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KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of	)	
	)	Docket No. 08-HA-00178
Lisa Beth Campbell, M.D.	)	
Kansas License No. 04-19772 (cancelled)	)	

CONSENT ORDER

COMES NOW, the Kansas State Board of Healing Arts, ("Board"), by and through Kathleen Selzler Lippert, Associate Counsel ("Petitioner"), and Lisa Beth Campbell, M.D. ("Applicant"), *pro se*, and move the Board for approval of a Consent Order as a condition to granting reinstatement of Applicant's license to practice medicine and surgery in the State of Kansas. The Parties stipulate and agree to the following:

1. Applicant's last known mailing address to the Board is: Confidential

   Mission Hills, Kansas 66208.

2. Applicant was entitled to engage in the practice of medicine and surgery in the State of Kansas, having been issued License No. 04-19772 on approximately December 10, 1982. Applicant maintained an active license between December 1982 and July 1988. Applicant's license was cancelled on August 1, 1988 for failure to renew. Applicant was granted reinstatement in 1996, and maintained an active license until July 2001. Applicant changed the status of her license in July 2001, to inactive and maintained an inactive license until it was cancelled for failure to renew on August 1, 2004.

3. On or about November 29, 2007, Applicant submitted an application for reinstatement of licensure in medicine and surgery. Such application was deemed complete and filed with the Board on March 26, 2008.
4. The Board is the sole and exclusive administrative agency in the State of Kansas authorized to regulate the practice of the healing arts, specifically the practice of medicine and surgery. K.S.A. 65-2801 et seq. and K.S.A. 65-2869.
5. This Consent Order and the filing of such document are in accordance with applicable law and the Board has jurisdiction to enter into the Consent Order as provided by K.S.A. 77-505 and 65-2838. Upon approval, these stipulations shall constitute the findings of the Board, and this Consent Order shall constitute the Board's Final Order.
6. The Kansas Healing Arts Act is constitutional on its face and as applied in the case.
7. Applicant agrees that, in considering this matter, the Board is not acting beyond its jurisdiction as provided by law.
8. Applicant voluntarily and knowingly waives her right to a hearing. Applicant voluntarily and knowingly waives her right to present a defense by oral testimony and documentary evidence, to submit rebuttal evidence, and to conduct cross-examination of witnesses. Applicant voluntarily and knowingly agrees to waive all possible substantive and procedural motions and defenses that could be raised if an administrative hearing were held.
9. The terms and conditions of the Consent Order are entered into between the undersigned parties and are submitted for the purpose of allowing these terms and

conditions to become an Order of the Board. This Consent Order shall not be binding on the Board until an authorized signature is affixed at the end of this document. Applicant specifically acknowledges that counsel for the Board is not authorized to sign this Consent Order on behalf of the Board.

10. **(Confidential)**

11. Applicant has not practiced medicine and surgery since approximately 2000 but is current on her CEU requirements.

12. **(Confidential)**

13. Applicant's stated practice plans, if granted licensure, involve working part-time at a major hospital in the Section of Developmental and Behavioral Sciences where she will be evaluating children with suspected autism spectrum disorders and other developmental concerns. Further, her practice plan includes working closely with other physicians and members of a medical team. Applicant has agreed that she will maintain such practice setting for at least one year.

14. **(Confidential)**

15. Due to the length of time Applicant has been absent from active practice, the Board may require additional testing, training or education as the Board may deem necessary to establish Applicant's present ability to practice with reasonable skill and safety pursuant to K.S.A. 65-2809(e).

16. In lieu of such requirements, and based on evidence Applicant has provided **(Confidential)** , her proposed practice setting and her endeavors to remediate her clinical skills, the Board and Applicant have entered into this Consent Order as a condition to Applicant being granted reinstatement of licensure.

17. According to K.S.A.65-2838(b), the Board has authority to enter into this Consent Order without the necessity of proceeding to a formal hearing.

18. In lieu of conducting a formal proceeding, Applicant, by signature affixed to this Consent Order, hereby voluntarily agrees to the following as a condition to being granted reinstatement of licensure to engage in the practice of medicine and surgery:
(Confidential)

    a. **(Confidential)**

    b. **(Confidential)**

c. **(Confidential)**

d. **(Confidential)**

e. Applicant shall at all times keep Board staff informed of all her current practice locations, addresses and telephone numbers. Applicant shall provide the above information in writing to the Board within ten (10) days of any such change.

(Confidential)

f. **(Confidential)** After a period of one (1) year, Applicant may request modification or termination of the provisions. For any period of time that Applicant is not actively practicing medicine and surgery in Kansas, the **(Confidential)** provisions will remain in effect but will be tolled and not counted towards reducing the one (1) year timeframe.

19. Applicant's failure to comply with the provisions of the Consent Order may result in the Board taking action as the Board deems appropriate according to the Kansas Administrative Procedure Act and Kansas Healing Arts Act.

