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KS State Board of Healing Arts

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

**In the Matter of** )  
**Daniel Tibbets, M.D.** )  
 )  
**Kansas License No.: 04-22530** )  
\_\_\_\_\_ )

**KSBHA Docket No.12-HA00025**

**FINAL ORDER GRANTING WITHDRAWAL OF  
APPLICATION AND DISMISSING AGENCY ACTION**

**NOW** on this 21<sup>st</sup> day of October 2011, comes before the Kansas State Board of Healing Arts (“Board”) the application for reinstatement of licensure of Daniel Tibbets, M.D. (“Applicant”) to practice medicine and surgery in the State of Kansas. Applicant appears in person. Stacy R. Bond, Associate Litigation Counsel, appears on behalf of the Board.

Pursuant to the authority granted to Board by K.S.A. 65-2901 *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 in the above-captioned matter. After reviewing the file, hearing the statements and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. Applicant was previously licensed to engage in the practice of medicine and surgery in the State of Kansas, having been issued License No. 04-22530 on approximately December 9, 1988.
2. On approximately August 5, 2008, Applicant’s license was canceled for failure to renew.
3. On or about November 24, 2010, Applicant submitted an application to the Board for reinstatement of his license to practice medicine and surgery in the State of Kansas. Such application was deemed complete and filed with the Board on August 30, 2011.

4. On or about August 30, 2011, Board Associate Litigation Counsel, Stacy R. Bond, filed a Response in Opposition to Applicant's Application for a License to Practice Medicine and Surgery.

5. Applicant has been absent from active practice since 2003.

6. K.S.A. 65-2809(e) provides that when an applicant for reinstatement has been absent from active practice during the previous two (2) years, the Board may require ". . . additional testing, training or education as the board may deem necessary to establish the licensee's present ability to practice with reasonable skill and safety."

7. Applicant declined to obtain the clinical skills testing recommended by the Board's Disciplinary Panel.

8. During the conference hearing and following the presentation of evidence by both parties, Applicant accepted the Board's offer to allow him to request withdrawal his application for reinstatement of licensure.

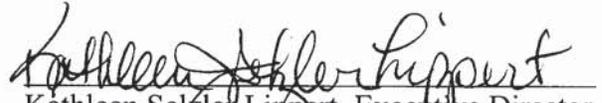
9. Applicant requested withdrawal of his application for reinstatement of licensure.

10. The Board finds that such withdrawal is acceptable.

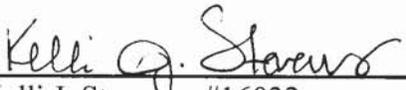
**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS,** that Applicant's request to withdraw from consideration his application for reinstatement of licensure to practice medicine and surgery in the State of Kansas is hereby granted.

**IT IS FURTHER ORDERED** that the Board's responsive filing in opposition of Applicant's application for licensure to practice medicine and surgery in the State of Kansas is hereby dismissed without prejudice.

IT IS SO ORDERED THIS 21<sup>st</sup> DAY OF NOVEMBER, 2011, IN THE CITY OF  
TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.

  
Kathleen Selzler Lippert, Executive Director  
Kansas State Board of Healing Arts

Prepared by:

  
Kelli J. Stevens, #16032  
General Counsel

**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, the Board's Executive Director, at 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above and foregoing **Final Order Granting Withdrawal of Application and Dismissing Agency Action** was served this 21<sup>st</sup> day of November , 2011, by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Daniel Tibbets, M.D.  
confidential  
Topeka, KS 66605

And a copy was hand-delivered to the following:

Stacy R. Bond, Associate Litigation Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

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

The original was filed with the office of:

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

  
\_\_\_\_\_  
Cathy Brown  
Executive Assistant