

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED CAP
JAN 31 2014
KS State Board of Healing Arts

In the Matter of)
KYLE B. WELK, P.T.)
)
Kansas License No. 11-03452)
_____)

KSBHA Docket No. 14-HA00069

**JOURNAL ENTRY OF FINAL ORDER AND
SATISFACTION OF SUMMARY ORDER**

COMES NOW the Kansas State Board of Healing Arts (“Board”), by and through its Executive Director, Kathleen Selzler Lippert, a duly authorized representative of the Board, in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.*, as amended, and upon due consideration of the agency record and applicable statutes and regulations, and being otherwise duly advised in the premises, makes the following determinations:

1. On or about December 3, 2013, in accordance with K.S.A. 2011 Supp. 77-537 and 77-514, and as authorized by K.S.A. 65-2912, a Summary Order was issued ordering a civil fine against the license of Kyle B. Welk, P.T. (“Licensee”) for violation of the Physical Therapy Practice Act by committing unprofessional conduct by representing to a patient or client that a manifestly incurable disease, condition or injury could be permanently cured in violation of K.S.A. 65-2912(5) in combination with K.A.R. 100-29-12. Further, Licensee committed unprofessional conduct by advertising a guarantee of any professional service relating to physical therapy in violation of K.S.A. 65-2912(5) in combination with K.A.R. 100-29-12. Additionally, Licensee committed unprofessional conduct by using any advertisement that was false, misleading, or deceptive in any material respect, in violation of K.S.A. 65-2912(5) in

combination with K.A.R. 100-29-12.

2. Pursuant to K.S.A. 77-542, the Summary Order notified Licensee that if a written request for hearing was not filed within 15 days following service of the Summary Order, the Summary Order would become effective as a Final Order of the Board upon expiration of the time for requesting a hearing.

3. Licensee did not request a hearing on the Summary Order.

4. Pursuant to K.S.A. 77-526 and 77-530, the Summary Order became effective as a Final Order on December 23, 2013.

5. On or about December 23, 2013, Licensee remitted full payment in the amount of \$250.00 to the Kansas State Board of Healing Arts.

6. Licensee has satisfactorily met all requirements of the Summary Order and has no further obligation for compliance.

IT IS THEREFORE ORDERED that the Summary Order filed in the above-captioned matter on December 3, 2013, became effective as a Final Order on December 23, 2013.

IT IS FURTHER ORDERED that Licensee has satisfied all requirements of the Summary Order, and is hereby discharged from all requirements of the Summary Order.

IT IS SO ORDERED this 30th day of January, 2014.

KANSAS STATE BOARD OF HEALING ARTS

Kathleen Selzler Lippert *by KGS*
Kathleen Selzler Lippert, Executive Director

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I served a true and correct copy of the above and foregoing **Journal Entry of Satisfaction**, by depositing the same in the United States mail, postage prepaid, on this 31st day of January, 2014, addressed to:

Kyle B. Welk, P.T.

Licensee
Confidential

Wichita, Kansas 67228

David Dahl

Attorney for Licensee

Kennedy, Dahl, & Willis

727 N. Waco Ave, #585

Wichita, Kansas 67203

and a copy hand delivered to:

Anne Hall, Associate Litigation Counsel

Kansas State Board of Healing Arts

800 SW Jackson, Lower Level - Suite A

Topeka, Kansas 66612

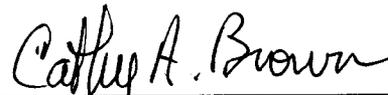
Compliance Coordinator

Kansas State Board of Healing Arts

800 SW Jackson, Lower Level - Suite A

Topeka, Kansas 66612

and the original was filed with the Board's Executive Director.



Cathy Brown, Executive Assistant