FILED

JUN 20 2016

KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of	)	
DANIEL FRYE, M.D.	)	
	)	
	)	**KSBHA Docket No. 09-HA00154**
Kansas License No. 04-30064	)	
	)	

FINAL ORDER TERMINATING CONSENT ORDER

NOW on this 10th day of June, 2016, comes before the Kansas State Board of Healing Arts ("Board") the request of Daniel Frye, MD ("Licensee") for termination of his Consent Order filed on February 24, 2009. Licensee appears in person and *pro se*. Jane Weiler, Associate Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to Board by 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 evidence, and being otherwise advised in the premises, the Board makes the following findings, conclusions and order:

1. On February 24, 2009, Licensee entered into a Consent Order as a condition of reinstatement of his medical license which had been canceled by operation of law due to his failure to renew it in 2008.

2. On January 14, 2016, Licensee submitted a request to the Board for termination of the Consent Order.

3. On March 8, 2016, Associate Litigation Counsel filed a Response to Petition for Termination of the Consent Order and submitted exhibits in support. The Response opposed termination of the Consent Order.

4. Licensee presented evidence and testimony substantially rebutting the Response.

5. The Board finds that the evidence presented by Associate Litigation Counsel is insufficient to demonstrate grounds for denying Licensee's Request to Terminate the Consent Order.

6. The Board finds that Licensee has satisfactorily met all requirements of the Consent Order and concludes that termination of the Consent Order is warranted in the circumstances.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that the Consent Order filed on February 24, 2009, is hereby **TERMINATED** and that Licensee shall have no further obligation for compliance.

IT IS SO ORDERED THIS 17th DAY OF JUNE, 2016, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.

Kathleen Selzler Lippert by KCS
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, 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, at 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 Terminating Consent Order** was served this 20th day of June, 2016 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Daniel Frye, MD
Confidential
Shawnee, KS 66216

And a copy was delivered to:

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

Compliance Coordinator
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