

**KANSAS STATE BOARD OF HEALING ARTS  
800 SW Jackson, Lower Level-Suite A  
Topeka, Kansas 66612**

**BOARD MINUTES – Friday, February 8, 2019**

**FRIDAY, FEBRUARY 8, 2019**

**I. CALL TO ORDER - ROLL CALL**

The Kansas State Board of Healing Arts met at the Board Office, 800 Jackson, Lower Level-Suite A, Topeka, Kansas on Friday, February 8, 2019. The meeting was called to order at 8:30 a.m. by Robin Durrett, D.O. and President.

|                             |                     |        |
|-----------------------------|---------------------|--------|
| Mark Balderston, D.C.       | present             |        |
| Jerry DeGrado, D.C.         | present             |        |
| Robin Durrett, D.O.         | present             |        |
| Thomas Estep, M.D.          | present             |        |
| Steven Gould, D.C.          | present             |        |
| Anne Hodgdon, public member | present (via phone) |        |
| Joel Hutchins, M.D.         | present             |        |
| Steve Kelly, public member  |                     | absent |
| David Laha, DPM             | present             |        |
| M. Myron Leinwetter, D.O.   | present             |        |
| Douglas Milfeld, M.D.       | present             |        |
| Garold O. Minns, M.D.       | present             |        |
| John Settich, public member | present             |        |
| Kimberly Templeton, M.D.    | present             |        |
| Ronald Varner, D.O.         | present             |        |

Staff members present were Kathleen Selzler Lippert, Executive Director; Tucker Poling, General Counsel; Ryan Hamilton, Assistant General Counsel; Reese Hays, Disciplinary Counsel; Susan Gering, Deputy Litigation Counsel; Jared Langford, Todd Hiatt, Courtney Manly, Katie Baylie, and Matthew Gaus, Associate Litigation Counsel; Nancy Dodik, Associate Disciplinary Counsel; Nichole Schlesener Licensing Administrator; John McMaster, M.D., Medical Director; Kathy Moen, Medical Litigation Support Specialist; Jennifer Cook, Legal Assistant to General Counsel; and Beth Visocsky, Operations Manager. The attached sign-in sheet indicates those people who were present during portions of the meeting.

Lora Appino, CSR, Appino and Biggs Reporting Service, took and recorded the administrative proceedings conducted.

**INTRODUCTION OF NEW STAFF**

Tammy Brown, new Licensing Analyst.

## **APPROVAL OF AGENDA**

(Minns/Varner) Motion to approve agenda with the following changes: Removal of Steven Henson, M.D. and Steven Anagnost, M.D. from the agenda. Carried.

## **APPROVAL OF BOARD MEETING MINUTES**

(Minns/Varner) Motion to approve minutes of December 13 and 14, 2018 board meeting. Carried.

## **II. OTHER BUSINESS**

### **CME Presentation**

Medical Provider Ethics Related to Sexual Boundaries presented by Peter Graham, PhD, Acumen Assessments.

## **III. ADMINISTRATIVE PROCEEDINGS**

(Minns/Laha) Motion to recess board meeting to conduct administrative proceedings under the Kansas Administrative Procedures Act. Carried.

**Chad E. Sharp, M.D., DOCKET #19-HA00017** – Conference Hearing on Application for Change of Designation/Type. Ms. Courtney Manly appeared for the Board. Dr. Sharp appeared in person, pro se.

Recusals: Dr. Leinwetter, Dr. DeGrado, Dr. Settich

(Minns/Varner) Motion to go into closed hearing pursuant to K.S.A. 77-523(f) for the presentation of information which is confidential under Impairment – K.S.A. 65-4925. Carried.

(Templeton/Varner) Motion to recess into closed session for Attorney Client Consultation. Carried.

(Minns/Varner) Motion to go back into closed hearing. Carried.

(Minns/DeGrado) Motion to return to open hearing. Carried.

Application not granted – written order to follow.

**Ronald Hartman, M.D., DOCKET #19-HA00037** – Conference Hearing on Motion. Ms. Katie Baylie appeared for the Board. Dr. Hartman appeared in person, with counsel Dan Sanders.

Recusals: Dr. Varner, Dr. Estep, Dr. DeGrado, Dr. Settich

(Minns/Milfeld) Motion to go into closed hearing pursuant to K.S.A. 77-523(f) for the presentation of information which is confidential under Impairment – K.S.A. 65-4925. Carried.

(Minns/Templeton) Motion to recess into closed session for Attorney Client Consultation. Carried.

(Balderston/Gould) Motion to go back into closed hearing. Carried.

(Minns/Balderston) Motion to return to open hearing. Carried.

License is emergently suspended based on finding of cause to believe that disciplinary action is warranted and the licensee's immediate continuation in practice would constitute an immediate threat to public health and welfare pursuant to K.S.A. 65-2838(c) and K.S.A. 77-536. Written order to follow. Dr. Minns appointed as Presiding Officer.

#### IV. CONSENT ORDERS

**Jonathan Young, P.T.**, – Review of Proposed Consent Order. Mr. Todd Hiatt appeared for the Board. Mr. Young appeared in person, with counsel Diane Bellquist.

(Minns/Estep) Motion to go into closed hearing pursuant to K.S.A. 77-523(f) for the presentation of information which is confidential under Investigation - K.S.A. 65-2839a(d). Carried

(Minns/Varner) Motion to return to open hearing. Carried.

(Minns/Templeton) Motion to approve Consent Order. Carried.

