FILED
NOV 06 2013
KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of	)	
TYLER THOMAS CRAIG, D.C.	)	
	)	**KSBHA Docket No. 14-HA00024**
Applicant for Kansas Licensure	)	
	)	

FINAL ORDER GRANTING LICENSURE WITH MONITORING

NOW on this 11th day of October, 2013, comes before the Kansas State Board of Healing Arts ("Board") the application of Tyler Thomas Craig, D.C. ("Applicant") for a license to practice chiropractic in the State of Kansas. Applicant appears in person and *pro se.* Jessica Bryson, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to the Board by the Kansas Healing Arts Act, 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. After reviewing the agency record, hearing the statements and arguments of the parties, receiving exhibits into evidence, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. On or about April 25, 2013, Applicant submitted an application to the Board for a license to practice chiropractic in the State of Kansas. Such application was complete and filed with the Board on September 3, 2013.

2. On September 3, 2013, Associate Litigation Counsel filed a Response to Application for License to Practice Chiropractic alleging there may be grounds for denial due to Applicant having been convicted of a felony

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3. In October 2005, Applicant was arrested and charged with Cultivation of Marijuana. On December 8, 2006, in the District Court of Douglas County, Kansas, Applicant pleaded "guilty" to, and was convicted of, Cultivation of Marijuana in violation of K.S.A. 65-4163(a)(3), which is a Level 3d, Drug, Nonperson, Felony Offense.

4. On January 30, 2007, Applicant was placed on Intensive Supervised Probation for a period of eighteen (18) months. He requested Early Discharge from Probation, which was granted, and he was released from Probation on January 31, 2008.

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8. At the conference hearing on his application, Applicant testified that he made an intentional change, moving away from certain negative influences when his legal problems began, and as a result, entered and completed school. The Board finds that the evidence presented reflects Applicant's openness about past problems, a willingness to participate in monitoring, and that he has made positive changes in his life since his arrest.

9. K.S.A. 65-2836(c) requires that an application for licensure by a person who has been convicted of a felony "shall be denied unless a 2/3 majority of the board members present and voting on such application determine by clear and convincing evidence that such person will not pose a threat to the public in such person's capacity as a Applicant and that such person has been sufficiently rehabilitated to warrant the public trust."

10. Based on the evidence presented, the Board concludes there is clear and convincing evidence that Applicant will not pose a threat to the public in his capacity as a licensed chiropractic doctor and has been sufficiently rehabilitated to warrant the public trust as long as appropriate monitoring is conducted for a reasonable period of time to ensure Applicant's ability to practice with reasonable skill and safety to patients.

11. The Board concludes that Applicant's safety to practice can be ensured by

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12. During the conference hearing in this matter, Applicant indicated his voluntary consent to non-disciplinary impairment monitoring as a condition to being granted licensure.

13. The Board concludes that Applicant's application for licensure should be granted with non-disciplinary monitoring provisions.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Applicant is hereby **GRANTED** a license to practice chiropractic in the State of Kansas with non-disciplinary **MONITORING** provisions as follows:

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h. All correspondence shall be sent to the Board to the attention of: Compliance Coordinator, Kansas Board of Healing Arts, 800 SW Jackson Street, Lower Level-Suite A, Topeka, Kansas 66612.

i. The above monitoring provisions are not self-terminating. After a period of two (2) years, Applicant may request that the Board modify or terminate the monitoring provisions. For any period that Applicant is not actively practicing chiropractic in Kansas, the monitoring provisions shall remain in effect, but will be tolled and not counted towards reducing the two (2) year timeframe.

IT IS SO ORDERED THIS 15 DAY OF Nov, 2013, 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, and service of a Final Order is complete upon mailing. Pursuant to K.S.A. 77-529, Applicant may petition the Board for Reconsideration of a Final Order within fifteen (15) days following service of the final order. Additionally, 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, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing **FINAL ORDER GRANTING LICENSURE WITH MONITORING** was served on this 6th day of Nov., 2013, by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Tyler Thomas Craig, D.C.
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Basehor, KS 66007

And a copy was hand-delivered to:

Jessica Bryson, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Katy Lenahan, Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

And the original was filed with the office of the Executive Director.

Cathy A. Brown

Cathy Brown, Executive Assistant