

F I L E D

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

DEC 1 2009

KANSAS STATE BOARD OF
HEALING ARTS
Wing

In the Matter of)
Douglas Geenens, D.O.)
Kansas License No. 5-22577)
_____)

Docket No. 05-HA-36

CONSENT ORDER

COMES NOW the Kansas State Board of Healing Arts ("Board"), by and through Stacy L. Cook, Litigation Counsel, ("Petitioner"), and Douglas Geenens, D.O., ("Licensee"), by and through B K Christopher and move the Board for approval of a Consent Order affecting Licensee's license to practice osteopathic medicine and surgery in the State of Kansas. The parties stipulate and agree to the following:

1. Licensee's last known mailing address to the Board is 4707 College Blvd., #201, Overland Park, Kansas, 66211.
2. Licensee is or has been entitled to engage in the practice of osteopathic medicine and surgery in the State of Kansas, having been issued License No. 5-22577 on February 10, 1989. Licensee's license status is active.
3. The Board is the sole and exclusive administrative agency in the State of Kansas authorized to regulate the practice of the healing arts, specifically the practice of osteopathic medicine and surgery.
4. This Consent Order and the filing of such document are in accordance with applicable law and the Board has jurisdiction to enter into the Consent Order as provided by K.S.A. 65-2838. Upon approval, these stipulations shall constitute the findings of the Board, and this Consent Order shall constitute the Board's Final Order.

5. The Kansas Healing Arts Act is constitutional on its face and as applied in this case.

6. Licensee agrees that, in considering this matter, the Board is not acting beyond its jurisdiction as provided by law.

7. Licensee voluntarily and knowingly waives his right to a hearing. Licensee voluntarily and knowingly waives his right to a present a defense by oral testimony and documentary evidence, to submit rebuttal evidence, and to conduct cross-examination of witnesses. Licensee voluntarily and knowingly agrees to waive all possible substantive and procedural motions and defenses that could be raised if an administrative hearing were held.

8. The terms and conditions of the Consent Order are entered into between the undersigned parties and are submitted for the purpose of allowing these terms and conditions to become an Order of the Board. This Consent Order shall not be binding on the Board until an authorized signature is affixed at the end of this document.

Licensee specifically acknowledges that counsel for the Board is not authorized to sign this Consent Order of behalf of the Board.

9. Licensee's specialty is psychiatry.

10. On January 31, 2003, Licensee began providing medical care and treatment to "Patient A," a forty-three year-old female.

11. Patient A was referred to Licensee by her spouse, a psychologist who had previously referred other patients to Licensee for psychiatric treatment.

12. Licensee treated Patient A for depression and marital issues.

13. Licensee treated Patient A on approximately three occasions.

14. On April 22, 2003, Licensee terminated the physician-patient relationship with Patient A.

15. Following the termination of the physician-patient relationship, Licensee and Patient A began a social relationship.

16. Approximately two months after the termination of the physician-patient relationship, Licensee engaged in a sexually intimate relationship with Patient A.

17. Pursuant to K.S.A. 65-2836(b), as further defined by K.S.A. 65-2837(b)(16), the Board has grounds to revoke, suspend or otherwise limit Licensee's license.

18. According to K.S.A. 65-2838(b), the Board has authority to enter into this Consent Order without the necessity of proceeding to a formal hearing.

19. In lieu of the conclusion of formal proceedings, Licensee, by signature affixed to this Consent Order, hereby voluntarily agrees to the following disciplinary action with respect to his license:

- (a) Licensee's license shall be suspended for the duration of six months. The suspension shall be stayed except from December 12, 2004 through December 18, 2004. If Licensee engages in conduct determined to be unprofessional conduct during this time then the Board may remove the stay of suspension;
- (b) Licensee is publicly censured for engaging in conduct determined by the Board to be unprofessional conduct;
- (c) Licensee agrees to attend and successfully complete the

course on maintaining proper boundaries at Vanderbilt Medical Center held March 9 through March 11, 2005.

Licensee must submit proof of satisfactory completion of the course. Licensee must insure that a report of his participation shall be submitted to the Board. Licensee is responsible for all associated expenses; and

(d) **(Confidential)**

(Confidential)

20. Licensee's failure to comply with the provisions of the Consent Order may result in the Board taking further disciplinary action as the Board deems appropriate according to the Kansas Administrative Procedure Act.

