

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

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KS State Board of Healing Arts

In the Matter of)
Karl Weatherhead, D.C.)
)
Kansas License No. 01-03908) Docket No. 13-HA00057
_____)

EX PARTE EMERGENCY ORDER OF SUSPENSION OF LICENSE

NOW on this 20th day of March 2013, comes before Presiding Officer Joel Hutchins, M.D. the Petitioner’s Motion for *Ex Parte* Emergency Order of Suspension and for Emergency Proceedings filed against the license of Karl Weatherhead, D.C. (“Licensee”) by the Petitioner Board.

The Presiding Officer has reviewed the agency record in Kansas Board of Healing Arts Docket No. 13-HA00057, including the Petition and Petitioner’s Motion for *Ex Parte* Emergency Order of Suspension and for Emergency Proceedings (“Motion”) filed March 15, 2013, against Licensee’s license. The Motion requests an emergency suspension of Licensee’s license and requests emergency proceedings. The Presiding Officer has also reviewed Board Exhibits 1 through 6, which are attached to the Motion. Based upon due consideration of the pleadings and exhibits in the agency record, the Presiding Officer finds, concludes and orders as follows:

1. The Motion requests an *ex parte* order be issued pursuant to K.S.A. 65-2838(c) and K.S.A. 77-536. Under those statutes, the Presiding Officer may issue an order without notice and hearing, and may temporarily suspend a license if the Presiding Officer finds an imminent danger to the public health and safety.

2. Licensee's last known mailing address as provided to the Board is 455 S. Ridge Road, Wichita, Kansas 67209.

3. Licensee is or has been entitled to practice chiropractic in the State of Kansas, having been issued License No. 01-03908 on approximately June 17, 1988, and having last renewed such license on approximately January 25, 2013. Such license is presently designated as active.

4. At all times relevant to the allegations set forth in the Petition and Motion, Licensee has been subject to certain requirements contained in a Consent Order he entered into with the Board. Such Consent Order was filed with the Board on September 1, 2010, in Kansas Board of Healing Arts Docket No. 11-HA00028.

5. Licensee entered into the Consent Order to resolve concerns about his ability to safely practice **Confidential**

Confidential

8. The Motion also alleges that Licensee's continuation in practice creates an imminent danger to the public health, safety and welfare **Confidential**
Confidential

9. The Presiding Officer finds that exhibits 1 through 6 attached to the Motion contain evidence of Licensee's failure to **Confidential** and noncompliance with his monitoring requirements in violation of K.S.A. 65-2836(k).

10. The Presiding Officer concludes that the purpose of the Consent Order is to ensure that Licensee is able to practice with reasonable skill and safety to patients. As a consequence of Licensee's violation of monitoring requirements in the Consent Order, the Board cannot ensure that patients are adequately protected. The Presiding Officer further concludes that Licensee's noncompliance creates a reasonable inference that Licensee is unable to practice medicine and surgery with reasonable skill and safety **Confidential**

12. The Presiding Officer concludes that Licensee's continuation in active practice constitutes an immediate danger to the public health, safety or welfare and that such license should be emergently suspended on a temporary basis pursuant to K.S.A. 65-2838(c) and K.S.A. 77-536 until such time as further hearing proceedings can be held on the Motion.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee's license is hereby emergently **SUSPENDED** on a temporary basis pending further hearing proceedings on the Motion for an *Ex Parte* Order of Suspension. Such suspension is effective when this Order is rendered.

IT IS SO ORDERED THIS 20th DAY OF MARCH, 2013, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.

KANSAS STATE BOARD OF HEALING ARTS

Joel Hutchins, M.D. by KGS
Joel Hutchins, M.D.
Presiding Officer

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing **Ex Parte Emergency Order of Suspension** was served this 20th day of March, 2013, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Karl Weatherhead, D.C.
455 S. Ridge Road
Wichita, Kansas 67209

and a copy was hand-delivered to:

Seth Brackman, Associate Litigation Counsel
Kansas Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612
Attorney for Petitioner

Katy Lenahan, Licensing Administrator
Kansas 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.

Kelli G. Stevens