FILED
DEC 17 2014
KS State Board of Healing Arts

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

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| **In the Matter of** | ) | |
| **JEREMY HOWES, M.D.** | ) | |
| | ) | **KSBHA Docket No. 15-HA00027** |
| **Kansas License No. 04-32101** | ) | |
| | ) | |

**ORDER GRANTING CHANGE OF LICENSE DESIGNATION/TYPE**
Confidential
**AND FURTHER PROCEEDINGS**

**NOW** on this 12th day of December 2014, comes before the Kansas State Board of Healing Arts ("Board") the Application for Change of Designation/Type filed by Jeremy Howes, MD ("Licensee"). Licensee appears in person, and through counsel, Mark Stafford of Simpson, Logback, Lynch, Norris, P.A. Jessica Bryson, 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 Order in the above-captioned matter. After reviewing the agency record and exhibits admitted, hearing the testimony of Licensee and arguments of both counsel, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. On or about October 21, 2006, Licensee was issued Kansas license No. 04-32101 to practice medicine and surgery in the state of Kansas.

2. On or about June 27, 2014, Licensee was involved in automobile accident in which he drove his vehicle through the side of a residential home. At the conclusion of the

investigation into the accident, Licensee was arrested for suspicion of DUI, by the Wichita Police Department.

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4. On or about July 3, 2014, Licensee requested that his license designation/type be changed from active to inactive. Licensee currently holds an inactive license to practice medicine and surgery.

5. On or about July 17, 2014, Licensee hand-delivered to the Board an application for change of designation/type to change his license from inactive back to active.

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7. On or about September 8, 2014, Licensee's application for change of designation/type was deemed complete and filed with the Board.

8. On or about September 18, 2014, a Response to Application for Change of Designation/Type to Practice Medicine and Surgery ("Response") was filed by Respondent.

9. At the conference hearing on this matter, Board Exhibits 1 through 6 and 11 through 14 were admitted over the objection of Licensee's counsel. The Board will review the exhibits and determine the appropriate evidentiary weight to give to each exhibit.

10. Additionally, at the conference hearing on this matter, Licensee Exhibit A was admitted over the objection of the Respondent. The Board will review the exhibit and determine the appropriate evidentiary weight to give that exhibit.

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22. The Board concludes that the adjudication of allegations of unprofessional conduct, as generally alleged in the Response, shall be held in abeyance until such time as the proceedings in this matter resume.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** Confidential this matter will be returned to the full Board for further proceedings as set forth above.

**IT IS FURTHER ORDERED** that the Board shall maintain jurisdiction over this matter to conduct additional proceedings and issue further order(s) deemed necessary and appropriate in the circumstances.

**IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** that Licensee is hereby granted a change of designation/type of license from an inactive license to an active license.

**IT IS SO ORDERED THIS 17 DAY OF DECEMBER, 2014, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**

**KANSAS STATE BOARD OF HEALING ARTS**

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, the Board's Executive Director, at 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 Granting Change of License Designation/Type** was served this 17th day of December, 2014, by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Jeremy Howes, MD
Confidential
Wichita, KS 67205

Mark Stafford
Simpson, Logback, Lynch, Norris, P.A.
107 SW 6th Avenue, Suite 210
Topeka, Kansas 66603

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