

**EFFECTIVE AS A FINAL ORDER**

DATE: 01/18/2018

FILED  
JAN 05 2018  
KS State Board of Healing Arts

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

In the Matter of )  
SPENCER M. TORRES, D.C. )  
)  
)  
)  
Applicant for Kansas License )  
\_\_\_\_\_ )

**Docket No. 18-HA00025**

**PROPOSED DEFAULT ORDER DENYING  
APPLICATION FOR LICENSURE**

NOW on this 8th day of December, 2017, comes on for conference hearing before the Kansas State Board of Healing Arts ("Board") the Application for Licensure of Spencer M. Torres, D.C. ("Applicant"). Reese Hays, Litigation Counsel and Courtney Manly, Legal Intern, appears on behalf of the Respondent Board. Applicant fails to appear.

Pursuant to the authority granted to the Board by K.S.A. 65-2801 *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 Proposed Default Order in the above-captioned matter. After reviewing the agency record, the evidence presented, and 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. On or about February 3, 2017, Applicant submitted an Application for a license to practice chiropractic in the State of Kansas. Such application was deemed complete and filed with the Board on October 23, 2017.

2. On November 7, 2017, Legal Intern and Litigation Counsel filed a Response to Application for License to Practice Chiropractic (“Response in Opposition”) and offered Board Exhibits 1, through 30 into evidence.

3. Applicant was served with a copy of the Response in Opposition on November 7, 2017, by United States Mail, first-class postage prepaid to the mailing address Applicant provided to the Board.

4. A Conference Hearing was scheduled to be held on December 8, 2017, regarding Applicant’s Application for Licensure and a Notice of Conference Hearing was served on Applicant on November 7, 2017, by United States Mail, first-class postage prepaid to the mailing address Applicant provided to the Board.

5. The Notice of Conference Hearing provided Applicant notice that any party who fails to attend or participate in the Conference Hearing or other state of a proceeding may be held in default.

6. Applicant failed to appear at the Conference Hearing held on December 8, 2017.

7. The Board finds the Applicant is in default pursuant to K.S.A. 77-520.

10. The factual and legal allegations set forth in the Response in Opposition are deemed undisputed and incorporated herein by reference.

11. Board Exhibits through 30 are admitted into evidence.


12. Based on the undisputed allegations set forth in the Response in Opposition and evidence in the agency record, the Board finds there are grounds under the Kansas Healing Arts Act to deny Applicant’s application and concludes that denial of Applicant’s Application for Licensure is warranted in the circumstances.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** that Applicant is hereby held in **DEFAULT** pursuant to K.S.A. 77-520.

**IT IS FURTHER ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** that Applicant's Application for Licensure is hereby **DENIED**

**IT IS SO ORDERED THIS 5<sup>th</sup> DAY OF JANUARY, 2018, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**

**KANSAS STATE BOARD OF HEALING ARTS**

 #23266  
for Kathleen Selzler Lippert, Executive Director  
Kansas State Board of Healing Arts

### **FINAL ORDER NOTICE OF RIGHTS**

**PLEASE TAKE NOTICE** that this is a Final Order. A Final Order is effective upon service. 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 Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true copy of the foregoing **FINAL ORDER DENYING APPLICATION FOR LICENSURE** was served this 18<sup>th</sup> day of Jan, 2018 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Spencer Torres, DC  
[REDACTED]  
Bella Vista, AR 72714

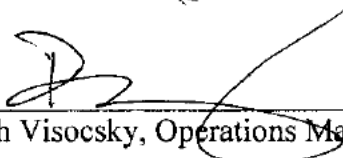
And a copy was hand-delivered to:

Reese Hays, Litigation Counsel  
Courtney Manly, Legal Intern  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

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

Tucker Poling, General Counsel  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612

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

  
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Beth Visocsky, Operations Manager