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

KS State Board of Healing Arts

In the Matter of)
CORRIE DANKS, M.D.)
)
Kansas License No. 04-28366)
_____)

KSBHA Docket No. 14-HA00011
OAH No. 14HA0002

FINAL ORDER

NOW on this 14th day of February, 2014, the above-captioned matter comes before the Presiding Officer, Michael Beezley, M.D., for review of the Initial Order issued by Presiding Officer Stephen Good of the Office of Administrative Hearings, which was filed with the Board on December 11, 2013. The Kansas Board of Healing Arts ("Board") on its own motion, requested review of the Initial Order. Both parties were given the opportunity to submit a brief and request oral argument. Neither party has submitted a brief or requested oral argument with respect to this review.

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 Presiding Officer hereby enters this Final Order. After reviewing the agency record and being otherwise duly advised in the premises, the Presiding Officer makes the following findings, conclusions and orders:

1. The Presiding Officer adopts the findings of fact 1 through 9 as stated in the Initial Order.
2. The Presiding Officer does not adopt the Discussion, Conclusions of Law and Conclusion set forth in the Initial Order.

3. The Presiding Officer further finds and concludes as follows:

a. Licensee testified as to her efforts to ensure reports were sent to the Board from the Health Information Management (“HIM”) department at Saint Francis Health Center (“Saint Francis”) where Licensee worked both before and after she was notified about their delinquency in July of 2011. While Licensee had the ultimate responsibility to ensure the reports were submitted to the Board, Licensee did not hear anything further from the Board until the issuance of the Summary Order in July of 2013, for suspension of her noncompliance with the Amended Final Order. The length of time from when the Board contacted Licensee’s counsel about the delinquent reports in July of 2011 to the Summary Order being issued in July of 2013, is a mitigating factor. It would be reasonable for Licensee to believe the Board was receiving the reports from the HIM department.

b. As an additional mitigating factor, Licensee has now shown compliance with the underlying intent of the quarterly reporting requirement. The October 23, 2013 letter from Carol Munoz at Saint Francis Health Center provides evidence that Licensee satisfactorily completed her medical records at that hospital from March 2011 through April 30, 2012. While the actual quarterly reports remain either outstanding or missing, the Board has now been assured that Licensee completed her medical records in a timely manner during that timeframe.

c. On the other hand, Licensee’s inconsistent statements as to the existence of the reports and her efforts to get the Saint Francis HIM staff to fax them to the Board raise concern for this Presiding Officer. While the Presiding Officer from the Office of Administrative Hearings did not find Licensee to be incredible, he noted that no

explanation was offered by Saint Francis as to why the reports were not submitted as well. Licensee's failure to account for the quarterly reports that were supposedly submitted is an aggravating factor.

d. Pursuant to K.S.A. 65-2836(k), there are grounds to discipline Licensee's licensee based on her violation of the Amended Final Order in Docket No. 10-HA00024.

4. In light of the mitigating and aggravating factors in this matter, the Presiding Officer does not adopt the indefinite suspension as imposed in the Initial Order. While Licensee has not submitted the required reports, it would be futile to hold her license hostage so that they could be found, recreated or otherwise resurrected when Saint Francis has affirmed her satisfactory medical record completion during the time in question.

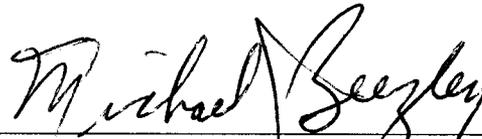
5. The Presiding Officer concludes that an indefinite suspension is warranted, but that the indefinite suspension should be stayed pending Licensee's ongoing compliance with the Amended Final Order in Docket 10-HA00024. To date, Licensee has not requested termination of the quarterly reporting requirements regarding her medical record completion. The Presiding Officer anticipates that from this time forward, Licensee will comply with the quarterly reporting requirement until she requests and is granted termination of that provision by the Board. The agency record reflects that Licensee changed her medical license to an exempt designation in July of 2013. In the event she is not practicing medicine, the Presiding Officer anticipates Licensee would submit quarterly reports to that effect. In the event Licensee is practicing medicine, she would be expected to submit quarterly reports substantively addressing her timely creation and completion of medical records.

6. The Presiding Officer further concludes that Licensee's violation of K.S.A. 65-2836(k) warrants a public censure of her license.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee's license to practice medicine is hereby INDEFINITELY SUSPENDED, but that such suspension is STAYED pending Licensee's compliance with the quarterly reporting requirement in Docket No. 10-HA00024 from the date of service of this FINAL ORDER. The stayed suspension imposed herein shall be vacated upon the Board's termination of the quarterly reporting requirement in that matter.

IT IS FURTHER ORDERED that Licensee's license is hereby PUBLICLY CENSURED.

IT IS SO ORDERED THIS 14 DAY OF FEBRUARY, 2014, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Michael Beezley, M.D., Presiding Officer
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, Licensee 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** was served on this 17th day of February, 2014, by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Corrie Danks, M.D.
Confidential
St. John, KS 67576

And a copy was hand-delivered to:

Jane Weiler, 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 filed with the office of the Executive Director.



Cathy Brown, Executive Assistant