

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

**F I L E D**

In the Matter of )  
 )  
**RODNEY KENT WOERTHER, M.D.** )  
Kansas License Number 4-24628 )

OCT 22 1999

**KANSAS STATE BOARD OF  
HEALING ARTS**

**FINAL ORDER FOLLOWING CONFERENCE HEARING**

**NOW**, on this 16<sup>th</sup> day of October, 1999, comes on for consideration before the Kansas Board of Healing Arts (hereafter "Board"), sitting as a whole as Presiding Officer in a conference proceeding pursuant to the provisions of K.S.A. 77-533, the request of Rodney Kent Woerther, M.D. (hereafter "Licensee") for retroactive reinstatement of license. Licensee appears in person.

After reviewing the request and being otherwise duly advised in the premises, the Board finds as follows:

1. Licensee was originally granted license number 4-24628 to practice medicine and surgery in the state of Kansas on June 12, 1993.
2. Licensee's license was canceled on August 1, 1999 pursuant to K.S.A. 65-2809 due to Licensee's failure to renew.
3. Licensee became aware of the cancellation of his license on or about September 10, 1999, immediately contacted the Board office and completed and returned the application required to reinstate his license that date. Licensee continued to see patients on September 10, 1999 to insure they received continuous and uninterrupted medical care, but did not practice or see patients on September 11 or 12, 1999.

4. Licensee's application for reinstatement was received in the Board office and his license was reinstated on September 13, 1999.

5. From August 1, 1999 until September 13, 1999, Licensee maintained professional liability insurance in compliance with Kansas law and had the required continuing education necessary to qualify for reinstatement.

6. By letter dated September 24, 1999 and received in the Board office on September 28, 1999, Licensee requested that the Board retroactively reinstate his license to practice medicine and surgery to August 1, 1999.

7. The failure of Licensee to renew his license and the cancellation of such license on August 1, 1999 was due to inadvertency and mistake of Licensee.

8. There was no wilful misconduct on the part of Licensee for continuing to practice on September 10, 1999 and no fine should be assessed for practicing on that date.

**IT IS THEREFORE BY THE BOARD ORDERED AS FOLLOWS:**

a. That the findings here and above made be and the same are the order of the Board.

b. That license number 4-24628 issued under K.S.A. 65-2831 to Rodney Kent Woerther, M.D. and originally reinstated September 13, 1999, be retroactively reinstated to August 1, 1999 to reflect that Licensee has continuously held a current license from and since August 1, 1999.

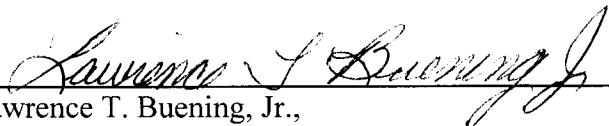
c. That as a condition of the aforementioned retroactive reinstatement of license, an administrative fine in the amount of one-hundred fifty dollars (\$150) be assessed to Licensee for his inadvertence and mistake in allowing his license to be canceled for non-renewal on August 1, 1999. Payment of said fine to be received in the Board office within thirty (30) days of service of this Order.

d. This is a Final Order and is effective upon service upon 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 22<sup>nd</sup> day of October, 1999.

**KANSAS STATE BOARD OF HEALING ARTS**

  
\_\_\_\_\_  
Lawrence T. Buening, Jr.,  
Executive Director

**CERTIFICATE OF SERVICE**

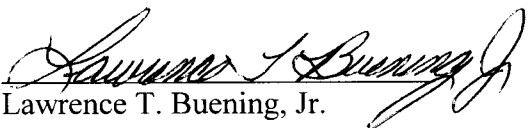
I, Lawrence T. Buening, Jr., Executive Director, Kansas State Board of Healing Arts, do hereby certify that on the 25<sup>th</sup> day of October, 1999, a true and correct copy of the above and foregoing FINAL ORDER FOLLOWING CONFERENCE HEARING was deposited in the United States mail, first class postage prepaid to the following:

Rodney Kent Woerther, M.D.  
13898 W. 130<sup>th</sup> Terrace  
Olathe, Kansas 66062

and a copy hand delivered to:

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

and the original has been filed with the office of Executive Director.

  
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Lawrence T. Buening, Jr.  
Executive Director  
(785) 296-3680