



**Volume 1, Issue 1
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Upcoming Events

February 2

Physicians' Assistant Council Meeting. It begins at 1 p.m. at the Board Office.

February 9

Notice of Hearing on Proposed Amended K.A.R. 100-69-10. It begins at 10 a.m. at the Board Office.

February 11

Respiratory Therapist Council Meeting. It begins at 1:30 p.m. at the Board Office.

February 20

Board Meeting. It begins at 8:30 a.m. at the Board Office.

February 26

Final Pre-hearing Conference on Vernon Kliewer, M.D. It begins at 4 p.m. and will be by telephone.

March 6

Emergency Hearing on Pravin Sampat, M.D. Scheduled to begin at 9 a.m. at the Board Office.

March 16

Formal hearing on Vernon Kliewer, M.D. It begins at 9 a.m. and is scheduled for five days.

March 20

Licensed Radiologic Technologist Council Meeting. Scheduled to begin at noon at the Board Office.

Hearings and meetings are subject to change. Please visit www.ksbha.org/public.html for updated scheduling.

State of Kansas

Board of Healing Arts News

"Your health and safety is our greatest purpose."

Message from Board President, Michael Beezley, M.D.

With the economic crisis, the overseas

wars, security threats and an abundance of internal problems, our new president will face many challenges.



And there will be many challenges we'll need to face on the local front, as well.

As we begin 2009, the Kansas State Board of Healing Arts is excited

about moving forward in the midst of many challenges. Over the past year, our agency has undergone many changes. And, as we enter into 2009, there will undoubtedly be more. As we continue transforming our agency, our goal is to serve all of our constituents in an effective and efficient manner.

Part of serving our constituents involves increasing communication. One of the new tools I am pleased to announce is this newsletter, which will appear on

our web site every quarter and be available for e-subscription in the near future. We'll continue to keep you updated as we launch new communication initiatives.

Part of the Kansas State Board of Healing Arts commitment to you – our constituents – is that we will strive for full Board attendance and participation at every meeting. This will allow the workload to be shared which in turn will provide better service to you.

Fees increase for several professions

As professional licenses come up for renewal throughout the year, there will be a slight fee increase.

"This is necessary in order to move in the direction outlined by the Legislature in the 2008 session," Jack Confer, Executive Director, said.

During the 2008 Session, the Legislature implemented HB 2620, which called for more transparency in Board operations amongst other things such as fingerprinting of new

licensees and a probation option for disciplinary action.

In order to comply with the House Bill, the fee increases are necessary in order to hire and retain additional staff.

"We are committed to serving the general public and our licensees in the most efficient way possible," Confer said.

Temporary regulations for the three healing arts professions – Medical Doctors, Osteopaths and Chiropractors – and physician assistants and naturopaths have already

been implemented. The permanent regulations for the increase will go into effect on February 13.

A public hearing was held in December for comment on the permanent regulation of those professions.

Throughout the year, the remaining professions will also see new regulations coming forth on fee increases for their respective licenses.

You can view the regulations and their economic impact statements online at <http://www.ksbha.org/public.html>.

Cognitive Awareness— Jack Confer, Executive Director

Time seems to pass very quickly when you're having fun or very busy! Since being named Executive Director for the Board of Healing Arts in July, I am pleased about the changes that have taken place so far, proud of the staff we have and excited about the future of this agency.

The Board of Healing Arts is committed to all of those whom we serve. From the general public to licensees, health agencies to government officials, our main goal is to protect the public's health and welfare while at the same time regulating licensees in a fair and effective manner.

With the support of our Governor, leadership in the



Jack Confer
Executive Director

Legislature and the professions we regulate, we have made changes to our agency operations and will be making additional changes in the coming months.

One of the most apparent changes is staffing – nearly

30 percent of our employees are new. Now, some of these are as a result of newly created positions and others are as a result of turn-over. One of the most important things in any organization is to get the right people in the right positions. And, let me tell you, what we have now is a group of people who are pulling together for the same purpose and goal – serving the public. I couldn't ask for more than that!

Over the next few months, we'll continue addressing changes to internal protocols which will assist in getting through the backlog of cases our agency has as well as improving the investigative timelines to 180 days.

Additionally, the start of the 2009 Legislative Session is underway and with it will bring about different pieces of legislation that may affect licensees or the Board. We encourage you to keep checking our web site for any updates.

One of my main goals is to increase communication with all of our stakeholders. This newsletter is just one avenue, with more to come in the very near future. So, if there is something you would like to see, a concern you have or information you would like to share, please contact us – our doors are open.

Emergency Volunteer Registry available online

Are you interested in volunteering to respond to public health emergencies? If so, you can sign up to volunteer by visiting the Kansas System for the Early Registration of Volunteers, K-SERV, at <https://kshealth.kdhe.state.ks.us/>.

It's a site where licensed health professionals can register to volunteer to respond to public health emergencies in Kansas or other areas across the country. The system is maintained by the Kansas Department of Health and Environment.

