FILED

OCT 20 2015

KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of	)	
OBED N. SAINT-LOUIS, M.D.	)	
	)	**KSBHA Docket No. 16-HA00016**
Application for Reinstatement of Kansas	)	
License	)	
	)	

FINAL ORDER GRANTING REINSTATEMENT OF AN INACTIVE LICENSE TO PRACTICE MEDICINE AND SURGERY

NOW on this 9th day of October 2015, comes before the Kansas State Board of Healing Arts ("Board") the application for reinstatement filed by Obed N. Saint-Louis, M.D. ("Applicant") for an for reinstatement of his license to practice medicine and surgery in the State of Kansas. Applicant appears in person *through counsel,* David Steed of Klenda Austerman, LLC. Tracy Fredley, Associate Litigation Counsel appears on behalf of the Respondent Board.

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 Board hereby enters this Final Order in the above-captioned matter. After reviewing the agency record, hearing the statements and arguments of the parties, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions, and order:

1. Dr. Saint Louis was originally licensed to practice medicine and surgery in the State of Kansas on December 8, 2007. His license was revoked in KSBHA Docket No. 11-HA00071 on May 2, 2011.

2. On or about May 14, 2014, Dr. Saint Louis submitted an application for reinstatement of his Kansas medical license. Such application was deemed complete and filed with the Board on August 18, 2015.

3. On or about September 20, 2015, Associate Litigation Counsel ("Respondent") filed A Response in Opposition to Application for Reinstatement ("Response") to Dr. Saint Louis' application. The Response alleged that Dr. Saint Louis had not provided clear and convincing evidence that he had been sufficiently rehabilitated to warrant the public trust and as such the Board should deny his request for reinstatement. In support of that position, the Response alleged that 1) Dr. Saint Louis had not demonstrated that he was presently competent to practice medicine and surgery, 2) Confidential

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3) that Dr. Saint Louis' letters of recommendation generally address his character and competence while attending a residency program in addiction medicine and that only one letter briefly mentions Dr. Saint Louis' Kansas discipline, and 4) that Dr. Saint Louis has the burden of proof of clear and convincing evidence to show rehabilitation and that the evidence submitted does not meet this standard.

4. In 2011, subsequent to the revocation of his license, Dr. Saint Louis voluntarily presented to CPEP for a clinical skills assessment. Dr. Saint Louis was evaluated for the practice of family medicine with an expanded focus in emergency patient care. Confidential

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5. Confidential

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6. Dr. Saint Louis testified that he attempted to comply with the recommendations of CPEP, but that without a license to practice medicine and surgery, he was unable to find a residency program which would accept him.

7. Dr. Saint Louis testified that during 2009 while employed in Goodland he Confidential

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9. In October of 2013, Dr. Saint Louis entered into an ACGME approved fellowship program at the University of Florida in addiction medicine. Dr. Saint Louis successfully completed the fellowship on September 30, 2015.

10. As noted by Board counsel, Dr. Saint Louis submitted several letters of recommendation. Also noted is that the letters of recommendation did not address the issues that brought Dr. Saint Louis before this Board in 2011. However, the letters did address Dr. Saint Louis' competency in his current medical specialty, addiction medicine. Each letter of recommendation addressed Dr. Saint Louis' professionalism and compassion for his patients, as well as his superb clinical skills in addiction medicine.

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12. The Board concludes that Dr. Saint Louis has met the *Vakas* factors by clear and convincing evidence to show that he has been rehabilitated to the extent that reinstatement of an Inactive Kansas license would be appropriate.

13. The Board further concludes that Dr. Saint Louis has provided sufficient evidence of a clear and convincing nature that he is currently competent in addiction medicine, however, Dr. Saint Louis has not provided sufficient evidence to show Confidential

Confidential

14. The Board concludes that if Dr. Saint Louis were to request a full unrestricted Active, Exempt or Federally Active license to practice medicine and surgery in the State of Kansas that he would be required to present evidence of a clear and convincing nature sufficient to show Confidential

IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS that Applicant is hereby GRANTED an INACTIVE license to practice medicine and surgery in the State of Kansas.

IT IS FURTHER ORDERED that if Applicant files a request to obtain an active, exempt, or federally active license, Applicant shall be required to come back before the Board. Such license, if granted, would be LIMITED to the scope of practice inherent in addiction medicine. If an unlimited license is sought, Applicant shall bear the evidentiary burden of proof by clear and convincing evidence to demonstrate his ability to practice medicine and surgery with reasonable skill and safety to patients in any expanded scope of practice.

IT IS SO ORDERED THIS 20 DAY OF OCTOBER, 2015, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.

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, Applicant 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 GRANTING INACTIVE LICENSE** was served on this 20th day of October, 2015, by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Obed N. Saint-Louis, M.D.
Confidential

Palm Bay, FL 32905

David Steed, Atty. at Law
Klenda Austerman LLC
301 North Main Street
Wichita, KS 67202-4816

And a copy was delivered to:

Tracy Fredley, 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