

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

In the Matter of)
Billy D. Richardson, M.D.)
)
Kansas License No. 04-22073)
_____)

Docket No. 16-HA00113

**FINAL ORDER GRANTING
MOTION TO TERMINATE CONSENT ORDER**

On February 9, 2024, the Kansas State Board of Healing Arts (“Board”) conducted a Conference Hearing on a Motion to Terminate Consent Order (“Motion”) filed by Billy D. Richardson, M.D. (“Licensee”). Licensee appeared in person and through counsel, Kelli J. Stevens of Stevens Law, LLC. C. Sebastian Orosco, Associate Litigation Counsel, appeared in person as counsel for Disciplinary Counsel No. 30 (“DP #30”) of the Board (“Petitioner”). Dr. Estep was recused.

Pursuant to the authority granted to Board by K.S.A. 65-2801 *et seq.*, and in accordance with the provisions of the Kansas Administrative Procedure Act K.S.A. 77-501 *et seq.*, the Board hereby enters this Final Order in the above-captioned matter. After reviewing the agency record, hearing the testimony, statements, and arguments of the parties, receiving evidence, and being otherwise advised in the premises, the Board makes the following findings, conclusions, and order.

Findings of Fact

1. A Notice of Hearing was filed and served on January 19, 2024, and January 30, 2024, setting a Conference Hearing on the Motion. No objection to the Notice of Hearing was filed.¹

2. Licensee is licensed in medicine and surgery in the State of Kansas, having been issued License No. 04-22073 in 1987.

3. Licensee currently has a Federal Active License.

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5. The 2016 Consent Order contained the following requirements for any request to modify or terminate the limitations:

The **CONFIDENTIAL** provisions are not self-terminating. Licensee shall have the burden to prove by clear and convincing evidence that he is clinically competent to practice independently with reasonable skill and safety to patients.

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6. On or about May 7, 2018, the Board issued a Final Order removing four limitations and one **CONFIDENTIAL** requirement from the Consent Order. In this order, the

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 its decision.

Board found Licensee has been compliant with the limitations on his license and had shown by clear and convincing evidence that he was clinically competent to practice independently with reasonable skill and safety to patients.

7. On or about January 16, 2024, Licensee filed a Motion to Terminate Consent Order (“Motion”). The Motion requested the Board remove all remaining **CONFIDENTIAL** requirements and terminate the Consent Order based on Licensee’s full compliance with all Board requirements and demonstrated commitment **CONFIDENTIAL** . The Motion states Licensee has established that he is currently as safe to practice as any other physician.

8. Licensee’s Motion includes the following documents in support of the collaborative assessment requirement of the Consent Order:

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8. On or about January 25, 2024, DP #30 filed a Response to Licensee's Motion to Terminate Consent Order ("Response"). The Response stated the following:

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3. DP #30 has no objection to the Motion and believes the Board should rule on the Motion.

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Conclusions of Law

Under CONFIDENTIAL a license may be revoked, suspended, or limited, or the licensee may be publicly censured or placed under probationary conditions upon a finding that the licensee's ability to practice the healing arts with reasonable skill and safety to patients CONFIDENTIAL

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Clear and convincing evidence is “evidence that causes the factfinder to believe that the truth of the facts asserted is highly probable.” *In the Matter of L.J. Buckner*, 308 Kan. 427, 447 (2018).

The 2016 Consent Order contained the following requirements for any request to modify or terminate the limitations:

The CONFIDENTIAL provisions are not self-terminating. Licensee shall have the burden to prove by clear and convincing evidence that he is clinically competent to practice independently with reasonable skill and safety to patients.

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Based on the facts in this case, Licensee has the burden to prove by clear and convincing evidence that he is clinically competent to practice independently with reasonable skill and safety to patients. CONFIDENTIAL

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CONFIDENTIAL

Based on the testimony at the hearing and the evidence submitted, Licensee has met the burden to prove by clear and convincing evidence that he is clinically competent to practice independently with reasonable skill and safety to patients.

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Upon review of the Motion, the agency record, the applicable statutes and regulations, and testimony received at the hearing, the Board finds Licensee has met, by

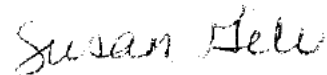
clear and convincing evidence, the burden to prove: (1) that he is clinically competent to practice independently with reasonable skill and safety to patients; **CONFIDENTIAL**
CONFIDENTIAL he has the present ability to practice independently.

Order

THEREFORE, Licensee's Motion to Terminate Consent Order is **GRANTED** as follows. Licensee's 2016 Consent Order is **TERMINATED**.

IT IS SO ORDERED, this 11th day of March 2024.

KANSAS STATE BOARD OF HEALING ARTS



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 certify that a true copy of the foregoing was served this 11th day of March 2024 by depositing the same in the United States Mail, first-class postage prepaid, and via email addressed to:

Billy D. Richardson, M.D.

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Licensee

Kelli J. Stevens
Stevens Law, LLC
15621 West 87th Street Parkway, #157
Lenexa, KS 66219
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Attorney for Licensee

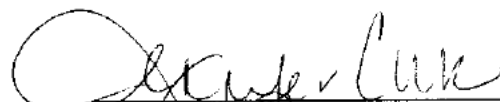
And a copy was hand delivered to the office of:

C. Sebastian Orosco, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
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Compliance Coordinator
Kansas State Board of Healing Arts
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Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, KS 66612

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



Staff Member

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