21. Nothing in the Consent Order shall be construed to deny the Board jurisdiction to investigate alleged violations of the Healing Arts Act, or to investigate complaints received under the Risk Management law, K.S.A. 65-4921 *et seq.*, that are known or unknown and are not covered under this Consent Order, or to initiate formal proceedings based upon known or unknown allegations of violations of the Healing Arts Act.

22. Licensee hereby releases the Board, its individual members (in their official and personal capacities), attorneys, employees and agents, hereinafter

collectively referred to as ("Releasees"), from any and all claims, including but not limited to, those alleged damages, actions, liabilities, both administrative and civil, including the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions, K.S.A. 77-601 *et seq.* arising out of the investigation and acts leading to the execution of this Consent Order. This release shall forever discharge the Releasees of any and all claims or demands of every kind and nature that Licensee has claimed to have had at the time of this release or might have had, either known or unknown, suspected of unsuspected, and Licensee shall not commence to persecute, cause or permit to be prosecuted, any action or proceeding of any description against the Releasees.

23. Licensee further understands and agrees that upon signature by Licensee, this document shall be deemed a public record and shall be reported to the National Practitioner Databank, Federation of State Medical Boards, and any other reporting entities requiring disclosure of the Consent Order. **(Confidential)**
(Confidential)

24. This Consent Order, when signed by both parties, constitutes the entire agreement between the parties and may only be modified or amended by a subsequent document executed in the same manner by the parties.

25. Licensee agrees that all information maintained by the Board pertaining to the nature and result of any complaint and/or investigation may be fully disclosed to and considered by the Board in conjunction with the presentation of any offer of settlement, even if Licensee is not present. Licensee further acknowledges that the Board may conduct further inquiry as it deems necessary before the complete or partial acceptance

or rejection of any offer of settlement.

26. Licensee, by signature to this document waives any objection to the participation of the Board members, including the Disciplinary Panel, in the consideration of this offer of settlement and agrees not to seek the disqualification or recusal of any Board member in any future proceeding on the basis that the Board member has received investigative information from any source which otherwise may not be admissible or admitted as evidence.

27. Licensee acknowledges that he has read this Consent Order and fully understands the contents.

28. Licensee acknowledges that this Consent Order has been entered into freely and voluntarily.

29. All correspondence or communication between Licensee and the Board relating to this Consent Order shall be by certified mail addressed to the Kansas State Board of Healing Arts, Attn: Stacy L. Cook, 235 S. Topeka Blvd., Topeka, Kansas 66603-3068.

30. Licensee shall obey all federal, state and local laws and rules governing the practice of osteopathic medicine and surgery in the State of Kansas that may be in place at the time of execution of the Consent Order or may become effective subsequent to the execution of this document.

31. Upon execution of this Consent Order by affixing a Board authorized signature below, the provisions of this Consent Order shall become an Order under K.S.A. 65-2838. This Consent Order shall constitute the Board's Order when filed with the Office of the Executive Director for the Board and no further Order is required.

32. The Board may consider all aspects of this Consent Order in any future matter regarding Licensee.

IT IS THEREFORE ORDERED that the Consent Order and agreement of the parties contained herein is adopted by the Board as findings of fact and conclusions of law.

IT IS FURTHER ORDERED that in lieu of the conclusion of formal proceedings, Licensee, by signature affixed to this Consent Order, hereby voluntarily agrees to the following disciplinary action with respect to his license:

- (a) Licensee's license shall be suspended for the duration of six months. The suspension shall be stayed except from December 12, 2004 through December 18, 2004. If Licensee engages in conduct determined to be unprofessional conduct during this time then the Board may remove the stay of suspension;
- (b) Licensee is publicly censured for engaging in conduct determined by the Board to be unprofessional conduct;
- (c) Licensee agrees to attend and successfully complete the course on maintaining proper boundaries at Vanderbilt Medical Center held March 9 through March 11, 2005. Licensee must submit proof of satisfactory completion of the course. Licensee must insure that a report of his participation shall be submitted to the Board. Licensee is