During an event with health and medical consequences, hospitals, local health departments, and

other healthcare facilities may experience a surge in patients requiring supplemental human and other resources. In such instances, volunteers may be called upon to meet the demands of the incident. Some of these volunteers may be healthcare professionals with specialized skills, and K-SERV improves the efficiency of volunteer deployment and utilization by verifying in advance the credentials of volunteer healthcare professionals.

This pre-registration and pre-verification of potential volunteers enhances the state's ability to quickly and efficiently send and receive appropriate health professionals as needed to assist

with an emergency response.

Registration on K-SERV does not obligate volunteers to serve during a disaster. If an event requiring volunteer assistance occurs, appropriate public health officials will use K-SERV to generate a list of potential volunteers based on information provided during registration. Those listed will be contacted and given information regarding the event, including where they would need to report, and be given the opportunity to accept or decline service as a volunteer.

Volunteer data entered onto the system is consid-

ered highly confidential and is protected by federal, state and local laws governing security and confidentiality.

You, as licensed health professionals, are invited to join the database of potential volunteers by registering on the K-SERV website: <https://kshealth.kdhe.state.ks.us/>. Once there, click on "Login or Register for K-SERV." Registration does not obligate you to volunteer during an emergency. Registration takes approximately 10 to 15 minutes, and it is recommended that you have your driver's license and professional licensure information with you to help speed up the process.

December 2008 Board Meeting

Board Actions – December 2008

During the December Board Meeting, the Kansas State Board of Healing took the following actions.

Fines

The Board fined James Larzalere, M.D., McPherson, \$500 for false advertisement and fined James P. Snyder, D.C., Tonganoxie, \$500 for failure to provide medical records to a patient.

Consent Agreements

The Board entered into several consent agreements. With consent agreements, both the licensee and the Board agree to the conditions and the licensee waives his/her right to a hearing.

Tiffany Findley, Respiratory Therapist, Lakin, entered into a consent

agreement with the Board after disclosing a felony arrest. The terms of the agreement fall under K.S.A. 45-221a and are not permitted for public release.

Marty Schmidt, M.D., New Mexico, entered into a consent agreement with the Board after a complaint was brought forth regarding excessive prescription of a narcotic to a patient and failure to maintain adequate medical records for the treatment. This occurred while Schmidt worked in Kansas. The Consent Order includes completion of a course on controlled substance management, completion of a medical records course and adherence to guidelines set forth by the board on the use of controlled substances for the treatment of pain.

Karen Hall, Physical Therapist Assist, Lawrence, entered into a consent agreement with the Board following disclosure of information that falls under K.S.A. 45-221a and is not permitted for public release. The terms of the agreement also fall under K.S.A. 45-221a and are not permitted for release.

Raymond Ketting, M.D., Missouri, entered into a consent agreement with the Board following discovery that fraudulent credentials were submitted during a renewal application and upon investigation, licensee allowed his license to lapse. The Consent Order includes public censure for violation of the Healing Arts Act.

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Notice to Chiropractors: "physician" term

The Kansas State Board of Healing Arts has issued an official policy statement, based upon the District Court's interpretation of statutes, mandating that chiropractors shall no longer advertise or represent themselves to the public as "chiropractic physicians."

An order was issued on August 15, 2008, by the Board to rescind the December 13, 1991 resolution which permitted

chiropractors to be referred to as "chiropractic physicians." This is in accordance with the District Court's ruling in 91-CV-388.

In accordance with this determination, the Kansas State Board of Healing Arts reminds all chiropractors to please discontinue all references to and advertisements with the term "chiropractic physicians." The Board of Healing Arts has the authority to take

disciplinary action if violations are found.

The Board will be reviewing these matters on a case-by-case basis and will be utilizing the newly adopted disciplinary guidelines if a complaint is received in this area. The Board may utilize cautionary statements and decisions as well as other disciplinary action if anyone is found to be out of compliance with this mandate.

Make your New Year's resolutions your goals and your reality

by Mary Ann McIntire



Mary Ann McIntire is a Special Investigator II for the Kansas State Board of Healing Arts. Mary Ann holds a master's degree in Clinical Exercise Science. She has been certi-

fied as both a Personal Trainer and a Strength and Conditioning Specialist.

It's that time of year again for New Year's resolutions and no doubt the number one resolution will be to lose weight or to get in shape. There is an abundance of information, diets, strategies, tips, suggestions and expert advice just about anywhere you look, especially now. New Year's resolutions generally fail because they are too vague not goal oriented. "To lose weight" doesn't set you up for success. "To lose 10 pounds by March 1," is more specific.

There is an overwhelming amount of information available so a bit of advice is to keep it simple, keep it fun and be cautious when it comes to diets. If this is a resolution you have attempted in the past, ask yourself why you haven't achieved this goal yet. You must be painfully honest with yourself. Don't make excuses. Acknowledge your mistakes and failures and learn from them.

