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KS State Board of Healing Arts

**BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS**

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In the Matter of)
)
ROBERT T. TENNY, M.D.)
Kansas License No. 04-19156)
_____)

KSBHA Docket No. 10-HA00147
OAH Docket No. 11-HA0003

**AGREED ORDER FOR PROCEDURAL SUSPENSION OF KANSAS LICENSE TO
PRACTICE MEDICINE AND SURGERY AND CONTINUANCE OF FORMAL HEARING**

NOW, on this the 19th day of November, 2013, comes before the Board, the agreement of the parties to procedurally suspend Licensee's license to practice medicine and surgery in the State of Kansas until the Kansas State Board of Healing Arts ("Board") approves the Consent Order to be presented to the Board at the February 2014 Board Meeting or if the Board denies approval of the Consent Order, issues a Final Order, and to continue the Formal Hearing until the parties can present a settlement offer to the Board for approval.

Upon review of the record and discussion with the parties, the Presiding Officer makes the following findings and orders:

1. On November 14, 2013, Benoit M.J. Swinnen, of Swinnen & Associates, LLC filed an Entry of Appearance on behalf of Robert T. Tenny, M.D. and a Motion for Continuance of the hearing scheduled for the week of November 18, 2013, in the above-mentioned matter.

2. On November 14, 2013, the Presiding Officer issued his ruling on the Motion for Continuance in a Letter Ruling dated November 15, 2013, stating, "Absent [Respondent] agreeing to voluntarily suspend his license until the Board of Healing Arts issues a final order, his motion for continuance is denied. The form and terms of the voluntary suspension must satisfy the petitioner. In addition, the respondent must pay all costs associated with any continuance."

3. On November 15, 2013, the Respondent signed a settlement agreement in the form of a

Consent Order to be presented to the full Board for approval. This Consent Order is set to be presented to the Board at the regularly scheduled Board Meeting on February 14, 2014.

4. Licensee has agreed to the immediate procedural suspension of his license to practice medicine and surgery in the State of Kansas in consideration of the presentation of the Consent Order to the Board and continuance of this matter. Furthermore, Respondent has agreed to a procedural suspension of his license to practice medicine and surgery in the State of Kansas until such time a Consent Order is approved by the Board in this matter or the Board issues a Final Order in this matter.

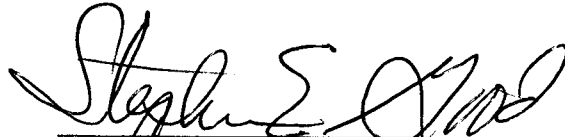
5. The parties agree it is appropriate for the scheduled hearing to be continued to allow the parties an opportunity to present the Consent Order to the full Board for approval. The parties agree to contact the Office of Administrative Hearings ("OAH") after the February Board meeting to request a new hearing date, or if the settlement agreement is approved, for the case to be closed.

IT IS THEREFORE ORDERED that Licensee's license to practice medicine and surgery is **PROCEDURALLY SUSPENDED**. Such procedural suspension shall continue until the Board approves the Consent Order to be presented at the February 2014 Board Meeting or the Board issues a Final Order in this matter.

IT IS FURTHER ORDERED that the formal hearing in this matter shall be continued for the parties to present a settlement offer to the Board for approval. It shall be the parties' obligation to contact OAH to schedule a hearing if such Consent Order is not approved by the Board, or otherwise notify OAH of the final resolution in this matter so the pending case may be closed.

IT IS SO ORDERED this 19 day of November 2013.

FOR THE KANSAS BOARD OF HEALING ARTS:

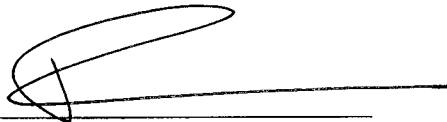


Stephen E. Good, Presiding Officer
Office of Administrative Hearings

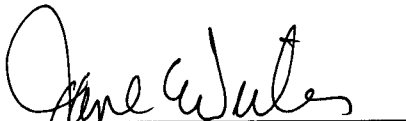
APPROVED BY:



Seth Brackman, #23726
Associate Litigation Counsel
800 SW Jackson St.
Lower Level Suite A
Topeka, KS 66606
(785) 368-8212
(785) 368-7103 - facsimile



Reese H. Hays, #22700
Litigation Counsel
800 SW Jackson St.
Lower Level Suite A
Topeka, KS 66606
(785) 296-0961
(785) 368-7103 – facsimile



Jane Weiler, #25276
Associate Litigation Counsel
800 SW Jackson St.
Lower Level Suite A
Topeka, KS 66606
(785) 296-1479
(785) 368-7103 - facsimile

APPROVED BY:



Benoit M.J. Swinnen, #18919
Counsel for Respondent
Swinnen & Associates, LLC
921 SW Topeka Boulevard
Topeka, KS 66612
(785) 272-4878

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I served a true and correct copy of the above and foregoing **AGREED ORDER FOR PROCEDURAL SUSPENSION OF KANSAS LICENSE TO PRACTICE MEDICINE AND SURGERY AND CONTINUANCE OF FORMAL HEARING** on the 10th day of November, 2013 by United States mail, first-class, postage pre-paid and addressed to:

Robert T. Tenny, M.D.
Licensee
Confidential
Leawood, KS 66209

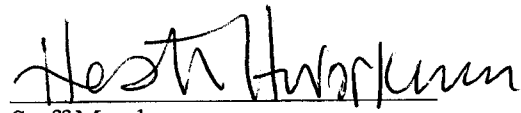
Benoit M.J. Swinnen, #18919
Counsel for Respondent
Swinnen & Associates, LLC
921 SW Topeka Boulevard
Topeka, KS 66612
(785) 272-4878

And the original was filed with:

Kathleen Selzler Lippert
Executive Director
Kansas State Board of Healing Arts
800 SW Jackson
Lower Level- Suite A
Topeka, KS 66612

And copies were hand-delivered to:

Reese Hays, Litigation Counsel
Seth Brackman, Associate Litigation Counsel
Jane Weiler, Associate Litigation Counsel
Katy Lenahan, Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson
Lower Level- Suite A
Topeka, KS 66612


Staff Member