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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

PROTHONOTARY

2007 JUN 27 AM 11:15

Department of State

Commonwealth of Pennsylvania,
Bureau of Professional and
Occupational Affairs

vs.

Zhivko N. Daskalov, M.D.,
Respondent

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Docket No. 0908-49-06

File No. 05-49-05457

CONSENT AGREEMENT AND ORDER

The Commonwealth and Respondent stipulate as follows in settlement of the above-captioned case.

1. This matter is before the State Board of Medicine (Board) pursuant to the Medical Care Availability and Reduction of Error Act (Mcare Act), Act of March 20, 2002, P.L. 154, No. 13, 40 P.S. §§1303.101-1303.910 and the Medical Practice Act (Act), Act of December 20, 1985, P.L. 457, No. 112, as amended, 63 P.S. §422.1 et seq.

2. At all relevant and material times, Zhivko N. Daskalov, M.D. (Respondent) held a license to practice medicine in the Commonwealth of Pennsylvania, license number MD-040639-E.

3. Respondent admits that the following facts are true:

a. Respondent's license was current through December 31, 1994, and may be renewed thereafter upon the filing of the appropriate documentation and payment of the necessary fees.

b. Respondent's last known address on file with the Board is 120 East 37th Street, Apt. 4, Kansas City, MO 64111.

c. Respondent's current address is 2016 W. 50th St., Westwood Hills, KS 66205.

d. On or about April 12, 2005, the Missouri State Board of Registration for the Healing Arts and Respondent entered into a Settlement Agreement in which Respondent's license to practice medicine in Missouri was placed on probationary status for a period of two (2) years. A true and correct copy of the Settlement Agreement is attached and incorporated as **Exhibit 1**.

e. On or about November 22, 2005, the Missouri State Board of Registration for the Healing Arts ordered Respondent's license to practice medicine to be placed on probation for a period of five (5) years in addition to the disciplinary period remaining on the Settlement Agreement because Respondent failed to comply with the terms and conditions of the Settlement Agreement. A true and correct copy of the Findings of Fact, Conclusions of Law and Disciplinary Order is attached and incorporated as **Exhibit 2**.

f. On or about February 15, 2007, the Missouri State Board of Registration for the Healing Arts revoked Respondent's license to practice medicine with no application for reinstatement for a period of two (2) years and one (1) day. A true and correct copy of the Findings of Fact, Conclusions of Law and Disciplinary Order is attached and incorporated as **Exhibit 3**.

4. The actions of Respondent, described above, violated the Act at 63 P.S. § 422.41(4) in that Respondent had his license or other authorization to practice the profession revoked or

suspended or had other disciplinary action taken against his license by the proper licensing authority of another state.

5. Intending to be legally bound, the participants consent to issuance of the following Order in settlement of this matter:

a. Respondent violated the Act at 63 P.S. § 422.41(4) in that Respondent had his license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken against his license by the proper licensing authority of another state.

b. Respondent consents to the immediate permanent **VOLUNTARY SURRENDER** of his license to practice medicine and surgery in this Commonwealth, license number MD-040639-E.

c. The Board accepts the immediate permanent voluntary surrender of Respondent's license to practice medicine and surgery in this Commonwealth, license number MD-040639-E.

d. Upon adoption of this Consent Agreement and Order, Respondent shall not practice medicine and surgery in this Commonwealth, and shall not indicate any ability to practice the profession in this Commonwealth in any manner whatsoever. Within 10 days of adoption of this Consent Agreement and Order, Respondent shall surrender his wall certificate, registration certificate and wallet card by mailing them to the Prosecuting Attorney.

e. This Order constitutes a public disciplinary action. This action shall be reported to entities including but not limited to, the National Practitioner Data Bank,

the Healthcare Integrity and Protection Data Bank, if applicable, the Federation of State Medical Boards, the licensing authority of any state or jurisdiction, government entities, and any private or public health care facility.

f. Respondent shall not apply for the reinstatement of his license to practice medicine, and the Board shall not consider any application for reinstatement should Respondent file one with the Board.

g. This Order shall take effect immediately upon the Board's adoption of the Consent Agreement.