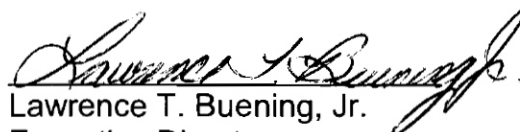
responsible for all associated expenses; and

(d) **(Confidential)**

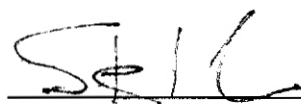
(Confidential)

IT IS SO ORDERED on this 10th day of December, 2004

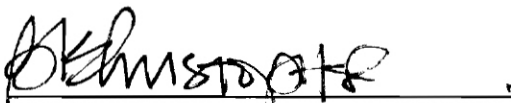
FOR THE KANSAS STATE
BOARD OF HEALING ARTS:


Lawrence T. Buening, Jr.
Executive Director

PREPARED AND APPROVED BY:



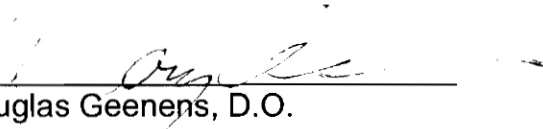
Stacy L. Cook #16385
Litigation Counsel
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3065
(785) 296-7413



BK Christopher #16387
John G. Gromowsky #19698

Horn, Aylward & Bandy, LLC
2600 Grand Blvd., Suite 500
Kansas City, Missouri 64108

AGREED TO BY:



Douglas Geenens, D.O.
Licensee

CERTIFICATION OF SERVICE


I, Stacy L. Cook, hereby certify that the Consent Order was served this _____
day of November, 2004, by depositing the same in the United States mail, postage
prepaid, and addressed to the following:

hand-delivered

BK Christopher
John G. Gromowsky
Horn, Aylward & Bandy, LLC
2600 Grand Blvd., Suite 500
Kansas City, Missouri 64108

and the original was hand-delivered for filing to:

Lawrence T. Buening, Jr.
Executive Director
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3068

A handwritten signature in black ink, appearing to read 'SLC', written over a horizontal line.

Stacy L. Cook

FILED *CHB*

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

MAY 28 2008

KS State Board of Healing Arts

In the Matter of)
Douglas Geenens)
)
Kansas License No. 05-22577)
_____)

Docket No. 05-HA-0036

FINAL ORDER

NOW ON THIS 26th day of April, 2008, this matter comes on for hearing. Respondent Douglas Geenens appears in person. Kelli J. Stevens, Attorney, Litigation Counsel appears for the Board.

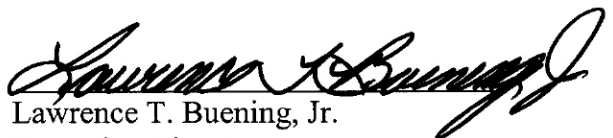
The issue before the Board is whether to grant the motion of Dr. Geenens to terminate the provisions of the December 2004 Consent Order. Dr. Geenens now asks to withdraw his motion.

The Board finds good cause exists to grant the request to withdraw the motion.

IT IS, THEREFORE, ORDERED that the request by Douglas Geenens, M.D. to withdraw his pending motion is hereby granted.

Dated this 27th day of May, 2008.

Kansas State Board of Healing Arts


Lawrence T. Buening, Jr.
Executive Director

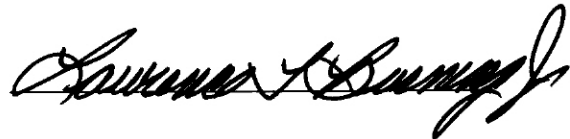
Certificate of Service

I certify that a true copy of the foregoing Final Order was served this 28th day of May, 2008, by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Douglas Geenens, M.D.
4707 College Blvd #201
Overland Park, KS 66211

And a copy was hand-delivered to the office of

Kelli J. Stevens, Attorney
Kansas State Board of Healing Arts
235 S. Topeka Blvd.
Topeka, KS 66603

A handwritten signature in black ink, appearing to read "Lawrence A. Bump". The signature is written in a cursive style and is positioned to the right of the text above.

