

**EFFECTIVE AS A
FINAL ORDER**

DATE: 9/1/15

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

FILED *CAD*
AUG 12 2015
KS State Board of Healing Arts

In the Matter of)
BRYAN S. VAN METER, P.A.)
) **KSBHA Docket No. 16-HA00010**
Kansas License No. 15-00697)
_____)

SUMMARY ORDER

NOW ON THIS 11 day of July, 2015, this matter comes before Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A. 77-537. This Summary Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for hearing is made, pursuant to K.S.A. 77-542.

Upon review of the agency record and being duly advised in the premises, the following findings of fact, conclusions of law and order are made for and on behalf of the Board:

Findings of Fact

1. Bryan S. Van Meter, P.A. ("Licensee") was originally issued license number 15-00697 to practice as a physician assistant in the State of Kansas on February 12, 2000. Licensee's license is currently Inactive.

2. On or about August 23, 2013, Licensee changed his license designation from Active to Inactive. At all times prior to Licensee's voluntary designation change, Licensee's license status with the Board has been Active since being originally licensed by the Board.

3. Licensee's last known mailing address as provided to the Board is: **Confidential**
Street, Scandia, Kansas 66966.

4. **Confidential**

Confidential

5. On or about July 10, 2013, Licensee's clinical privileges at Confidential
Confiden were emergently suspended Confidential
tial
Furthermore, on that same day, Licensee's allied health practitioner privileges were temporarily
suspended for thirty (30) days at Confidential

6. Confidential
Confidential

7. Confidential

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Confidential

9. On or about August 26, 2013, Licensee resigned his privileges at Manhattan
Surgical Hospital Confidential

Confidential

10. Confidential

Confidential

11. Confidential

Confidential

12. Confidential

Confidential

Applicable Law

13. K.S.A. 65-28a05 states: "A licensee's license may be revoked, suspended or limited, or the licensee may be publicly or privately censured...upon a finding of the existence of any of the following grounds:"
14. K.S.A. 65-28a05(a) states: "The licensee has committed an act of unprofessional conduct as defined by rules and regulations adopted by the board;"
15. K.A.R. 100-28a-8 states: "'Unprofessional conduct' means any of the following:"
16. K.A.R. 100-28a-8(g) states: "practicing as a physician assistant without reasonable skill and safety to patients because of any of the following: (1) illness; (2) alcoholism; (3) excessive use of alcohol, drugs, controlled substances, chemicals, or any other type of material; and/or (4) any mental or physical condition."
17. K.S.A. 65-28a05(c) states: "the licensee has committed an act of professional incompetency as defined by rules and regulations adopted by the board;"
18. K.A.R. 100-28a-7 states: "'Professional incompetency' means any of the

following:"

19. K.A.R. 100-28a-7(c) states: "a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to perform professional services as a physician assistant."

Conclusions of Law

20. The Board has jurisdiction over Licensee as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

21. The Board finds that Licensee's aforementioned conduct and acts constitute unprofessional and professionally incompetent behavior.

22. The Board further finds that by committing unprofessional conduct and engaging in a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to perform professional services as a physician assistant, Licensee was in violation of K.S.A. 65-28a05; as specifically defined by K.S.A. 65-28a05(a), K.A.R. 100-28a-8, K.A.R. 100-28a-8(g), K.S.A. 65-28a05(c), K.A.R. 100-28a-7, and K.A.R. 100-28a-7(c).

23. Based on the facts and circumstances set forth herein, it appears that the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings does not violate any provision of the law and the protection of the public interest does not require the Board to give notice and opportunity to participate to persons other than Licensee, Bryan S. Van Meter, P.A.

IT IS, THEREFORE, ORDERED that Licensee's license is hereby **INDEFINTELY SUSPENDED** for violating the Physician Assistant Licensure Act.

NOTICE AND OPPORTUNITY FOR HEARING

PLEASE TAKE NOTICE that this is a Summary Order. A party to whom a Summary Order is issued may file a written request for a hearing pursuant to K.S.A. 77-542 within 15 days

following service of the Summary Order. Such written request shall also state the legal and/or factual basis upon which the party opposes this Order. If a hearing is not requested, the Summary Order shall become effective as a Final Order of the Board upon expiration of the time for requesting a hearing. A written request for hearing must be addressed and mailed to Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level - Suite A, Topeka, KS 66612.

PLEASE TAKE NOTICE that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

Dated this 11 day of Aug, 2015

Kansas State Board of Healing Arts


Kathleen Selzler Lippert
Executive Director

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** was served this 1st day of September, 2015 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Bryan S. Van Meter, PA
Confidential
Scandia, KS 66966

And a copy was hand-delivered to:

Reese Hays, 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

Office of the 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 Brown, Executive Assistant