28a01, *et seq.*, and in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board hereby enters this Final Order following a conference hearing in the above-captioned matter. After reviewing the agency record, hearing the testimony and arguments of the parties, considering the admitted exhibits, and otherwise being duly advised in the premises, the Board makes the following findings, conclusions and order:

1. On or about December 22, 2014, Licensee entered into a Consent Order with the Board. The Consent Order imposed a two-year suspension on Licensee’s license, however, a request to lift the suspension could be made after a minimum of six months.
2. The Consent Order further provided that any such request to lift the suspension the reinstate Licensee’s license would be subject to Licensee showing clear and convincing evidence that she is sufficiently rehabilitated to warrant the public trust. Further, that Licensee’s

request would be governed by the factors for reinstatement of a license set forth in *Vakas v. Board of Healing Arts*.

3. The Consent Order required Licensee to attend and successfully complete several hours of continuing medical education. Licensee's Exhibits C, D, E, and F demonstrate Licensee's compliance with the educational requirements set forth in paragraphs 50 through 53 of the Consent Order.

4. Pursuant to paragraph 54 and 55 of the Consent Order, Licensee was required to pay the costs incurred by the Board in these proceedings. Licensee submitted Exhibit G to demonstrate Licensee's compliance with paying the costs incurred in this matter.

5. The Board finds that Licensee has submitted clear and convincing evidence that she is sufficiently rehabilitated to warrant the public trust. The Board further finds that Licensee has submitted evidence of a clear and convincing nature to stay the suspension of her license as provided for under the factors set forth in *Vakas v. Board of Healing Arts*.

6. The Board orders the suspension imposed on Licensee's license be lifted and that her license be subject to the probationary conditions set forth in the Consent Order filed on December 22, 2014.

IT IS THEREFORE ORDERED that Licensee's Motion to Stay Suspension and for Reinstatement of License is hereby **GRANTED**.

IT IS SO ORDERED THIS 30 DAY OF AUGUST, 2015, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.

Confidential

Kathleen Selzler Lippert, Executive Director

NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service, and service of a Final Order is complete upon mailing. Pursuant to K.S.A. 77-529, Licensee may petition the Board for Reconsideration of a Final Order within fifteen (15) days following service of the final order. Additionally, a party to an agency proceeding may seek judicial review of a Final Order by filing a petition in the District Court, as authorized by K.S.A. 77-601, *et seq.* Reconsideration of a Final Order is not a prerequisite to judicial review. A petition for judicial review is not timely unless filed within **30 days** following service of the Final Order. A copy of any petition for judicial review must be served upon Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 20th day of August 2015, a true and correct copy of the above and foregoing **FINAL ORDER GRANTING MOTION TO STAY SUSPENSION AND FOR REINSTATEMENT OF LICENSE** was served by depositing the same in the United States mail, postage prepaid, and addressed to the following:

Mary C. Takaishi, PA
Confidential

Abilene, KS 67410

Carol Ruth Bonebrake
Ivery A. Goldstein
Simpson, Logback, Lynch, Norris, P.A.
107 SW 6th Ave., Suite 210
Topeka, KS 66603

And a copy was hand-delivered to:

Reese Hays, Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level – Suite A
Topeka, KS 66612

Katy Lenahan, Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level – Suite A
Topeka, KS 66612

And the original was filed with the office of the Executive Director.


