

EFFECTIVE AS A FINAL ORDER

DATE: 6/28/17

FILED
JUN 28 2017

PA

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

KS State Board of Healing Arts

In the Matter of)
)
Brent Meyers, D.C.)
Kansas License No. 01-03783)
_____)

KSBHA Docket No. 17-HA 00074
Investigation No. 17-00506

SUMMARY ORDER

NOW ON THIS 23rd day of June, 2017, this matter comes before Kathleen Selzler Lippert, Executive Director, Kansas State Board of Healing Arts ("Board"), in summary proceedings pursuant to K.S.A 77-537.

Pursuant to K.S.A 77-542, this Summary Order shall become effective as a Final Order, without further notice, if no written request for hearing is made within fifteen (15) days of service.

Upon review of the agency record and being duly advised in the premises, the following findings of fact, conclusions of law, and order are made for and on behalf of the Board:

Findings of Fact

1. Brent Meyers, D.C. ("Licensee/Applicant") was originally issued license number 01-03783 to practice chiropractic in the state of Kansas on June 13, 1986. Licensee/Applicant's license was cancelled for failure to renew on February 1, 2017.
2. Licensee/Applicant's last known mailing address to the Board is: [REDACTED] Lawrence, Kansas 66047.
3. On February 1, 2017 Licensee/Applicant's license was cancelled for failure to renew.
4. Licensee/Applicant disclosed to the Board that he attempted the renew his license on the Board's website and believed he had been successful; however, it had not gone through and a license renewal had not been issued.

5. When Licensee/Applicant realized on May 8, 2017, that he did not have an active license, he immediately stopped practicing.
6. Licensee/Applicant practiced chiropractic in the State of Kansas from February 1, 2017 through May 8, 2017 (approximately three (3) months) without a license.
7. Licensee/Applicant submitted his reinstatement application on May 9, 2017.
8. Licensee/Applicant answered no to all the Disciplinary Questions on his May 9, 2017 reinstatement.
9. [REDACTED]
10. Licensee/Applicant did not disclose his arrest on his May 9, 2017 reinstatement.

Applicable Law

11. K.S.A. 65-2836 of the Kansas Healing Arts Act states in pertinent part:

A licensee's license may be revoked, suspended or limited, or the licensee may be publicly or privately censured 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:

(r) The licensee has failed to furnish the Board, its investigators, or any representative, information legally requested by the Board.

12. K.S.A. 65-2803 of the Kansas Healing Arts Act states in pertinent part:

Unless otherwise specified by the board, it shall be unlawful for any person who does not have a license...to engage in the practice of any profession regulated by the board....

13. K.S.A. 65-2867(a) of the Kansas Healing Arts Act states in pertinent part:

It shall be unlawful for a person who is not licensed under the Kansas Healing Arts Act...to open or maintain an office for the practice of the healing arts as defined in this act or to announce or hold out to the public the intention, authority or skill to practice the

healing arts as defined in the Kansas Healing Arts Act by the use of any professional degree or designation, sign, card circular, device, advertisement or representation.

Conclusions

14. The Board finds that Licensee/Applicant violated K.S.A. 65-2867(a), when Licensee/Applicant practiced chiropractic in the State of Kansas without a license for approximately three (3) months.

15. The Board finds that Licensee/Applicant also violated K.S.A. 65-2803(a) when Licensee/Applicant practiced chiropractic in the State of Kansas without a license for approximately three (3) months.

16. The Board finds that Licensee/Applicant violated K.S.A. 65-2836(r) when Licensee/Applicant failed to disclose his arrest for DUI in 1993 on his May 8, 2017 reinstatement application.

17. The Board has jurisdiction over Licensee/Applicant as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

18. Based on the facts and circumstances set forth herein, the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a) in that the use of summary proceedings does not violate any provision of law and the protection of the public interest does not require the Board to give notice and opportunity to participate to person other than Licensee/Applicant.

IT IS, THEREFORE, ORDERED that Licensee/Applicant is **PUBLICLY CENSURED** for violations of the Kansas Healing Arts Act.

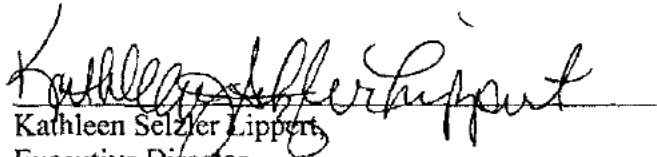
IT IS, THEREFORE, ORDERED that Licensee/Applicant is **FINED IN THE AMOUNT OF \$2500.00**. Licensee/Applicant shall pay the fine in full on or before August 1, 2017. The fine shall be paid via cashiers check or money order, addressed to:

Kansas State Board of Healing Arts
Attention: Compliance Coordinator,
800 SW Jackson, Lower Level-Suite A.
Topeka, Kansas 66612.

PLEASE TAKE NOTICE that upon becoming effective as a Final Order, this document shall be deemed a public record and be reported to any reporting entities authorized to receive such disclosure.

Dated this 23 day of June, 2017.

KANSAS STATE BOARD OF HEALING ARTS


Kathleen Selzer Lippert,
Executive Director

FINAL ORDER NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service. 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 Kathleen Selzler Lippert, Executive Director, Kansas Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing **FINAL ORDER** was served this 28th day of June, 2017 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Brent Meyers, DC

████████████████████
Lawrence, KS 66047

Diane Bellquist
Joseph, Hollander, & Craft
1508 SW Topeka Blvd.
Topeka, KS 66612


And a copy was hand-delivered to:

Anne Barker Hall, Associate Litigation Counsel
Reese Hays, Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

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

Office of the General Counsel
Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, Kansas 66612

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



Cathy Brown, Executive Assistant