FILED CAB

FEB 04 2010

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of)
)
DOUGLAS L. GEENENS, D.O.)
Kansas License No. 04-26214)
_____)

KS State Board of Healing Arts

KSBHA Docket No. 09-HA-00059

FINAL ORDER

NOW this 4th day of December, 2009 the above captioned matter comes before the Kansas State Board of Healing Arts (Board) on the motions to review the Initial Order of the Presiding Officer made by the petitioner, the respondent and the Board itself. The petitioner is represented by Jeff Heinrichs, Special Assistant Litigation Counsel. The respondent, Douglas Geenens, appears in person and through his attorney, Karen Virgillito. There are no other appearances.

WHEREUPON, the Board, pursuant to K.S.A. 77-514, appointed a panel of Board members (Panel) consisting of Betty McBride, Chair, Nancy Welsh, M.D., Kimberley Templeton, M.D. and Ronald Whitmer, D.O. to sit as the Presiding Officer to review the INITIAL ORDER, to hear the statements of counsel, take testimony from the respondent and to render a FINAL ORDER in the above captioned matter.

WHEREUPON, the Panel after hearing the statements of Counsel, after review of the record, review of the Initial Order and being duly apprised of the premises finds and concludes as follows:

1. The Panel accepts the Findings of Fact made by the Presiding Officer in the INITIAL ORDER and adopts those Findings of Fact as the Findings of Fact for the FINAL ORDER. The INITIAL ORDER is incorporated by reference and is part of the FINAL ORDER

2. The Panel accepts the Presiding Officer's Conclusions of Law and adopts the Conclusions of Laws as stated in the INITIAL ORDER as the Conclusions of Law for the FINAL ORDER by reference.

3. The Panel accepts the remedies suggested by the Presiding Officer and adopts the Presiding Officer's remedies for the Final Order by reference. The Presiding Officer found the respondent, Douglas Geenens should:

- A. be publically CENSURED; and
- B. pay the costs associated with this proceeding as allowed by law.

The Panel adopts the remedies issued by the Presiding Officer in whole and incorporates such remedies made by the Presiding Officer with the remedies issued by the panel by reference into the FINAL ORDER.

4. The Panel finds the Presiding Officer sitting for the INITIAL ORDER reserved "the question of additional discipline for decision by the Kansas State Board of Healing Arts." The panel finds that, under the facts of this case, additional discipline is necessary to protect the public.

5. The Panel takes Administrative Notice of the fact the respondent has entered into a Consent Order with the Board in the case of *In the Matter of Douglas L. Geenens*, 05 HA 36 dated December 12, 2004. The Panel acknowledges the respondent has successfully completed the terms outlined in the Consent Order in Case No. 05-HA-36. The Panel further recognizes the Consent Order in Case No. 05-HA-36 is not self-terminating and that the licensee, by his own choice, still operates under the terms of that Consent Order. The fact the respondent has previously been disciplined is an aggravating

factor to the detriment of the licensee. See Board Disciplinary Guidelines, Section III, factors relevant to the licensee (c).

6. The Board takes administrative notice of the fact these violations occurred more than ten years ago. The age of the violations coupled with the fact the respondent voluntarily continues monitoring of his practice are mitigating factors in the respondent's favor. See Board Disciplinary Guidelines factors relevant to the misconduct committed (m) which is a factor relevant to the disciplinary process (c).

7. The Board takes administrative notice of the fact the actions of the respondent have caused a public outcry in both the press and in the Kansas Legislature. The public perceives that it should be protected from the actions of licensees who commit violations of the Healing Arts Act such as by respondent. The desire of the public to be protected from licensees who violate the Healing Arts Act is an aggravating factor which weighs against the respondent. See Board Disciplinary Guidelines factors relevant to the disciplinary process (h) and general aggravating and mitigating circumstances (n).

8. Patient Number 1 was a patient of the respondent. The son of Patient Number 1 was also the patient of the respondent.

9. The Presiding Officer found, as a matter of fact, the respondent slept in the same bed as Patient Number 1 during the time the respondent was treating Patient Number 1. There is no evidence the respondent and Patient Number 1 engaged in sexual activity. At oral argument, respondent concedes sleeping in the same bed with Patient Number 1 was a boundary violation. Under the facts of this case, the Panel finds, as a matter of fact, the respondent's action by sleeping in the same bed with a patient to be a boundary violation which licensees are forbidden to cross with their patients.

