FILED

JUN 29 2005

KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of	)	
EDWARD J. WADE, M.D.,	)	**Case No. 04-HA-05**
Kansas License No. 04-20102	)	
	)	

FINAL ORDER

NOW ON THIS Eleventh day of June, 2005, this matter comes on for consideration of the Petition for Modification of Consent Order. Licensee appears in person through Brian C. Wright. Kelli J. Benintendi, Associate Counsel, appears for the Board.

This matter proceeds to a Conference Hearing. Licensee's counsel offers evidence in support of his Petition and the same is admitted, with no objection by Respondent. The parties further announce to the Presiding Officer that they stipulate to the facts in the matter. Having the agency record before it and upon receiving evidence and hearing the statements of counsel, the Board makes the following findings of fact, conclusions of law and orders:

1. This matter was initiated with a request from Licensee to modify the limitations upon his license. Limitations were imposed by a consent order dated September 24, 2003. The consent order was modified pursuant to an Agreed Initial Order dated November 9, 2004, and a Final Order dated December 14, 2004.

2. The relevant facts and information regarding the Licensee's restricted license are contained in paragraphs 1-11 of the Agreed Initial Order filed November 9, 2004.

3. The Licensee has filed a Petition for Modification of Consent Order on May 25, 2005. The petition seeks removal of scope of practice and practice location restrictions originally contained in the Consent Order of September 24, 2003, as modified pursuant to the November 9, 2004 Agreed Initial

Order and December 14, 2004 Final Order. The Licensee specifically requests the removal of paragraphs 12(a) and 12(b) of the Consent Order.

IT IS, THEREFORE, ORDERED that the Licensee's request to modify the prior consent order as modified by the Final Order of December 14, 2004, is granted. The limitation on Licensee's license contained in paragraphs 12(a) and 12(b) of the Consent Order are hereby terminated.

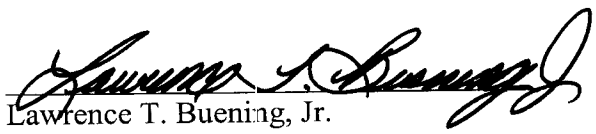
IT IS FURTHER ORDERED that the Licensee shall be allowed to practice without limitations as to the scope of his anesthesia practice, and without limitation as to location or employer, effective as of the date of this order.

IT IS FUTHER ORDERED that the limitations contained in paragraphs 12(c) – 12(f) of the Consent Order shall remain in full force and effect.

PLEASE TAKE FURTHER 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 the Board's Executive Director at 235 SW. Topeka Blvd., Topeka, KS 66603.

Dated this 29th Day of June 2005,

STATE BOARD OF HEALING ARTS

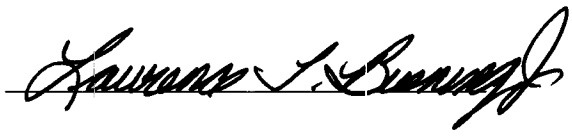


Lawrence T. Buening, Jr.
Executive Director

CERTIFICATE OF SERVICE

I hereby certify that on this 29 day of June 2005, a copy of the above and foregoing was mailed postage prepaid and properly addressed, to:

Brian C. Wright
Law Office of Brian C. Wright
4312 10th Street Place
Great Bend, KS 67530

And a copy was hand-delivered to the office of :

Kelli J. Benintendi
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Kansas State Board of Healing Arts
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