

FILED

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

NOV 08 1993

KANSAS STATE BOARD OF
HEALING ARTS

In the Matter of)
)
Robert L. Walton, M.D.)
License Number 15530)

FINAL ORDER OF CANCELLATION OF LICENSE

NOW, on this 9th day of October, 1993, comes on for consideration before the Kansas State Board of Healing Arts (hereinafter "Board") sitting as a whole the request by Robert L. Walton, M.D. (hereinafter "Applicant") to vacate the Proposed Default Order of Cancellation of License. Applicant does not appear.

After reviewing the request and being otherwise duly advised in the premises, the Board makes the following findings of fact:

1. Applicant was originally licensed to practice medicine and surgery in the State of Kansas on December 7, 1973.

2. Pursuant to K.S.A. 65-2809 and K.A.R. 100-15-1, licenses to practice medicine and surgery expire on June 30 of each year and may be renewed annually upon the request of the licensee by providing a request for renewal on a form provided by the Board.

3. K.S.A. 65-2809(d) requires that at least thirty (30) days before expiration of a license the Board notify licensee of the expiration of a license by mail to licensee's last address as noted in Board records. Upon failing to renew by the expiration

date the Board will suspend action for thirty (30) days following the date of expiration and provide a second notice to licensee that licensee's license has expired.

4. On May 14, 1993, in accordance with the statutory provisions, Applicant was mailed the form necessary to renew his license which was addressed to his last address noted in Board records. This first notice was never returned to the Board office.

5. On July 20, 1993, a second notice indicating Applicant's license had expired and that the Board would suspend action on the license for thirty (30) days following expiration of said license was mailed to Applicant. Applicant failed to return the renewal due to a medical disability.

6. In accordance with K.S.A. 65-2809(d) and 77-520, a Proposed Default Order of Cancellation of License was mailed August 2, 1993 and received by Applicant on August 17, 1993.

7. The Proposed Default Order of Cancellation provided it would become effective upon expiration of seven (7) days following service if a written motion requesting said Order be vacated was not received during said period.

8. By letter dated August 17, 1993, Applicant requested withdrawal of Cancellation Notice within the seven (7) day time period for filing said request.

9. On September 20, 1993, Applicant submitted an application for renewal together with a check made payable to the

Board dated September 16, 1993 in the sum of two hundred dollars (\$200.00).

IT IS THEREFORE BY THE BOARD ORDERED that Applicant's request to reconsider and vacate the Proposed Default Order of Cancellation of License should be denied.

IT IS FURTHER ORDERED that Applicant's license to practice medicine and surgery be cancelled effective immediately.

IT IS FURTHER ORDERED that Applicant should be required to comply with the requirements necessary to reinstate his license in order to again have a valid license to practice medicine and surgery in the State of Kansas.

IT IS FURTHER ORDERED that this is a Final Order and is effective upon service on the parties. Any party may, within fifteen (15) days after service, file a Petition for Reconsideration. The filing of a Petition for Reconsideration is not a prerequisite for seeking administrative or judicial review.

IT IS SO ORDERED.

DATED this 8th day of November, 1993.

KANSAS STATE BOARD OF HEALING ARTS


LAWRENCE T. BUENING, JR. #9125
Executive Director

CERTIFICATE OF SERVICE

I, Lawrence T. Buening, Jr., do hereby certify that on the 8th day of November, 1993, a copy of the above and foregoing Final Order of Cancellation of License was deposited in the United States mail, postage prepaid, first class to the following:

Robert L. Walton, M.D.
55 Lake Avenue, North SA-751
Worcester, MA 01655

and a copy was hand-delivered to:

Charlene K. Abbott
Licensing Administrator
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603


LAWRENCE T. BUENING, JR.
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, Kansas 66603
(913) 296-7413

LTB22/Walton.Can