10. The panel finds the respondent by sleeping in the same bed as Patient Number 1 engaged in sexual misconduct which “exploits the licensee-patient relationship, with a patient or a person responsible for health care decisions concerning such patient” in violation of K.S.A. 65-2837(b)(16).

11. The Panel hereby imposes an administrative fine in the amount of \$5,000 against the respondent, Douglas L. Geenens, D.O., pursuant to K.S.A. 65-2863a(a) and the Board’s aforementioned disciplinary guidelines for the licensee’s violation of K.S.A. 65-2837(b)(16).

12. The administrative fine imposed upon the licensee shall be paid either all at once or through twelve monthly installments in the amount of \$416.67 per month commencing March 1, 2010 with each monthly installment to be paid prior to the first day of every month thereafter until such balance is paid in full. In the event that the Board does not receive a payment due and owing, the balance of the fine shall become immediately due and payable in full upon written notice by the Board to Licensee stating that payment has not been received. Failure to make a monthly payment will be considered a violation of an order of the Board which will subject the licensee to discipline pursuant to K.S.A. 65-2836(k).

13. The Panel finds the Board is the prevailing party in this matter. The Panel finds the actions of the respondent to be serious and may have led to the revocation of Dr. Geenens license to practice medicine if not for the considerable amount of time since these events occurred; the intervening Order in Docket No. 05 HA 36 which the respondent successfully completed; and the fact the respondent voluntarily continues to operate within the Order in Docket No. 05 HA 36. The Panel also takes administrative

notice of the fact the Presiding Officer had difficulty in determining a remedy in this matter because of the previously mentioned factors. The Panel takes administrative notice of the fact the Presiding Officer recommends that costs be assessed to the licensee as part of the appropriate remedy. The respondent was found in violation of all allegations that were brought against him. As such, the Panel finds the Board to be the prevailing party. The licensee is responsible for all costs incurred by the Board in prosecuting this matter.

14. The Panel finds pursuant to K.S.A. 65-2846 and K.S.A.65-2878a the Board entered into a contract with Jeff Heinrichs of the law firm of McLeod and Heinrichs to prosecute the respondent in Docket Number 09-HA-00059. The contract calls for the Board to pay Mr. Heinrichs out of pocket expenses associated with the litigation.

15. The Panel finds that Jeff Heinrichs is an agent of the Board within the meaning of K.S.A. 65-2878a.

16. Jeff Heinrichs has submitted a bill in the amount of \$9,624.11 for out of pocket expenses that were incurred in preparing and presenting Docket No. 09-HA-00059 before the Presiding Officer. The Board has paid that bill. The Panel concludes \$9,624.11 is a just and reasonable payment for out of pocket expenses pursuant to K.S.A. 65-2846, K.S.A. 65-2878a and the contract for professional services between Mr. Heinrichs and the Board.

17. The Board has a contract with Appino and Biggs Court Reporting Service for court reporting services and transcripts. The Panel finds that Appino and Biggs Court Reporting Service is an agent of the Board within the meaning of K.S.A. 65-2878a.

18. Appino and Biggs Court Reporting Services submitted a bill in the amount of \$9,208.45 for court reporting and transcription services in connection with Docket No. 09-HA-00059. The Board has paid that bill. The Panel concludes \$9,208.45 is a just and reasonable payment for court reporting services in this matter.

19. The Board contracted with the Office of Hearing Examiners to conduct a hearing in Docket No. 09-HA-00059. Presiding Officer Ed Gaschler spent significant time and effort hearing the case and preparing an Initial Order for the Board's review.

20. The Office of Hearing Examiners submitted a bill in the amount of \$2,345.00 for the services of Presiding Officer Ed Gaschler. The Board has paid that bill. The Panel concludes \$2,345.00 is a just a reasonable payment for Presiding Officer services.

21. The Panel finds pursuant to K.S.A. 65-2846 and K.S.A.65-2878a the Board entered into a contract with Paul Murphy, M.D. to provide expert witness testimony on behalf of the Board in Docket Number 09-HA-00059. The contract calls for the Board to pay Dr. Murphy for his services and out of pocket expenses associated with his testimony in this matter.