6. Respondent acknowledges receipt of an Order to Show Cause in this matter. Respondent knowingly and voluntarily waives the right to an administrative hearing in this matter, and to the following rights related to that hearing: to be represented by counsel at the hearing; to present witnesses and testimony in defense or in mitigation of any sanction that may be imposed for a violation; to cross-examine witnesses and to challenge evidence presented by the Commonwealth; to present legal arguments by means of a brief; and to take an appeal from any final adverse decision.

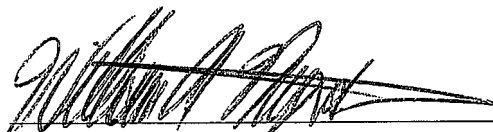
7. This Consent Agreement is between the Commonwealth and Respondent only. Except as otherwise noted, this Agreement is to have no legal effect unless and until the Office of General Counsel approves the contents as to form and legality and the Board issues the stipulated Order.

8. Should the Board not approve this Consent Agreement, presentation to and consideration of this Consent Agreement and other documents and matters by the Board shall not prejudice the Board or any of its members from further participation in the adjudication of this matter. This paragraph is binding on the participants even if the Board does not approve this Consent Agreement.

9. Respondent agrees, as a condition of entering into this Consent Agreement, not to seek modification at a later date of the stipulated Order adopting and implementing this Consent Agreement without first obtaining the express written concurrence of the Prosecution Division.

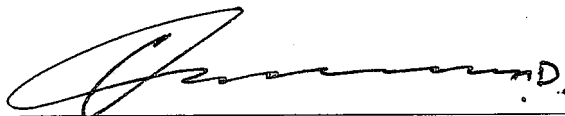
10. This Agreement contains the whole agreement between the participants. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever, concerning this Agreement.

11. Respondent verifies that the facts and statements set forth in this Agreement are true and correct to the best of Respondent's knowledge, information and belief. Respondent understands that statements in this Agreement are made subject to the criminal penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.



William A. Newport
Prosecuting Attorney
Department of State

DATED: 6/5/07



Zhivko N. Daskalov, M.D.
Respondent

DATED: 5/30/2007

**BEFORE THE STATE BOARD OF REGISTRATION
FOR THE HEALING ARTS**

STATE BOARD OF REGISTRATION
FOR THE HEALING ARTS,

Board,

v.

ZHIVKO N. DASKALOV, M.D.,

Licensee.

Case No. 2003-000712

SETTLEMENT AGREEMENT

Zhivko N. Daskalov, M.D., ("Licensee") and the State Board of Registration for the Healing Arts (the "Board") enter into this Agreement for the purpose of resolving the question of whether Dr. Daskalov's license as a physician or surgeon will be subject to discipline. Licensee and the Board jointly stipulate and agree that a final disposition of this matter may be effectuated as described below pursuant to § 621.045, RSMo 2000.

1. Licensee acknowledges that he understands the various rights and privileges afforded by law, including the right to a hearing of the charges against Licensee; the right to appear and be represented by legal counsel; the right to have all charges against Licensee proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Licensee; the right to present evidence on Licensee's own behalf; the right to a decision based upon the record by a fair and impartial administrative hearing commissioner concerning the charges pending against Licensee; and subsequently, the right to a disciplinary hearing before the Board at which time evidence may

**EXHIBIT
1**

be presented in mitigation of discipline. Having been advised of these rights provided Licensee by operation of law; Licensee knowingly and voluntarily waives each and every one of these rights and freely enters into this Agreement and agrees to abide by the terms of this document as they pertain to Licensee.

2. Licensee acknowledges that he may, at the time this Agreement is effective or within fifteen days thereafter, submit this Agreement to the Administrative Hearing Commission for determination that the facts agreed to by the parties constitute grounds for discipline of Licensee's license.

3. Licensee acknowledges that he has been informed of his right to consult legal counsel in this matter.

4. Licensee understands that the Board may take disciplinary action against Licensee based on facts or conduct not specifically mentioned in this document that are either now known to the Board or may be discovered.