With that said, let's begin. First, make both short and long term goals and write them down where you can see them and say them to yourself every morning and every night – OUT LOUD. These goals must be specific like "Run a 5K in April," or "Lose 10 pounds by March 1." Analyze a long-term goal from a top-down approach. Say you want to run a marathon or weigh a specific weight. Ask yourself what is holding you back or what's in your way. I challenge everyone to make it your goal to run a 5K in April. There are an abundance of runs everywhere at all times; many of them are benefit runs for charitable causes.

Second, you *have to start* and take baby steps at first until you graduate to bigger things. Don't try to do a major overhaul of your diet and exercise program. Take a 20-minute walk and eat one more fruit or vegetable

each day than usual. Before you know it you will be running 2-3 miles several times a week. If you don't like running, try swimming, biking, aerobics or some other aerobic activity. Yoga and Pilates are also great forms of exercise and there are an abundance of classes and DVDs on both.

Third, be committed. Find the one or two motivating factors that will compel you to go beyond just "getting in shape" or "losing weight." I spent a number of years waiting until I was in perfect shape to sign up for a race. Frustrated, I signed up for an Adventure Race in July 2007. Committing to this made me stick to my training. I have since competed in several running and multi sport events. Simply signing up for the race solidified my commitment.

If you are relatively sedentary, start by walking or riding a bike for short distances. Do yoga or pilates for 10 minutes or lift light weights for 20 minutes. You can always build up from a starting point. The key is to make it a habit. If you already exercise and are not seeing results, push your-

self farther, harder or longer or try something new. You must always work yourself harder than before to get to the next level. Michael Phelps never had an easy workout. Okay, so maybe you are not trying to win eight gold medals, but the concept is the same. Exercise is one of the most powerful tools to use when trying to right a bad habit. Consider the domino effect. Exercise is the first domino

Fourth, eat healthy. Try eating foods for what they are as opposed to what they are not. Focus on foods packed with vitamins, minerals and nutrients the body needs to function properly. Concentrate on eating a lot of fruits, veggies and whole grain foods and a moderate amount of high quality protein. You don't have to deny yourself your favorite indulgences. Moderation is important when it comes to eating. It is kind of like a financial budget. You have to make the decisions on how to spend your money. Remember your nickels and dimes count and think twice about where you spend your calories. There are things your body needs and things you want or

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Make your New Year's resolutions your goals and your reality (continued)

like. Focus on the needs and moderate your indulgences. Sometimes your needs can also be your indulgences. Other foods to incorporate in your diet are beans, legumes, nuts and seeds. Make it a goal to try something new and healthy each week.

This is just the tip of the iceberg. If you are serious and you should be when it comes to your health, utilize one or more of some of the great resources available to educate yourself and to surround yourself with motivation to stay dedicated to your overall health. Healthcare costs can be greatly reduced if we all just do our part in bringing our own costs down. Sometimes the benefits come down the line and are unnoticeable when we don't go to the doctor

for new prescriptions, treatments, surgeries, etc.

In conclusion, I would like to share my fitness goals for 2009 and beyond. I plan on competing in one event each month to include two triathlons, three adventure races, and a local trail race series that ends with a half a marathon in October. I completed this series in 2008 and was the champion of the short series. For 2009, my goal is to win each race. In 2010 I will compete in my first marathon and my first ultra race (50K/31 miles). My long term goal is to enter the world of ultra running which is any race longer than a marathon. Some common distances are 50K, 100K, 50 miles and 100 miles.

Kansas State Board of Healing Arts

235 S. Topeka Blvd., Topeka, KS 66603
Phone: 785-296-7413

Toll Free: 1-888-886-7205
www.ksbha.org

Executive Staff

Jack Confer
Executive Director
785-296-8561

Kathleen Selzer-Lippert
Litigation Counsel
785-296-0961

Scott Hesse
General Counsel
785-296-8066

Katy Lenahan
Licensing Administrator
785-296-8563

Dan Riley
Disciplinary Counsel
785-296-4882

Cathy Brown
Executive Assistant
785-296-3680

Publication Information

Editor: Kristi Pankratz

Layout and Design: Patty Kostreles

Contributing Writers: Dr. Michael Beezley and
Mary Ann McIntire

This newsletter is an online quarterly publication. If you have questions or concerns on the content, or ideas for future issues, please contact Kristi Pankratz, Public Information Officer, at 785-368-8207 or kpankratz@ksbha.ks.gov.

Web site feedback needed!

Over the coming months, you will see the Kansas State Board of Healing Arts web site, www.ksbha.org, undergo a complete overhaul. As we work towards making the site more transparent, better designed and easier to navigate, we welcome your feedback. One way you can help us out is to participate in an online survey available on our web site, www.ksbha.org. Or, if you'd prefer, e-mail suggestions to: kpankratz@ksbha.ks.gov. We hope to have the site transformed this spring!

The Kansas State Board of Healing Arts oversees the licensing and regulation of 14 health professions, which include approximately 20,500 licensees and 1,050 registrants. KSBHA is staffed by nearly 50 people and is overseen by 15 Board members who are appointed by the Governor. The Board and its staff believe that the public's health and safety is the agency's greatest purpose.