**Rudy C. Sasina, D.C.** – Review of Proposed Consent Order. Ms. Susan Gering appeared for the Board. Dr. Sasina did not appear.

(Varner/Hutchins) Motion to continue Dr. Sasina's Consent Order to the April board meeting. Carried.

**Christopher Schroeder, D.C.** – Review of Proposed Consent Order. Mr. Todd Hiatt appeared for the Board. Dr. Schroeder appeared in person, pro se.

(Varner/Minns) Motion to go into closed hearing pursuant to K.S.A. 77-523(f) for the presentation of information which is confidential under Investigation - K.S.A. 65-2839a(d). Carried

(Minns/Varner) Motion to return to open hearing. Carried.

(Minns/Varner) Motion to approve Consent Order. Carried.

**V. STAFF REPORTS**

The Board President called the board meeting back to order.

**Discussion regarding proposed Anesthesiologists Assistant Legislation**  
Doug Smith, Anesthesiologist Assistant Ty Townsend, and Dr. Perryman presented/spoke.

**KMS PHP discussion**  
Carolyn Westgate presented/spoke.

**Annual ED and GC HR Performance Management Process (PMP)**  
(Hutchins/DeGrado) Motion that the Board recess to an executive meeting to discuss HR/PMP for ED and GC pursuant to K.S.A. 75-4319(b)(1) for the need to discuss personnel matters of non-elected personnel for 30 minutes. Carried.

(Hutchins/DeGrado) Motion to return to open hearing. Carried.

(Hutchins/DeGrado) Motion that the Board recess to an executive meeting to discuss HR/PMP for ED and GC pursuant to K.S.A. 75-4319(b)(1) for the need to discuss personnel matters of non-elected personnel for 30 minutes. Carried.

(Laha/DeGrado) Motion to return to open hearing. Carried.

(Laha/DeGrado) Motion that the Board recess to an executive meeting to discuss HR/PMP for ED and GC pursuant to K.S.A. 75-4319(b)(1) for the need to discuss personnel matters of non-elected personnel for 5 minutes. Carried.

(Laha/Hutchins) Motion to return to open hearing. Carried.

(Estep/DeGrado) Motion that the Board recess to an executive meeting to discuss HR/PMP for ED and GC pursuant to K.S.A. 75-4319(b)(1) for the need to discuss personnel matters of non-elected personnel for 30 minutes. Carried.

(DeGrado/Hutchins) Motion to return to open hearing. Carried.

(Templeton/Varner) Motion that the Board recess to an executive meeting to discuss HR/PMP for ED and GC pursuant to K.S.A. 75-4319(b)(1) for the need to discuss personnel matters of non-elected personnel for 30 minutes. Carried.

(Hutchins/Estep) Motion to return to open hearing. Carried.

(Hutchins/Estep) Motion that the Board recess to an executive meeting to discuss HR/PMP for ED and GC pursuant to K.S.A. 75-4319(b)(1) for the need to discuss personnel matters of non-elected personnel for 30 minutes. Carried.

(DeGrado/Hutchins) Motion to return to open hearing. Carried.

(DeGrado/Hutchins) Motion that the Board recess to an executive meeting to discuss HR/PMP for ED and GC pursuant to K.S.A. 75-4319(b)(1) for the need to discuss personnel matters of non-elected personnel for 30 minutes. Carried.

(DeGrado/Hutchins) Motion to return to open hearing. Carried.

(Minns/Varner) Motion that the Board recess to an executive meeting to discuss HR/PMP for ED and GC pursuant to K.S.A. 75-4319(b)(1) for the need to discuss personnel matters of non-elected personnel for 10 minutes. Carried.

(Hutchins/Estep) Motion to return to open hearing. Carried.

#### **Licensing Administrator:**

##### **Approval of Licensee/Registrant List**

(Hutchins/Varner) Motion to approve licensee/registrant list. Carried.

##### **Licensing Report**

The statistical report for the Licensing Department was included in the Board's packet of materials, for their review. There were no questions or discussion.

#### **Disciplinary Counsel:**

##### **Disciplinary Report**

The statistical report for the Compliance and Regulation Department was included in the Board's packet of materials, for their review. There were no questions or discussion.

#### **General Counsel:**

##### **General Counsel Report**

An update of district and appellate cases involving the Board was included in the Board's packet of materials, for their review. There were no questions or discussion.

##### **Adoption of regulations already approved**

(Hutchins/Estep) Motion to adopt Physician Assistants: 100-28a-14. Different Practice Locations. Carried.

(Milfeld/Balderston) Motion to adopt Acupuncturists: 100-76-2. Licensure by examination. Carried.

**Executive Director:**

**Legislative Report**

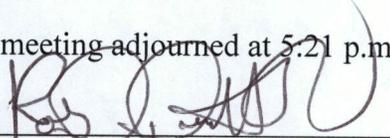
Discussed establishing Legislative Committee – Dr. Durrett, Dr. Gould, Dr. Laha, Dr. Templeton, Dr. Milfeld, Dr. DeGrado, and Dr. Estep volunteered to serve on the committee. [Ms. Hodgdon had volunteered to serve on a Legislative Committee at a prior board meeting]

The board agreed to hold the first meeting of the Legislative Committee on Monday, February 11, 2019 at 8:00 a.m. – via teleconference.

**VI. ADJOURNMENT**

(Hutchins/Templeton) Motion to adjourn meeting. Carried.

The meeting adjourned at 5:21 p.m.

  
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Robin Durrett, D.O.  
President

  
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Kathleen Selzler Lippert  
Executive Director