

Kansas State Board of Healing Arts
Information about Conference Hearings held during Board Meetings

Conference Hearings on applications and disciplinary cases are often scheduled to be heard at the bi-monthly meetings of the Kansas Board of Healing Arts. The schedule of meetings is available on the agency website. A Notice of Hearing is sent to the parties in advance of the meeting date to notify them of the date and time for the hearing. The following is important information about these hearings:

Filing Pleadings:

All pleadings must be filed with the Office of the Executive Director by mail, in person, or by fax at (785) 368-7102. A separate copy must also be sent to the Litigation Department attorney who is identified in the Notice of Hearing. Documents may not be directly sent to any Board member.

Exhibits:

If you have documents which you intend to offer as exhibits at the hearing, please send a copy to the Litigation Department attorney as early as possible. The agency's administrative staff electronically provides hearing documents to the Board members approximately 2 weeks in advance of the Board meeting date. If you cannot send your exhibits in advance, you will need to bring 18 copies with you to the Board meeting so there are enough for distribution to the Board members, General Counsel and to retain 1 copy for the agency record. Documents may not be directly sent to any Board member.

Attendance at Hearing:

If you receive a Notice of Hearing, in-person attendance at the hearing is strongly recommended. A party may be held in default for failing to attend or participate. See K.S.A. 77-520. Please be aware that the agency cannot validate parking for parties or their attorneys.

Conference Hearing Procedure:

Each case scheduled for a conference hearing at a Board meeting is presented to the full Board. The hearings are held pursuant to the Kansas Administrative Procedure Act. The Board may announce their decision at the conclusion of the hearing. Typically, conference hearings last less than a half hour and do not involve complex factual issues. At a conference hearing, only the parties may testify. There may be portions of a hearing which are closed to the public to consider information or evidence which is confidential by law. Examples include settlement offers in matters still under investigation, impairment issues, patient-identifying information and peer review. During a "closed" portion of the hearing, only the parties and agency staff are present in the hearing. Additionally, the Board may recess a hearing in order to privately obtain legal advice from General Counsel staff about the case or to deliberate on their decision.

Board Decisions Following Conference Hearings:

The Board may announce their decision at the Board meeting. However, the decision is not effective until a written order is issued. By statute, the agency has **30 days** following the hearing to issue the written order. The written order will include the Board's decision and any specific provisions required for implementation.

Disclaimer:

This document is intended to provide only general information and does not constitute legal advice. Additionally, it does not create legal rights or obligations for any party.