5. Licensee understands and agrees that the Missouri State Board of Registration for the Healing Arts will maintain this Agreement as an open record of the Board as required by Chapters 334, 610, 620, and 621, RSMo, as amended.

Based upon the foregoing, Board and Licensee herein jointly stipulate to the following:

JOINT PROPOSED FINDINGS OF FACT

1. The State Board of Registration for the Healing Arts ("Board") is an agency of the State of Missouri created and established pursuant to § 334.120, RSMo 2000 for the purpose of executing and enforcing the provisions of Chapter 334, RSMo.
2. Licensee, Zhivko N. Daskalov, is licensed by the Board as a physician and surgeon, license No. R2J18. Licensee's license is, and was at all times relevant herein, current and active.
3. Prior to July, 2002, Licensee held medical staff privileges at Baptist Medical Center (later known as Baptist-Lutheran Medical Center; hereinafter "Baptist-Lutheran") in Kansas City, Missouri, where he served as a staff psychiatrist treating inpatients.
4. In July, 2002, Licensee's staff privileges at Baptist-Lutheran lapsed due to Licensee's failure to submit a completed application for reappointment.
5. In August, 2002, Licensee applied for appointment and membership at Baptist-Lutheran following the lapse of his staff privileges. In December, 2002, the Medical Executive Committee at Baptist-Lutheran denied Licensee's application on the basis of "continued practice below the standard of care." In particular, the Medical Executive Committee based its decision on the following findings after reviewing Licensee's records

-at Baptist-Lutheran:

- a. Licensee repeatedly failed to prescribe medication for Baptist-Lutheran patients upon discharge, requiring them to come to Licensee's office for a follow-up visit before prescribing the needed medication.
 - b. Licensee's charts lacked daily progress notes on numerous dates, indicating Licensee's repeated failure to visit patients admitted to Baptist-Lutheran in a timely fashion.
6. In January, 2003, the Board of Directors of Baptist-Lutheran approved the Medical Executive Committee's recommendation that Licensee be denied appointment and membership for the reasons stated herein.
7. In January, 2003, Baptist-Medical disclosed its denial of Licensee's application for privileges to the National Practitioner Data Bank administered by the U.S. Department of Health and Human Services, citing "continued practice below the standard of care" due to failure to prescribe medications upon discharge of Baptist-Lutheran patients pending a follow-up visit and failure to make progress visits to patients of Baptist-Lutheran on repeated occasions.

JOINT PROPOSED CONCLUSIONS OF LAW

8. Licensee's failure to administer prescriptions to Baptist-Lutheran's patients covering the period after discharge and before the first follow-up visit to Licensee's office and Licensee's failure to visit patients admitted to Baptist-Lutheran in a timely and regular fashion involve actions which might be harmful to the mental or physical health of said patients or to the public.

9. Licensee's repeated failures to prescribe medication upon discharge and to visit patients in a timely and regular fashion involves a failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the members of Licensee's profession.

10. The decision of the Board of Directors of Baptist-Lutheran to deny Licensee's application for appointment and staff privileges at Baptist-Lutheran constitutes a final disciplinary action related to unprofessional conduct, professional incompetence, or malpractice.

11. Cause exists for Petitioner to take disciplinary action against Licensee's license under §334.100.2(4)(g) and (5), RSMo, which states in pertinent part:

* * * *

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

* * * *

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct or unprofessional conduct in the performance of the functions or duties of any profession licensed or regulated by this chapter, including, but not limited to, the following:

* * * *

(g) Final disciplinary action by any professional medical or osteopathic association or society or licensed hospital or medical staff of such hospital in this or any others state or territory, whether agreed to voluntarily or not, and including, but not limited to, any removal, suspension, limitation, or restriction of the person's license or staff or hospital privileges, failure to renew such privileges or license for cause, or other final disciplinary action, if the action was in any way related to unprofessional conduct, professional incompetence, malpractice, or any other violation of any provision of this chapter.

* * * *

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence or repeated negligence in the performance of the functions or duties of any profession licensed or regulated by this chapter. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the members of the applicant's or licensee's profession.

* * * *

II.

