

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

FILED *CAB*

MAY 27 2008

KS State Board of Healing Arts

In the Matter of )  
Edward Zimmerman M.D. )  
 )  
Kansas License No. 4-28415 )  
\_\_\_\_\_ )

Docket No. 08-HA 00206

SUMMARY ORDER

NOW ON THIS 27<sup>th</sup> day of May, 2008, this matter comes before Lawrence T. Buening, Jr., Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537.

Upon review of the agency record and being duly advised in the premises, the following findings of fact, conclusions of law and order are made for and on behalf of the Board:

1. Edward Zimmerman M.D. ("Licensee") was originally issued license number 4-28415 to practice as a medical doctor in the state of Kansas August 14, 1999. Licensee's license is active, having last been renewed on or about July 1, 2007.
2. Licensee's last known mailing address as provided to the Board at the time of his renewal is 510 W Radio Lane, Arkansas City, Kansas 67005.
3. An investigation was initiated by the Board upon receipt of information from the Kansas Board of Veterinary Examiners regarding the Licensee. That investigation produced an acknowledgement by the Licensee that he had prescribed medications to employees of his wife's veterinary clinic on multiple occasions when they received animal bites or became sick. Two of the veterinary clinic employee's indicated that they had received prescription medications from the

Licensee, but were not his patients. Both employees also indicated that the Licensee prescribed the medications without any form of examination or questions related to their health history and no follow up subsequent to providing the medications. One employee indicated that the Licensee advised her to obtain antibiotics from the veterinary clinic safe for her urinary tract infection. The employee indicated she followed the Licensee's advice and recorded it as dispensed for her pet ferret. Medical records from the Licensee's clinic were subpoenaed and review of those records confirmed that neither veterinary clinic employee were patients of the Licensee or the clinic in which he practices.

4. All pending investigation materials regarding Licensee were fully reviewed and considered by the Board members who serve on the Board's Disciplinary Panel. The Disciplinary Panel authorized and directed the issuance of this Summary Order and the specific disciplinary sanctions pursuant to Board Guidelines.

5. The Disciplinary Panel determined that the conduct of the Licensee constitutes "unprofessional conduct" as defined by K.S.A. 65-2837(b)(23): *"Prescribing, dispensing, administering, distributing a prescription drug or substance, ..., in an improper or inappropriate manner, ..., or not in the course of the licensee's professional practice"*.

6. The Disciplinary Panel further found that Licensee's failure to keep written medical records which accurately describe the services rendered to the patient also constitutes "unprofessional conduct" as defined by K.S.A. 65-2837(b)(25): *"Failure to keep written medical records which accurately describe the services rendered to the patient, including patient histories, pertinent findings, examination results and test results"*.

7. The Disciplinary Panel also found that Licensee failed to maintain an adequate record for

each patient for whom the Licensee performed professional service required by K.A.R. 100-24-1 and that such failure constituted a violation of K.S.A. 65-2836(k): *"The licensee has violated any lawful rule and regulation promulgated by the board..."*.

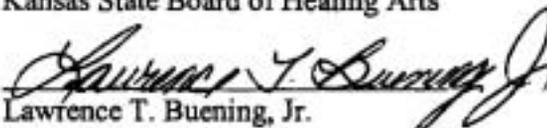
**IT IS, THEREFORE, ORDERED** that Licensee shall successfully complete a "Patient Care Documentation Seminar" conducted by the Center for Personalized Education for Physicians, and provide proof of successful completion to the Board prior to January 1, 2009.

**PLEASE TAKE NOTICE** that this is a Summary Order. A party to whom a Summary Order is issued may file a written request for a hearing pursuant to K.S.A. 77-542 within 15 days following service of the Summary Order. Such written request shall also state the legal and/or factual basis upon which the party opposes this Order. If a hearing is not requested, the Summary Order shall become effective as a Final Order of the Board upon expiration of the time for requesting a hearing. A written request for hearing must be addressed and mailed to Lawrence T. Buening, Jr., Executive Director, Kansas State Board of Healing Arts, and 235 S. Topeka Blvd., Topeka, KS 66603.

**PLEASE TAKE FURTHER NOTICE** that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure. Failure to comply fully with all aspects of this Order may result in further disciplinary action by the Board.

Dated this 22<sup>nd</sup> day of May 2008.

Kansas State Board of Healing Arts

  
Lawrence T. Buening, Jr.  
Executive Director

Certificate of Service

I certify that the foregoing Summary Order was served this 27<sup>th</sup> day of May, 2008, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Edward Zimmerman M.D.  
510 W Radio Lane  
Arkansas City, Kansas 67005

and a copy was hand-delivered to:

Melissa Massey  
Compliance Coordinator  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, Kansas 66603

Dan Riley  
Associate Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, Kansas 66603

and the original was filed with the office of the Executive Director:

Lawrence T. Buening, Jr.  
Executive Director  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, Kansas 66603

  
Lawrence T. Buening, Jr.  
Executive Director

**FILED**

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JUN 18 2008

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

KS State Board of Healing Arts

In the Matter of	)	
	)	
<b>EDWARD ZIMMERMAN, M.D.</b>	)	<b>Docket No. 08-HA-00206</b>
<u>Kansas License No. 04-28415</u>	)	

**JOURNAL ENTRY**

**NOW**, on this 15<sup>th</sup> day of June, 2008, the above-entitled matter comes on before Lawrence T. Buening, Jr., Executive Director of the Kansas Board of Healing Arts ("Board"). After reviewing the file and being duly advised in the premises, the Executive Director makes the following determinations:

1. On May 27, 2008, the Executive Director, issued a Summary Order with the authority and at the direction of the Board's Disciplinary Panel in which it was determined that Edward Zimmerman, M.D. ("Licensee") had violated the Healing Arts Act and ordered ("Licensee") to successfully complete a "Patient Care Documentation Seminar" conducted by the Center for Personalized Education for Physicians, and provide proof of successful completion to the Board prior to January 1, 2009.