22. The Panel finds that Paul Murphy, M.D. is an agent of the Board within the meaning of K.S.A. 65-2878a.

23. Paul Murphy, M.D. has submitted a bill in the amount of \$6,300 for his services and out of pocket expenses that were incurred in preparing and testifying in Docket No. 09-HA-00059. The Board has paid that bill. The Panel concludes \$6,300.00 is a just and reasonable payment for out of pocket expenses pursuant to K.S.A. 65-2846,

K.S.A. 65-2878a and the contract for professional services between Dr. Murphy and the Board.

24. The Panel finds costs in the amount of \$27,477.56 to be just and reasonable under the facts of this case. The Panel orders the respondent, Douglas L. Geenens, D.O., to pay such costs all at once or through twelve monthly installments in the amount of \$2289.80 per month commencing March 1, 2010 with each installment to be paid prior to the first day of every month thereafter until the balance is paid in full. In the event that the Board does not receive a payment due and owing, the balance owing on such costs shall become immediately due and payable in full upon written notice by the Board to Licensee stating that payment has not been received. Failure to make a monthly payment will be considered a violation of an order of the Board which will subject the licensee to discipline pursuant to K.S.A. 65-2836(k).

25. The Panel finds that in order to protect the public, the Consent Order entered into between the Board and the respondent *In the Matter of Douglas L. Geenens*, Docket No. 05 HA 36 dated December 12, 2004 shall remain in force and effect for an additional three years from the date of this Order. The Consent Order *In the Matter of Douglas L. Geenens*, Docket No. 05 HA 36 is not self-terminating and shall only be terminated by further order of the Board.

26. The Panel further finds that to protect the public an additional three years of practice monitoring with an emphasis on prescription writing and record keeping is hereby ordered *In the Matter of Douglas L. Geenens*, Docket No. 09-HA-00059. Dr. Erick M. Kulick is hereby ordered to monitor the practice of the respondent. Dr. Kulick shall select, at random, ten charts per month from the respondent's practice for review.

Dr. Kulick is to submit quarterly reports to the Board. Dr. Kulick is to immediately report to the Board any violations of the healing arts act or the applicable standard of care discovered in the respondent's practice of medicine. The costs of Dr. Kulick's services shall be paid by the respondent. The failure of the respondent to immediately engage Dr. Kulick and pay for his services upon receipt of an invoice shall be considered a violation of an order of the Board which will subject the licensee to discipline pursuant to K.S.A. 65-2836(k).

WHEREFORE, the Board

A. adopts the Presiding Officer's INITIAL ORDER as written and incorporates it by reference;

B. CENSURES the respondent, Douglas L. Geenens;

C. FINES the respondent \$5,000 to be paid as described in this FINAL ORDER for the respondent's violation of K.S.A. 65-2836(k);

D. orders the respondent to pay COSTS in the amount of \$27,477.56 to be paid as described in this FINAL ORDER;

E. extends the terms of the Consent Order *In the Matter of Douglas L. Geenens*, Docket No. 05 HA 36 for an additional three years from the date of this FINAL ORDER;


F. the medical practice of the respondent to be MONITORED for prescription writing and record keeping for three years from the date of this FINAL ORDER with all costs of monitoring borne by the licensee;

G the terms of this FINAL ORDER are not self-terminating.

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, the Board's Interim Executive Director, at 235 SW Topeka Blvd., Topeka, KS 66603.

IT IS SO ORDERED.

DATED: February 4th, 2010.


Betty McBride,
Agency Head Designee
Kansas State Board of Healing Arts

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing FINAL ORDER was served by depositing the same in the United States mail, first-class postage prepaid, this 4th day of ~~January~~, 2010, addressed to:

February
Karen Virgillito
10484 Marty
Overland Park, KS 66212

Douglas L. Geencens, D.O.
4901 W. 136th St.
Overland Park, KS 66224

Jeff Heinrichs
2900 City Center Square
1100 Main Street
Kansas City, MO 64105

Kelli Stevens
Interim Litigation Counsel
Kansas State Board of Healing Arts
235 SW Topeka Blvd.
Topeka, KS 66603

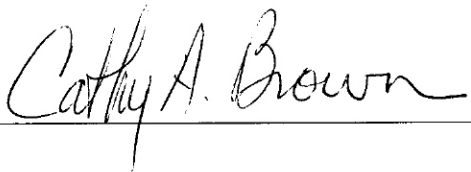
With the original going to:

