

FILED

CAB

DEC 13 2007

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

KS State Board of Healing Arts

In the Matter of)
)
JAMES L. FISHBACK, M.D.)
Kansas License No. 04-20704)
_____)

Docket No. 08-HA-00063

FINAL ORDER FOLLOWING CONFERENCE HEARING

NOW, on this 8th day of December, 2007, comes on for before the Kansas State Board of Healing Arts (“Board”) the request for approval of continuing education filed by James L. Fishback, M.D. (“Licensee”). Licensee appears in person *pro se*. Katy Lenahan, Licensing Administrator, presents information to the Board. There are no other appearances.

After reviewing the file, hearing the testimony of Licensee, hearing the information provided by Ms. Lenahan, and being otherwise duly advised in the premises, the Board makes the following findings and orders.

1. On or about May 28, 2007, Licensee renewed his license to practice medicine and surgery in the state of Kansas online.
2. As part of his renewal application, Licensee certified that he had completed 50 hours of continuing education during the period January 1, 2006 through June 30, 2007, with at least 20 hours having been in Category I as defined in K.A.R. 100-15-4.
3. Licensee’s renewal application was randomly selected for an audit of his continuing education and on September 4, 2007, was issued a letter requesting he provide documentation of his continuing education by October 5, 2007.

4. In response to the audit request, Licensee provided documentation of 135 hours of continuing education with four of those hours being previously approved for Category I by the American Medical Association.

5. By letter dated September 27, 2007, Licensee requested that he receive 16 Category I credits for work performed during the development of the new Kansas University Medical Center School of Medicine curriculum.

6. During the period January 1, 2006 through June 30, 2007, Licensee chaired the Phase I Curriculum Committee and was a member of the Dean's Education Council. In addition, Licensee presented numerous lectures and assisted with review sessions in each of the modules for the new, integrated curriculum and developed presentations on the design and implementation of the new curriculum at faculty development forums and in the annual education and faculty retreats.

7. The Board deems that the participation by Licensee in the curriculum activities meets the requirements of K.A.R. 100-15-4(a)(6) and is approved for 16 hours of Category I continuing education.

8. Licensee has met the continuing education requirements of 50 credits during the period January 1, 2006 through June 30, 2007, with 20 of those credits in Category I and the remainder in Category II.

IT IS SO ORDERED.

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service. A party to an agency proceeding may seek judicial review of a Final Order by filing a petition in District Court as authorized under the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions, K.S.A. 77-601 *et seq.* A petition for

judicial review is not timely unless filed within 30 days following service of the Final Order. A copy of any such petition must be served upon the Board addressed to the Executive Director, 235 S. Topeka Boulevard, Topeka, Kansas 66603. A request for reconsideration is not a prerequisite to judicial review.

DATED this 13th day of December, 2007.

KANSAS STATE BOARD OF HEALING ARTS



Lawrence T. Buening, Jr.
Executive Director

CERTIFICATE OF SERVICE

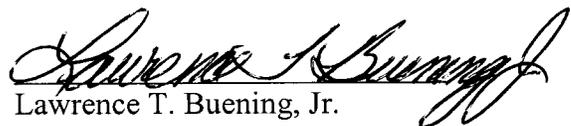
I, do hereby certify that on the 13th day of December, 2007, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

James L. Fishback, M.D.
Confidential
Leawood, KS 66209-1449

and a copy hand delivered to the office of:

Katy Lenahan, Licensing Administrator
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