2. The Summary Order was filed and mailed on May 27, 2008, to Licensee at the mailing address listed on the Board's records and contained a notice that it would become effective within 15 following service if no request for hearing was received prior to the effective date of the Summary Order.

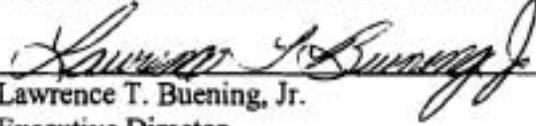
3. No hearing has been requested by any party and, therefore, the Summary Order became effective on June 17, 2008.

4. As stated in the Summary Order, Licensee shall successfully complete a "Patient Care Documentation Seminar" conducted by the Center for Personalized

Education for Physicians, and provide proof of successful completion to the Board prior to January 1, 2009.

DATED this 15<sup>th</sup> day of June, 2008.

**KANSAS STATE BOARD OF HEALING ARTS**

  
Lawrence T. Buening, Jr.  
Executive Director

**CERTIFICATE OF SERVICE**

I, do hereby certify that on the 18<sup>th</sup> day of June, 2008, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

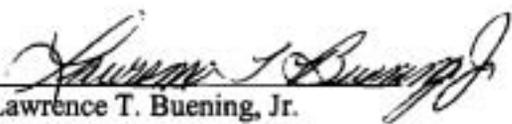
Edward Zimmerman, M.D.  
510 W Radio Lane  
Arkansas City, KS 67005

and a copy hand delivered to the offices of:

Dan Riley, Associate Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, KS 66603

Melissa Massey, Compliance Coordinator  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, KS 66603

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

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

BEFORE THE BOARD OF HEALING ARTS  
OF THE STATE OF KANSAS

**FILED** *CHD*

JAN 09 2009

KS State Board of Healing Arts

In the Matter of )  
 )  
EDWARD ZIMMERMAN, M.D. )  
Kansas License No. 04-28415 ) Docket No. 08-HA00206  
\_\_\_\_\_ )

**JOURNAL ENTRY OF SATISFACTION  
OF REQUIREMENTS OF FINAL ORDER**

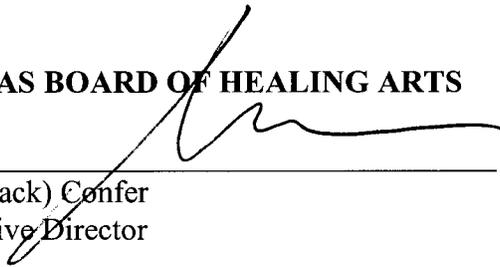
NOW on this 9<sup>th</sup> day of January, 2009, this matter comes before John (Jack) Confer, Executive Director, Kansas Board of Healing Arts (“Board”), concerning Licensee’s satisfaction of all requirements contained in the Final Order which was filed on June 18, 2008. Wherefore, the Board finds as follows:

1. On or about June 10, 2008, the Board issued a Final Order address concerns about Licensee’s violations of the Healing Arts Act. The Final Order contained a provision for Licensee to successfully complete a “Patient Care Documentation Seminar” conducted by the Center for Personalized Education for Physicians, and provide proof of successful completion to the Board prior to January 1, 2009.
2. Licensee provided proof of successful completion of the “Patient Care Documentation Seminar” to the Board on January 5, 2009.
3. Licensee has satisfied all requirements of the Final Order and has no further obligation for compliance.

**IT IS THEREFORE ORDERED** that Licensee is hereby discharged from the requirements of the Final Order filed on June 18, 2008.

**IT IS SO ORDERED.**

**KANSAS BOARD OF HEALING ARTS**

  
\_\_\_\_\_  
John (Jack) Confer  
Executive Director

1-9-08

\_\_\_\_\_  
Date

**CERTIFICATE OF SERVICE**

I, hereby certify that a true and correct copy of the foregoing **Journal Entry of Satisfaction** was served on the 12<sup>th</sup> day of January, 2009 by United States mail, first-class postage pre-paid and addressed to:

Edward Zimmerman, M.D.  
510 W Radio Lane  
Arkansas City, KS 67005

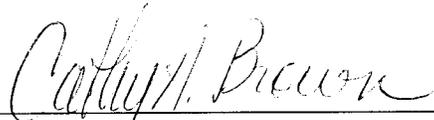
and a copy was hand-delivered to:

Stacy R. Bond  
Associate Litigation Counsel  
Kansas State Board of Healing Arts  
235 S. Topeka Blvd.  
Topeka, KS 66603

Melissa Massey  
Compliance Coordinator  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3065

and the original was hand-delivered for filing with the office of the Executive Director:

Jack Confer  
Executive Director  
Kansas State Board of Healing Arts  
235 S. Topeka Boulevard  
Topeka, Kansas 66603-3068

  
\_\_\_\_\_  
Cathy Brown  
Executive Assistant