EFFECTIVE AS A FINAL ORDER

DATE: 7/8/16

FILED CAB

JUN 22 2016

KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of **JACOB D. GILL, D.C.**	)))	**Docket No. 16-HA00088**
Kansas License No. 01-04697	)))	

PROPOSED DEFAULT ORDER REVOKING LICENSURE

NOW on this 10th day of June, 2016, comes on for conference hearing before the Kansas State Board of Healing Arts ("Board") the Petition for discipline filed against the license of Jacob D. Gill, D.C. ("Licensee") by the Board. Petitioner appears by and through Anne Barker Hall, Associate Litigation Counsel. Applicant fails to appear.

Pursuant to the authority granted to the 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 Proposed Default Order Revoking Licensure in the above-captioned matter.

Having the agency record before it, the Board finds, concludes and orders as follows:

1. Licensee is or has been entitled to engage in the practice of chiropractic the State of Kansas, having been originally issued License No. 01-04697 to practice chiropractic on or about February 10, 2001. Licensee last renewed his license on or about December 30, 2014. On January 31, 2016, Licensee's license was cancelled for a failure to renew.

2. A Petition requesting revocation of Licensee's chiropractic's license was filed with the Board on April 13, 2016. The Petition alleges that Licensee violated the Healing Arts Act by being convicted of a felony.

3. The alleged violations set forth in the Petition occurred while Licensee held an active license in Kansas and, as such, the Board retains jurisdiction to act on the Petition despite the expiration and cancellation of Licensee's license.

4. A conference hearing on the Board's petition for discipline was noticed for June 10, 2016 at the offices of the Kansas State Board of Healing Arts.

5. Pursuant to K.S.A. 2013 Supp. 77-531, Licensee was served with a Notice of Conference Hearing to Licensee's mailing address via United States Mail, first-class postage prepared on or about May 10, 2016.

6. The Notice of Conference Hearing provided Licensee notice that any party who fails to attend or participate in the Conference Hearing or other state of a proceeding may be held in default.

7. On May 27, 2016, the Board received a letter from Licensee requesting a continuance of the conference hearing.

8. Licensee was served with an Order of Denial of Respondent's Request for Continuance to Licensee's mailing address via United States Mail, first-class postage prepared on or about June 8, 2016.

9. Licensee failed to appear at the Conference Hearing held on June 10, 2016.

10. Pursuant to K.S.A. 2013 Supp. 77-520, Licensee is in default for his failure to appear at the conference hearing on June 10, 2016.

11. Upon review of the agency record and after being fully advised in the premises, the Board finds and concludes that the facts and allegations set forth in the Petition are deemed uncontroverted and incorporated herein by reference.

12. On September 25, 2014, a complaint was filed by Reno County District Attorney

alleging Licensee had committed insurance fraud.

13. On or about May 22, 2015, Licensee pled no contest to attempted insurance fraud, a felony.

14. The Board concludes that Licensee has violated K.S.A. 65-2836(c) in that Licensee was convicted of a felony.

15. Based on the undisputed allegations set forth in the Petition and evidence in the agency record, the Board concludes that revocation of Licensee's license is warranted in the circumstances.

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee is hereby held in **DEFAULT** pursuant to K.S.A. 77-520.

IT IS FURTHER ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that upon this Proposed Default Order becoming effective as a Final Order, Licensee's license to practice chiropractic in the State of Kansas is hereby **REVOKED.**

IT IS SO ORDERED THIS 22 DAY OF JUNE, 2016, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.

Kathleen Selzler Lippert
Executive Director
Kansas State Board of Healing Arts

FINAL ORDER NOTICE OF RIGHTS

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 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 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 copy of the foregoing **FINAL ORDER REVOKING LICENSURE** was served this 8th day of July, 2016 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Jacob D. Gill, DC
Confidential

Hutchinson, KS 67502

And a copy was hand-delivered to:

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

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

Kelli Stevens, General Counsel
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