

FILED
JUN 25 2013
KS State Board of Healing Arts

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

In the Matter of
KHANH VU, M.D.

Application for Licensure
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KSBHA Docket No. 13-HA00055

ORDER DENYING REQUEST FOR RECONSIDERATION

NOW on this 24th day of June, 2013, the Kansas State Board of Healing Arts ("Board"), by and through its Executive Director, Kathleen Selzler Lippert, a duly authorized Representative of the Board, in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, specifically, K.S.A. 77-529, and upon due consideration of the agency record and applicable Healing Arts Act statutes, and being otherwise duly advised in the premises, makes the following determination upon Licensee's request for reconsideration of the Board's Final Order Denying Licensure by Endorsement entered in this matter on April 30, 2013:

1. Applicant submitted an application for licensure by endorsement to practice medicine and surgery in the State of Kansas. Such application was complete and filed with the Board on or about March 15, 2013.
2. In 1995, Applicant graduated from Laval University Faculty of Medicine in Quebec, Canada.
3. Applicant's postgraduate training was not accredited by the Accreditation Council for Graduate Medical Education (ACGME). In June 2006, Applicant successfully completed a 5-year residency in radiation oncology in Ontario, Canada, which was accredited by the Royal College of Physicians & Surgeons of Canada. In May of 2007, Applicant completed a 6-month fellowship in radiation oncology in Ontario, Canada. Applicant also participated in a residency

program from August of 2009 to July of 2010, at the Tom Baker Cancer Center in Alberta, Canada, but did not successfully complete the program.

4. Applicant presently holds a license to practice medicine and surgery in the States of New York, Illinois and Pennsylvania, having been issued such licenses in 2012, 2012 and 2010 respectively.

5. Applicant practiced as a staff radiation oncologist at Allan Blair Cancer Center in Saskatchewan, Canada from July of 2007 to June of 2009.

6. Applicant has practiced in the United States for one month as a *locum* radiation oncologist at Memorial Cancer Center in Springfield, Illinois from March to April of 2012.

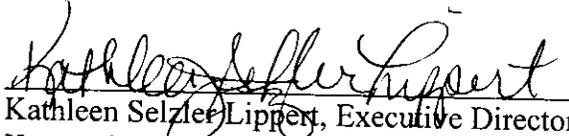
7. Applicant's application was considered by the Board in a conference hearing on April 12, 2013, at which Applicant presented testimony and evidence in support of her application. The Board denied Applicant's application and issued a Final Order Denying Licensure by Endorsement on April 30, 2013. In the Final Order, the Board found that Applicant had not engaged in sufficient active practice under her New York, Illinois or Pennsylvania licenses to warrant licensure by endorsement in State of Kansas pursuant to K.S.A. 65-2833. Specifically, the Board considered that Applicant had only practiced for one (1) month in the last four (4) years.

8. On or about June 4, 2013, the Board received a request from Applicant requesting the Board's reconsideration of its Final Order Denying Licensure by Endorsement. In support of her request, Applicant presented evidence of her scores from testing for board certification in radiation oncology and her passage of the USMLE. Applicant further stated that she intended to do more active practice under her Illinois license in the future.

9. Applicant's request for reconsideration and supporting evidence do not address the deficiency in active practice which was the basis for the Board's decision to deny licensure by endorsement.

10. Applicant's request for reconsideration is denied.

IT IS SO ORDERED THIS 24th DAY OF JUNE, 2013, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


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

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 25th day of June, 2013, a true and correct copy of the above and foregoing **ORDER DENYING RECONSIDERATION OF FINAL ORDER DENYING APPLICATION FOR LICENSE DESIGNATION CHANGE TO ACTIVE STATUS** was served by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to the following:

Khahn Vu, M.D.
Confidential

Irvine, CA 92920

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, Kansas 66612

And 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