20. Nothing in this Consent Order shall be construed to deny the Board jurisdiction to investigate alleged violations of the Healing Arts Act, or to investigate complaints

received under the Risk Management Law, K.S.A. 64-4921 et seq., that are known or unknown and are not covered under this Consent Order, or to initiate formal proceedings based upon known or unknown allegations of violations of the Healing Arts Act.

21. Applicant hereby releases the Board, its individual members (in their official and personal capacity), attorneys, employees and agents, hereinafter collectively referred to as "Releasees", from any and all claims, including but not limited to those alleged damages, actions, liabilities, both administrative and civil, including the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions, K.S.A. 77-601 et seq. arising out of the investigation and acts leading to the execution of this Consent Order. This release shall forever discharge the Releasees of any and all claims or demands of every kind and nature that Applicant has claimed to have had at the time of this release or might have had, either known or unknown, suspected or unsuspected, and Applicant shall not commence to prosecute, cause or permit to be prosecuted, any action or proceeding of any description against the Releasees.

22. Applicant further understands and agrees that upon signature by Applicant, this document shall be deemed a public record and shall be reported to any reporting entities authorized to receive disclosure of the Consent Order.

23. A protective order is hereby entered to protect all confidential information **(Confidential)**

(Confidential)

24. This Consent Order, when signed by both parties, constitutes the entire agreement between the parties and may only be modified or amended by a subsequent document executed in the same manner by the parties.
25. Applicant agrees that all information maintained by the Board pertaining to the nature and result of any complaint and/or investigation may be fully disclosed to and considered by the Board in conjunction with the presentation of any offer of settlement, even if Applicant is not present. Applicant further acknowledges that the Board may conduct further inquiry as it deems necessary before the complete or partial acceptance or rejection of any offer of settlement.
26. Applicant, by signature to this document, waives any objection to the participation of the Board members, including the Disciplinary Panel and General Counsel, in the consideration of this offer of settlement and agrees not to seek the disqualification or recusal of any Board member or General Counsel in any future proceedings on the basis that the Board member or General Counsel has received investigative information from any source which otherwise may not be admissible or admitted as evidence.
27. Applicant acknowledges that she has read this Consent Order and fully understands the contents.
28. Applicant acknowledges that this Consent Order has been entered into freely and voluntarily.
29. All correspondence or communication between Applicant and the Board relating to the Consent Order shall be by certified mail addressed to the Kansas State

Board of Healing Arts, Attn: Compliance Coordinator, 235 S. Topeka Blvd., Topeka, Kansas 66603-3068.

30. Applicant shall obey all federal, state and local laws and rules governing the practice of medicine and surgery in the State of Kansas that may be in place at the time of execution of the Consent Order or may become effective subsequent to the execution of this document.

31. Upon execution of this Consent Order by affixing a Board authorized signature below, the provisions of this Consent Order shall become an Order under K.S.A. 65-2838. This Consent Order shall constitute the Board's Order when filed with the office of the Executive Director for the Board and no further Order is required.

32. The Board may consider all aspects of this Consent Order in any future matter regarding Applicant.

IT IS THEREFORE ORDERED that the Consent Order and agreement of the parties contained herein is adopted by the Board as findings of fact and conclusions of law.

IT IS FURTHER ORDERED that upon meeting all technical requirements for licensure, Applicant's license shall be reinstated.

IT IS FURTHER ORDERED that:

(Confidential)

a.

(Confidential)

b. **(Confidential)**

c. **(Confidential)**

d. **(Confidential)**

e. Applicant shall at all times keep Board staff informed of all her current practice locations, addresses and telephone numbers. Applicant shall provide the above information in writing to the Board within ten (10) days of any such change.

(Confidential)

f. **(Confidential)** After a period of one (1) year, Applicant may request modification or termination of the provisions. For any period of time that Applicant is not actively practicing

medicine and surgery in Kansas, the (Confidential) provisions will remain in effect but will be tolled and not counted towards reducing the one (1) year timeframe.

IT IS SO ORDERED on this 28th day of April, 2008.

FOR THE KANSAS STATE BOARD OF HEALING ARTS:

Lawrence T. Buening, Jr.
Executive Director

April 28, 2008
Date

Lisa B. Campbell M.D.
Lisa Beth Campbell, M.D.
Licensee

Date

PREPARED AND APPROVED BY:

Kathleen Selzler Lippert
Kathleen Selzler Lippert #17957
Associate Counsel
Kansas Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3068
785-296-0961

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I served a true and correct copy of the Consent Order by United States mail, postage prepaid, on this 29th day of April, 2008, to the following:

Lisa Beth Campbell, M.D.
Licensee
Confidential
Mission Hills, Kansas 66208

And the original was hand-filed with:

Lawrence T. Buening, Jr.
Executive Director
Kansas Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3068

And a copy was hand-delivered to:

Kathleen Selzler Lippert #17957
Associate Counsel
Kansas Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3068