



**BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS**

KS State Board of Healing Arts

In the Matter of)	
Susan Lindsay Hollander, M.D.)	
)	
Application for License to)	Docket No. 24-HA00001
Practice Medicine and Surgery)	
_____)	

FINAL ORDER

On August 11, 2023, this matter came before the Kansas State Board of Healing Arts (“Board”) for a Conference Hearing on Susan Hollander, M.D.’s (“Applicant”) application for a license to practice medicine and surgery in Kansas. Applicant appeared virtually, *pro se*. Disciplinary Panel #38 appeared in person, by and through Associate Litigation Counsel Lisa Montgomery.

Under the authority granted to the Board by the Kansas Healing Arts Act, K.S.A. 65-2801 *et seq.*, and in accordance with the provisions of the Kansas Administrative Procedure Act, (“KAPA”), K.S.A. 77-501 *et seq.*, the Board enters this Final Order. After reviewing the agency record, hearing the oral arguments and testimony of the Applicant, and being duly advised in the premises, the Board makes the following findings, conclusions, and orders.

PROCEDURAL HISTORY

On or about March 27, 2023, Applicant submitted an application for an active license to practice medicine and surgery in Kansas. That application was deemed complete and filed with the Board on July 5, 2023.

On July 12, 2023, Disciplinary Panel #38, through Associate Litigation Counsel Lisa Montgomery, filed a Response in Opposition to Application for Active License to Practice Medicine and Surgery (“Response in Opposition”).

A Notice of Hearing was filed and served on July 17, 2023, and August 2, 2023, setting a Conference Hearing regarding Applicant’s application for licensure in Kansas. No objection to the Notice of Hearing was filed.¹

¹ In advance of the oral arguments, the Board was provided the entire agency record to facilitate a comprehensive understanding of the underlying matter, including all exhibits, briefs, and motions filed by the parties in advance of oral arguments. The entire agency record was considered by the Board in rendering the decision.

On July 26, 2023, Applicant requested to appear virtually at the Conference Hearing. That request was granted on July 27, 2023.

FINDINGS OF FACT

1. On or about March 27, 2023, Applicant submitted an application for an active license to practice medicine and surgery in Kansas. Such application was deemed complete and filed on July 5, 2023.
2. On July 12, 2023, Disciplinary Panel #38, through Associate Litigation Counsel Lisa Montgomery, filed a Response in Opposition. The Response in Opposition contested Applicant’s application based on Applicant **CONFIDENTIAL** as well as being previously denied licensure in two other states, Indiana and Missouri, as described below.
3. On the application, Applicant answered “yes” to the following attestation questions:
 - a. Question 2 – Have you ever had any application for any professional license, registration, or certificate denied by any licensing authority?
 - b. **CONFIDENTIAL**
 - c. Question 10 – Have you ever been requested to appear before a licensing authority?
4. **CONFIDENTIAL**
5. On August 25, 2006, the Department of Community Health of Michigan (“Department”) wrote a letter to Applicant explaining that the Department had previously received an allegation against Applicant, and that after a thorough review of the matter, determined that a violation of the Public Health Code could not be established. The Department closed this file.
6. Applicant testified in both her application materials and at the Conference Hearing that **CONFIDENTIAL** claims against her were without evidence and that Applicant was eventually cleared of wrongdoing, but **CONFIDENTIAL** refused to rescind the complaint and report to the National Practitioner Data Bank (“NPDB”). Further, Applicant testified the **CONFIDENTIAL** was a vindictive response to Applicant’s inability to be on call at **CONFIDENTIAL**.
7. On or about October 2, 2009, Applicant was denied a license to practice medicine and surgery in Indiana after she failed to appear before the Medical Licensing Board of Indiana (“Indiana Board”) to explain information **CONFIDENTIAL**.

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Applicant testified in her application materials and at the Conference Hearing that while working in Michigan, she applied for a license in Indiana, but was denied time-off from work to appear before the Indiana Board. Applicant understood that she could not receive the Indiana license without appearing, but her practice plans had changed, and she no longer needed the Indiana license. Additionally, she testified she notified the Indiana Board before it met in April 2009, that she would be unable to appear before the Indiana Board, incorrectly understanding that a letter would be sufficient to withdraw her application. The Indiana Board later informed her that appearance before them was required regardless of whether Applicant intended to pursue licensure or withdraw her application. Applicant later reapplied for licensure in Indiana and appeared before the Indiana Board on March 24, 2011. On March 25, 2011, the Indiana Board granted Applicant a license to practice medicine (license no. 01069283A).

