

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

**FILED**

*CHB*

JUN 13 2005

In the Matter of )  
MARK E. YOUNG, M.D. )  
Kansas License No. 04-22312 )  
\_\_\_\_\_ )

KS State Board of Healing Arts

Docket No. 05-HA-80

**EMERGENCY ORDER**

**NOW ON THIS** Eleventh Day of June 2005, this matter comes before the Board a motion for an *ex parte* emergency order. Stacy L. Cook, Litigation Counsel, appears for the Board. There are no other appearances.

Board members Nance Welsh, M.D., Ms. Sue Ice, Vinton Arnett, D.C., and Ronald Whitmer, D.O. participated in the investigative and prosecutorial Board functions, and therefore are recused.

Having the agency record before it, the Board finds, concludes and orders as follows:

1. This is a motion for an order pursuant to K.S.A. 65-2838 and 77-536. Under those statutes, the Board may issue an order without notice and hearing, and may temporarily limit or suspend a license if the Board finds an imminent harm to the public health and safety.

2. **(Confidential)**  
**(Confidential)**

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3. The Board finds that Respondent Mark E. Young, M.D. appears to have the inability to practice with reasonable skill and safety **(Confidential)**

4. Members of the operating staff where Respondent practices the healing arts have reported smelling alcohol on Respondent's breath prior to and during patient treatment. This occurred during or around November 2004. Prior to this coming to the Board's attention several attempts at intervention were made in order to facilitate an evaluation. The last of these meeting occurred on June 6, 2005. Respondent was not cooperative, his speech was slurred, his breath smelled of alcohol, and his general appearance was disheveled.

5. The Board finds that it is necessary to immediately suspend Respondent's license in order to protect the public from imminent harm.

**IT IS, THEREFORE, ORDERED** that the license of Mark E. Young, M.D. is hereby suspended.

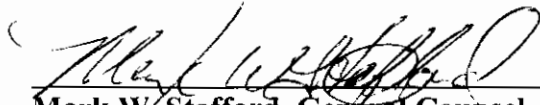
**IT IS FURTHER ORDERED** that Board member Mark McCune, M.D. is appointed as presiding officer to conduct further proceedings and to issue an Initial Order.

**PLEASE TAKE NOTICE** that a hearing on this matter is set for June 17, 2005 at 3:00 p.m. at the Board office, 235 S. Topeka Blvd., Topeka, KS. The issue to be determined is whether the emergency order of suspension should remain in place, modified or terminated and whether additional orders are appropriate. A party who does not appear or participate may be held in default and administrative orders issued. No further notice of hearing will be given.

**PLEASE TAKE FURTHER NOTICE** that this is an emergency order. An emergency order is effective when issued. Service of an emergency order constitutes notice of agency action for purposes of the Kansas act for judicial review of agency action. As provided by that act, a person whose license is affected by an emergency order may seek review in the district court. A copy of a petition for review must be served upon the Executive Director, State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, KS 66603.

Dated this 13~~4~~ Day of June 2005.

**KANSAS STATE BOARD OF  
HEALING ARTS**



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Mark W. Stafford, General Counsel, for  
Lawrence T. Buening, Jr.  
Executive Director

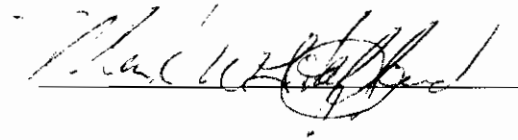
**Certificate of Service**

I certify that a true copy of the foregoing Emergency Order was served this 13<sup>th</sup> Day of June 2005 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Mark E. Young, M.D.  
11401 Nall, Suite 218  
Leawood, KS 66211

And a copy was hand-delivered to the office of:

Stacy L. Cook, Litigation Counsel  
235 S. Topeka Blvd.  
Topeka, KS 66603

A handwritten signature in black ink, appearing to read "Mark E. Young", is written over a horizontal line. The signature is cursive and somewhat stylized.