Based on the foregoing, the parties mutually agree and stipulate that the following shall constitute the disciplinary order entered by the State Board of Registration for the Healing Arts in this matter under the authority of Section 621.110, RSMo 2000. This Agreement will be effective immediately on the date entered and finalized by the Board.

A. Effective the date the Board enters into the Agreement:

1. The medical license, No. R2J18, issued to Licensee is hereby placed on PROBATION for a period of two (2) years (disciplinary period). During Licensee's probation, Licensee shall be entitled to engage in the practice of medicine under Chapter 334, RSMo, provided he adheres to all of the terms of this Agreement.

2. During the disciplinary period, Licensee is prohibited from engaging in solo practice. Within 30 days of the effective date of this Agreement, Licensee shall submit to the Board for its prior approval a plan of practice limited to a supervised, structured environment in which Licensee's activities will be overseen and supervised by Dr. John S. Munro, M.D.

3. During the disciplinary period, Licensee shall comply with all provisions of Chapters 334 and 195, RSMo; all the regulations of the Board; all applicable federal and state drug laws, rules, and regulations; and all federal and state laws. State here includes all states and territories of the United States.

4. During the disciplinary period, Licensee shall keep the Board informed of Licensee's current work and home telephone numbers and addresses. Licensee shall notify the Board in writing within ten (10) days of any change in this information.

5. During the disciplinary period, Licensee shall timely renew his license and timely pay all fees required for licensing and comply with all other Board requirements necessary to maintain Licensee's license in a current and active state.

6. During the disciplinary period, Licensee shall accept and comply with unannounced visits from the Board's representatives to monitor his compliance with the terms and conditions of this disciplinary Agreement.

7. During the disciplinary period, Licensee shall appear in person for interviews with the Board or its designee upon request.

8. Licensee shall notify, in writing, the medical licensing authorities of the jurisdiction in which he is residing or practicing, within ten (10) days of the effective date of the disciplinary period, of Licensee's disciplinary status in Missouri. Licensee shall forward a copy of this written notice to the Board contemporaneously with sending it to the relevant licensing authority. In the event Licensee should leave Missouri to reside or practice medicine outside the state during the disciplinary period, Licensee shall notify the Board in writing of the dates of departure and return no later than ten (10) days before Licensee's departure. Furthermore, Licensee shall, no later than ten (10) days after the commencement of any residence or practice outside this state, notify in writing the medical licensing authorities in the jurisdiction in which Licensee is residing or practicing of Licensee's disciplinary status in Missouri.

9. Licensee shall notify, within fifteen (15) days of the effective date of this Agreement, all hospitals, nursing homes, out-patient centers, surgical centers, clinics, and all other facilities where Licensee practices or has privileges of Licensee's disciplinary status. Licensee shall notify any physician assistants or other allied health care professionals he

supervises of the disciplinary action imposed. Notification shall be in writing and Licensee shall, contemporaneously with the giving of such notice, submit a copy of the notice to the Board for verification by the Board or its designated representative.

10. For purposes of this Agreement, unless otherwise specified in this Agreement, all reports, documentation, evaluations, notices, or other materials required to be submitted to the Board in this Agreement shall be forwarded to the State Board of Registration for the Healing Arts, Attention: Investigations, P.O. Box 4, Jefferson City, Missouri 65102.

11. This Agreement does not bind the Board or restrict the remedies available to it concerning any other violation of Chapter 334, RSMo, by Licensee not specifically mentioned in this document.

B. Upon the expiration of the disciplinary period, Licensee's license shall be fully restored if all requirements of law have been satisfied; provided however, that in the event the State Board of Registration for the Healing Arts determines that Licensee has violated any term or condition of this Agreement, the Board may in its discretion, vacate this Agreement and impose such further discipline as the Board shall deem appropriate.

C. No additional order shall be entered by this Board pursuant to the preceding paragraph of this Agreement without notice and an opportunity for hearing before this Board as a contested case in accordance with the provisions of Chapter 536, RSMo. If any alleged violation of this Agreement occurred during the disciplinary period, the parties agree that the Board may choose to conduct a hearing before it either during the disciplinary period, or as

soon thereafter as a hearing can be held, to determine whether a violation occurred and, if so, may impose further disciplinary action. Licensee agrees and stipulates that the Board has continuing jurisdiction to hold a hearing to determine if a violation of this Agreement has occurred.

