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AUG 26 2010

KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of)
Bryan Van Meter, P.A.)
License No. 15-00697)
_____)

Docket No. 08-HA00234

FINAL ORDER
(Pursuant to K.S.A. 77-501 et seq.)

Pursuant to the authority granted to the Kansas State Board of Healing Arts (“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 Final Order in the above-captioned matter. Members of the Board serving on the Disciplinary Panel for this matter were recused from participation.

I. Findings of Fact

The Board has been shown the following facts:

1. Bryan S. Van Meter (“Licensee”) (confidential) Overland Park, KS 66210, is licensed in the State of Kansas, License No. 15-00697, and has been so licensed since February 12, 2000.
2. On or about June 21, 2008, Licensee entered into a Consent Order with the Board in lieu of disciplinary proceedings. The Consent Order was entered into between the Board and the Licensee to resolve concerns (confidential)

(confidential)
3. Pursuant to the terms of the Consent Order, Licensee was also publicly censured for violating the Physician Assistant Licensure Act.

4.

(confidential)

5. On May 26, 2010, Licensee filed a Motion to Modify the Consent Order.

(confidential)

6. Licensee further requested Paragraph 20(p) on page 7 of the Consent Order be modified reducing the required monitoring time from five (5) years to three (3) years with the effective date being October 1, 2007.

7.

(confidential)

8. Licensee's Motion to Modify the Consent Order stated TRICARE refused to provide reimbursement for Licensee's services and this action is negatively impacting Licensee's ability to maintain his current employment.

9. Licensee's Motion to Modify the Consent Order states that Licensee has fulfilled the requirements of the monitoring contract.

II. Applicable Law

- a. K.S.A. 65-2801
- b. K.S.A. 65-28a01 *et seq.*
- c. K.S.A. 65-28a02
- d. K.S.A. 65-28a05

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- e. K.S.A. 65-2838
- f. K.A.R. 100-28a-8

III. Public Policy Statement

The public policy of regulating the practice of healing arts in the State of Kansas is set forth in K.S.A. 65-2801:

Recognizing that the practice of the healing arts is a privilege granted by legislative authority and is not a natural right of individuals, it is deemed necessary as a matter of policy in the interests of public health, safety and welfare, to provide laws and provisions covering the granting of that privilege and its subsequent use, control and regulation to the end that the public shall be properly protected against unprofessional, improper, unauthorized and unqualified practice of the healing arts and from unprofessional conduct by persons licensed to practice under this act.

IV. Conclusions of Law

Based upon the Findings of Fact enumerated in Paragraphs #1 through #8, the Applicable Law and the Public Policy Statement set forth above:

THE BOARD HEREBY CONCLUDES AS FOLLOWS:

10.

(confidential)

11. On May 26, 2008, Licensee filed a Motion to Modify the Consent Order reducing the monitoring period from five (5) years to three (3) years beginning on October 1, 2007.

12. In support of the Motion to Modify the Consent Order, Licensee stated he has fulfilled the requirements of the monitoring contract.

13.

(confidential)

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS:

14. Paragraph 20(b) on page 5 of the Consent Order is hereby modified to allow compliance (confidential) executed on May 26, 2010.
15. Paragraph 20(p) on page 7 of the Consent Order is hereby modified reducing the required monitoring time from five (5) years to three (3) years with the effective date being October 1, 2007.
16. The terms of the Consent Order unmodified by this Final Order shall remain in full force and effect.
17. Licensee's public censure as set forth in the Consent Order entered into on June 21, 2008, shall remain in effect.
18. The Consent Order of June 21, 2008 is hereby modified as set forth above.
19. The Board shall maintain jurisdiction over this matter to issue any Order(s) deemed necessary and appropriate.

IT IS SO ORDERED THIS 26 DAY OF Aug, 2010, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Kathleen Selzler Lippert
Executive Director
Kansas State Board of Healing Arts

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, the Board's Executive Director, at 235 SW Topeka Blvd., Topeka, KS 66603.

CERTIFICATE OF SERVICE

I, hereby certify that a true copy of the foregoing Final Order was served this 26th day of August, 2010 by depositing the same in the United States Mail, first-class postage prepaid and addressed to:

Bryan Van Meter
(confidential)
Overland Park, KS 66210

Carol Ruth Bonebrake
Law Office of Carol Ruth Bonebrake
107 SW 6th Ave., Ste. 210
Topeka, KS 66603

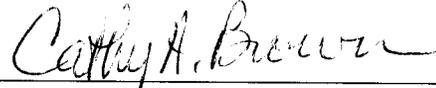
And a copy was hand delivered to the office of:

Lori D. Dougherty
Associate Litigation Counsel
Kansas State Board of Healing Arts
235 SW Topeka Blvd.
Topeka, Kansas 66603

Katy Lenahan
Licensing Administrator
Kansas State Board of Healing Arts
235 SW Topeka Blvd.
Topeka, Kansas 66603

The original filed with:

Kathleen Selzler Lippert, Executive Director
Kansas State Board of Healing Arts
235 SW Topeka Blvd.
Topeka, KS 66603



Cathy Brown
Executive Assistant