

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

FILED



OCT 18 2010

**In the Matter of** )  
**C. Michael West, M.D.** )  
**License No. 04-20377** )  
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KS State Board of Healing Arts

Docket No. 10-HA00011

**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. C. Michael West (“Licensee”), 634 Mulvane, #401, Topeka, Kansas 66606 is licensed in the State of Kansas, License No. 04-20377, and was originally licensed on or about December 9, 1983.
2. Licensee entered into a Consent Order with the Board on October 19, 2009 to resolve concerns regarding the falsification of a patient medical record.
3. Pursuant to the terms of the Consent Order Licensee was placed on probation for a period of at least one (1) year and was required to pay a fine of \$2,500.00.
4. On or about October 21, 2009, Licensee, through his counsel, submitted a check to the Board in the amount of \$2,500.00 for payment of the fine.

5. On September 9, 2010, Licensee filed a motion requesting termination of the Consent Order upon the approval of the Board at the October 8, 2010 Board Meeting.
6. Documentation from Dan Fieker, Executive Vice President, St. Francis Health Center, indicates there have been no significant issues in Licensee's peer review file and there have been no patient complaints regarding Licensee.

## **II. Applicable Law**

- a. K.S.A. 65-2801
- b. K.S.A. 65-2836
- c. K.S.A. 65-2837
- d. K.S.A. 65-2838
- e. K.S.A. 65-2863a
- f. K.S.A. 65-2869
- g. K.A.R. 100-24-1

## **III. 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 #5, the Applicable Law and the Policy Statement set forth above:

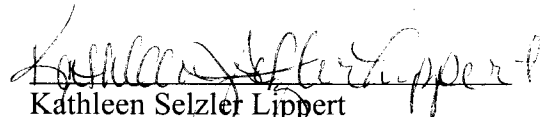
**THE BOARD HEREBY CONCLUDES AS FOLLOWS:**

7. Licensee entered into a Consent Order on October 19, 2009 to resolve concerns regarding falsification of a patient's medical records.
8. On October 21, 2009, Licensee, through his counsel, submitted a check in the amount of \$2,500.00 for payment of a fine pursuant to the terms of the Consent Order.
9. On September 9, 2010, Licensee filed a motion requesting termination of the Consent Order upon the approval of the Board at the October 8, 2010, Board Meeting.
10. Documentation from Dan Fieker, Executive Vice President, St. Francis Health Center, indicates there have been no significant issues in Licensee's peer review file and there have been no patient complaints regarding Licensee.

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

11. Licensee's Consent Order is hereby **TERMINATED** effective at 12:00 p.m. on October 8, 2010.
12. The Board shall maintain jurisdiction over this matter to issue any Order(s) deemed necessary and appropriate.

**IT IS SO ORDERED THIS 18<sup>th</sup> DAY OF Oct, 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 18<sup>th</sup> day of October, 2010 by depositing the same in the United States Mail, first-class postage prepaid and addressed to:

C. Michael West, M.D.  
634 Mulvane #401  
Topeka, Kansas 66606

Arthur Glassman  
Sloan, Eisenbarth, Glassman McEntire & Jarboe, L.L.C.  
1000 Bank of America Tower  
534 S. Kansas Avenue  
Topeka, Kansas 66603-3456

And a copy was hand delivered to the office of:

Kelli J. Stevens, 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

Melissa Massey, Compliance Coordinator  
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



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Cathy A. Brown  
Executive Assistant