Kathleen Selzler-Lippert
Interim Executive Director
235 SW Topeka Blvd.
Topeka, KS 66603

And a copy to:

Melissa Massey
Compliance Coordinator
Kansas State Board of Healing Arts
235 SW Topeka Blvd.
Topeka, KS 66603

Erick M. Kulick, M.D.
8700 State Line Road
Leawood, KS 66206



Cathy A. Brown

CC: Ed Gaschler

FILED

FEB 16 2010

KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of)
)
DOUGLAS L. GEENENS, D.O.)
Kansas License No. 05-22577)
_____)

KSBHA Docket No. 09-HA-00059

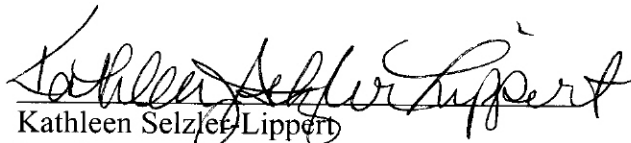
ORDER NUNC PRO TUNC

NOW this 15th day of February, 2010 the above captioned matter comes on for an Order Nunc Pro Tunc. In the caption of the Board's December 4, 2009 Final Order, dated February 4, 2010, the order misstated the respondent's Kansas License Number. Dr. Douglas L. Geenens' correct Kansas License is No. 05-22577 and the Final Order is amended to reflect as such.

IT IS SO ORDERED.

DATED: February 16th, 2010.

KANSAS STATE BOARD OF HEALING ARTS



Kathleen Selzer-Lippert
Interim Executive Director
235 SW Topeka Blvd.
Topeka, KS 66603

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing FINAL ORDER was served by depositing the same in the United States mail, first-class postage prepaid, this 16th day of February, 2010, addressed to:

Karen Virgillito
10484 Marty
Overland Park, KS 66212

Douglas L. Geenens, D.O.
4901 W. 136th St.
Overland Park, KS 66224

Jeff Heinrichs, #20869
2900 City Center Square
1100 Main Street
Kansas City, MO 64105

Kelli Stevens
Interim Litigation Counsel
Kansas State Board of Healing Arts
235 SW Topeka Blvd.
Topeka, KS 66603

With the original going to:

Kathleen Selzler-Lippert
Interim Executive Director
235 SW Topeka Blvd.
Topeka, KS 66603

And a copy to:

Melissa Massey
Compliance Coordinator
Kansas State Board of Healing Arts
235 SW Topeka Blvd.
Topeka, KS 66603

Erick M. Kulick, M.D.
8700 State Line Road
Leawood, KS 66206



Cally A. Brown

FILED CAPS

FEB 24 2010

KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of }
 }
Douglas L. Geenens, D.O. } Docket No. 09-HA-00059
Kansas License No. 5-22577 }

FINAL ORDER

NOW this February 19, 2010 the above captioned matter comes before the Kansas State Board of Healing Arts (Board) on the respondent's Motion to Reconsider the Board's Final Order issued February 4, 2010. The Board appears by and through Lori D. Dougherty. The respondent appears by and through Karen M. Virillito, attorney at law. There are no other appearances. The Board, after reviewing the file, hearing the statements of counsel and being duly apprised in the premises finds and holds as follows:

1. The Board entered a FINAL ORDER issued February 4, 2010 finding the respondent in violation of twenty three counts of the Kansas Healing Arts Act, K.S.A. 65-2801 et seq. The INITIAL ORDER of the Presiding Officer and the FINAL ORDER of the Board issued February 4, 2010 are incorporated into this FINAL ORDER by reference.

2. The Board fined the respondent \$5,000 and ordered him to pay costs in the amount of \$27,477 either in full or in twelve monthly installments commencing March 1, 2010.

3. The respondent claims extreme economic hardship and the inability to pay the costs incurred by the Board in the amount of \$27,477 in twelve equal installments in the amount of \$2,289.80 per month. The respondent requests the Board to allow him to

pay the costs in 36 monthly installments over a three year period in the amount of \$763.26 per month commencing March 1, 2010.

4. The respondent agrees that he has the ability to pay the fine of \$5,000 in twelve monthly installments commencing March 1, 2010 in the amount of \$416.67 per month.

