

Kansas State Board of Healing Arts	
Policy Title: Consent Orders for Surrender when no Presiding Officer has previously been appointed	Policy Number: #23-04
Author: General Counsel	Effective Date: April 14, 2023
Date Authored: April 3, 2023	Last Modified:
Responsible for Updates: General Counsel	Pending Executive Director Approval: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

PURPOSE:

The purpose of this policy is to grant authority to the Executive Director of the Kansas State Board of Healing Arts (“KSBHA” or “Board”) to be appointed as Presiding Officer to accept Consent Orders for Surrender in cases where a Board Member has not already been appointed as a Presiding Officer authorized to conduct administrative proceedings and issue an Order. Exercising this policy will expedite acceptance of a surrender of a license and ultimately protect the public. This policy is intended to be a guidance document under K.S.A. 77-438.

AUTHORITY:

K.S.A. 77-502; K.S.A. 77-514; K.S.A. 77-526; K.S.A. 77-438.

POLICY/PROCEDURE:

The Executive Director may be appointed Presiding Officer solely to accept Consent Orders for Surrender in matters where a Board Member has not already been appointed as a Presiding Officer authorized to conduct administrative proceedings and issue an Order.¹ The Executive Director retains the ability to decline appointment and such Consent Orders for Surrender will be brought to the full Board for approval. This policy is limited to Consent Orders for Surrender that are treated as revocation.

A summary report of Consent Orders for Surrender accepted by the Executive Director pursuant to this policy shall be provided to the full Board by the Executive Director at the next Board meeting.

Approved by the Kansas State Board of Healing Arts on this 14th day of April, 2023.

¹ This policy does not alter the authority of a Board member who has been appointed as a Presiding Officer to conduct administrative proceedings and issue an Order based upon the pleadings filed in such matter under the Kansas Administrative Procedure Act. K.S.A. 77-501 *et seq.* Such appointed Presiding Officer retains the authority to review and accept any proposed Consent Order for Surrender.

KANSAS STATE BOARD OF HEALING ARTS

Susan Gile

Susan Gile, Executive Director