8. On February 4, 2011, the Missouri Board of Registration for the Healing Arts (“Missouri Board”) denied Applicant’s application for licensure in Missouri, based solely on her denial of licensure in Indiana in 2009. The Missouri Board advised Applicant that, under Missouri law, the Missouri Board may establish alternative qualifications to obtain licensure, which they stated in Applicant’s case would be either obtaining board certification and providing proof of such certification to the board or completing 20 hours of CME in addition to any CME regularly required to maintain her license, with at least 10 of those hours being in intraoperative monitoring or in neurology. Applicant successfully completed the CME hours as required by the Missouri Board and was issued her Missouri license on April 14, 2011 (license no. 2011010349), which is still active.
9. As shown in Applicant’s application materials and as testified by her at the Conference Hearing, Applicant is currently licensed to practice medicine and surgery in at least 40 states, at least 37 of which were obtained after the CONFIDENTIAL
10. Applicant otherwise meets all technical requirements for an active license to practice medicine and surgery in Kansas.

CONCLUSIONS OF LAW

I. Applicable Law

K.S.A. 65-2801 articulates the statutory mission of the Board and states:

Recognizing that the practice of the healing arts is a privilege granted by legislative authority and is not a natural right of individuals, it is deemed necessary as a matter of policy in the interests of public health, safety and welfare, to provide laws and provisions covering the granting of that privilege and its subsequent use, control and regulation to the end that the public shall be properly protected against unprofessional, improper,

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unauthorized and unqualified practice of the healing arts and from unprofessional conduct by persons licensed to practice under this act.

Under K.S.A. 65-2836, a “licensee’s license may be revoked, suspended or limited, or the licensee may be publicly censure or placed under probationary conditions, or an application for a license or for reinstatement of a license may be denied upon a finding of the existence of any of the following grounds:”

(b) The licensee has committed an act of unprofessional or dishonorable conduct or professional incompetency, except that the board may take appropriate disciplinary action or enter into a non-disciplinary resolution when a licensee has engaged in any conduct or professional practice on a single occasion that, if continued, would reasonably be expected to constitute an inability to practice the healing arts with reasonable skill and safety to patients or unprofessional conduct as defined in K.S.A. 65-2837, and amendments thereto.

(j) The licensee has had a license to practice the healing arts revoked, suspended or limited, has been censured or has had other disciplinary action taken, or an application for a license denied, by the proper licensing authority of another state, territory, District of Columbia, or other country.

(s) Sanctions or disciplinary actions have been taken against the licensee by a peer review committee, healthcare facility, a governmental agency or department or a professional association or society for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

K.S.A. 65-2837(a)(3) defines professional incompetency as a “pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice the healing arts.”

Under K.S.A. 65-4915(c), “[a] licensing agency conducting a disciplinary proceeding may review peer review committee records, testimony or reports but must prove its findings with independently obtained testimony or records that shall be presented as part of the disciplinary proceeding...”

II. Conclusion

A. Applicant’s application to practice medicine and surgery in Kansas is granted.

To carry out its mission to protect the public, the Board is granted discretionary authority to, among other actions, deny an application for licensure if any of the criteria under K.S.A. 65-2836 are met. In this case, denial of licensure is not warranted.

While Applicant has previously had **CONFIDENTIAL** been denied a medical license in both Indiana and Missouri, subjecting her application potentially to denial under

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K.S.A. 65-2836, Applicant has presented unopposed documents and sworn testimony explaining why the actions taken against her were either unfounded in fact or due to procedural errors. These facts are uncontroverted. Additionally, she subsequently gained licensure in both Indiana and Missouri, and holds at least 40 full state medical licenses, at least 37 of which were granted after her privileges **CONFIDENTIAL**

ORDER

IT IS THEREFORE ORDERED, Applicant's application to practice medicine and surgery in Kansas is **GRANTED**, which was reflected on the record at the Conference Hearing on August 11, 2023.

IT IS SO ORDERED this 16th day of September 2023.

KANSAS STATE BOARD OF HEALING ARTS

Susan Gile

Susan Gile, Executive Director

NOTICE OF APPEAL RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service, and service of a Final Order is complete upon mailing. Under K.S.A. 77-529, parties may petition the Board for Reconsideration of a Final Order within fifteen (15) days following service of the final order. Additionally, a party to an agency proceeding may seek judicial review of a Final Order by filing a petition in the District Court, as authorized by K.S.A. 77-601, *et seq.* Reconsideration of a Final Order is not a prerequisite to judicial review. A petition for judicial review is not timely unless filed within 30 days following service of the Final Order. A copy of any petition for judicial review must be served upon Susan Gile, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **FINAL ORDER** was served, by depositing the same in the United States mail, postage prepaid, and emailed on this 6th day of September 2023, addressed to:

Susan L. Hollander, MD

CONFIDENTIAL

Applicant

A copy was hand-delivered to:

Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

Lisa D. Montgomery, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612
Lisa.montgomery@ks.gov

and the original was filed with the office of the Executive Director:

Susan Gile
Executive Director
Kansas Board of Healing Arts
800 S.W. Jackson, Lower Level-Suite A
Topeka, Kansas 66612


Staff

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