WHEREUPON, the Board finds as a matter of fact:

1. The Board's order to the respondent to pay the costs of \$27,477 either in full or in twelve monthly installments of \$2,289.80 will cause an undue hardship on the respondent.

2. The Board's order to the respondent to pay the fine of \$5,000 in twelve monthly installments of \$416.67 commencing March 1, 2010 will not cause an undue hardship on the respondent.

3. The respondent has the financial ability to pay the \$27,477 costs owed to the Board in thirty six monthly installments in the amount of \$763.26 commencing March 1, 2010 without undue hardship.

WHEREUPON, the Board sets forth the following conclusions of law and policy reasons for its decision:

1. The Board has lawfully found the respondent in violation of twenty three counts of the Kansas Healing Arts Act, K.S.A. 65-2801 et seq.

2. The Board has fined the respondent in the amount of \$5,000. The respondent is ordered to pay the \$5,000 fine in twelve monthly installments of \$416.67 commencing March 1, 2010. The Board's order regarding the payment of the fine by the respondent is just and reasonable and remains in effect.

3. The Board has ordered the respondent to pay costs in the amount of \$27,477. The Board finds its order to pay costs of \$27,477 allowed by K.S.A. 65-2846(a) is justified.

4. The Board finds its order to the respondent to pay costs of \$27,477 in thirty six monthly installments in the amount of \$763.26 commencing March 1, 2010 will not cause undue hardship to the respondent.

5. The Board, for policy reasons to recoup the full amount of costs from the respondent, finds it is reasonable for the respondent to pay the costs in this proceeding in the amount of \$27,477 in thirty six monthly installments in the amount of \$763.26 commencing March 1, 2010.

6. The respondent is ordered to pay such costs through thirty six monthly installments in the amount of \$763.26 per month commencing March 1, 2010 with each installment to be paid prior to the first day of every month thereafter until the balance is paid in full. In the event the Board does not receive a payment due and owing, the balance owing on such costs shall become immediately due and payable in full upon written notice by the Board to the Licensee stating that payment has not been received. Failure to make a monthly payment will be considered a violation of an order of the Board which will subject the licensee to discipline pursuant to K.S.A. 65-2836(k).

7. The Board's Final Order issued on February 4, 2010 shall remain in force and effect as modified by this Final Order.

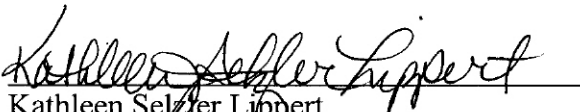
THEREFORE, the Board GRANTS the respondent's Motion to Reconsider.

WHEREFORE, the Board MODIFIES its FINAL ORDER issued February 4, 2010 as more fully set out in this FINAL ORDER.

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, the Board's Acting Executive Director, at 235 SW Topeka Blvd., Topeka, KS 66603.

IT IS SO ORDERED this February 22, 2010.

KANSAS STATE BOARD OF HEALING
ARTS


Kathleen Selzler Lippert
Acting Executive Director

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing FINAL ORDER was served by depositing the same in the United States mail, first-class postage prepaid this ^{20th} 11 day of February, 2010, addressed to:

Karen Virgillito
10484 Marty
Overland Park, KS 66212

Douglas L. Geenens, D.O.
4901 W. 136th Street
Overland Park, KS 66224

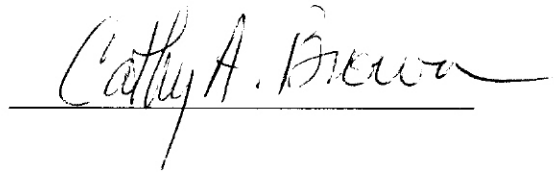
Lori D. Dougherty
Associate Litigation Counsel
Kansas State Board of Healing Arts
235 SW Topeka Blvd.
Topeka, KS 66603

With the original going to:

Kathleen Selzler-Lippert
Acting Executive Director
235 SW Topeka Blvd.
Topeka, KS 66603

And a copy to:

Melissa Massey
Compliance Coordinator
Kansas State Board of Healing Arts
235 SW Topeka Blvd.
Topeka, KS 66603



Cathy A. Brewer