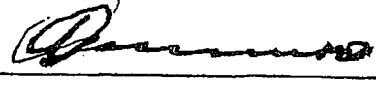
D. If the Board determines that the Licensee has violated a term or condition of the disciplinary period which violation would also be actionable in a proceeding before the Administrative Hearing Commission or in the circuit court, the Board may elect to pursue any lawful remedies afforded it and is not bound by this Agreement in its election of remedies concerning that violation.

E. Licensee hereby waives and releases the Board, its members and any of its employees, agents, or attorneys, including any former Board members, employees, agents, and attorneys, of, or from, any liability, claims, actions, causes of action, fees, costs, and expenses, and compensation, including, but not limited to any claims for attorneys fees and expenses, including any claims pursuant to § 536.087, RSMo 2000, or any claim arising under 42 U.S.C. § 1983, which may be based upon, arise out of, or relate to any of the matters raised in this case or this Agreement, or from the negotiation or execution of this Agreement. The parties acknowledge that this paragraph is severable from the remaining portions of this Agreement in that it survives in perpetuity even in the event that any court of law deems this Agreement, or any portion thereof, void or unenforceable.

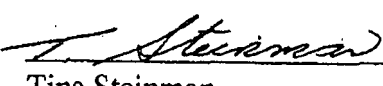
F. In consideration of the foregoing, the parties consent to the termination of any

further proceedings based upon the facts set forth herein.

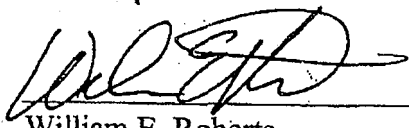
LICENSEE

 4/2/05
Zhivko N. Daskalov, M.D. Date

BOARD

 4/12/05
Tina Steinman Date
Executive Director

JEREMIAH W. (JAY) NIXON
Attorney General

 4/6/05
William E. Roberts Date
Assistant Attorney General
Missouri Bar No. 56718

Broadway State Office Building
P.O. Box 899
Jefferson City, MO 65102
(573) 751-1143
(573) 751-5660 Facsimile

Attorney for Licensee

Attorneys for Board

EFFECTIVE THIS 12 DAY OF April, 2005.

BEFORE THE
BOARD OF REGISTRATION FOR THE HEALING ARTS
STATE OF MISSOURI

STATE BOARD OF REGISTRATION
FOR THE HEALING ARTS,

Petitioner,

v.

ZHIVKO N. DASKALOV, M.D.

Respondent.

Case No. 2005-003866

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DISCIPLINARY ORDER**

This matter appears before the State Board of Registration for the Healing Arts pursuant to a Complaint filed in the above-styled case. Pursuant to a Notice of Hearing on Violation of Disciplinary Agreement properly served upon Respondent, a hearing was held on Saturday, October 15, 2005, at the Sheraton St. Louis City Center, St. Louis, Missouri. The Board was represented by Assistant Attorney General William Vanderpool. Glenn Bradford served as the Board's legal advisor. Respondent was present for the hearing and was not represented by legal counsel. During the hearing, the Board received as evidence testimony and exhibits and considered the evidence of the parties in reaching its decision.

FINDINGS OF FACT

1. The State Board of Registration for the Healing Arts ("the Board") is an agency of the State of Missouri created and established pursuant to § 334.120, RSMo, for the purpose of executing and enforcing the provisions of Chapter 334, RSMo.
2. Zhivko Daskalov, ("Respondent"), is licensed by the Board as a physician and surgeon, license number R2J18. Respondent's registration is current.
3. On or about September 23, 2005, Notice of Hearing on Violation of Disciplinary Agreement was hand-delivered to Respondent.
4. On or about April 12, 2005, Respondent entered into a Settlement Agreement with the Board. Under the terms of the Settlement Agreement, Respondent's license was placed on probation for a period of two (2) years ("disciplinary period"),
5. During the disciplinary period, Respondent's ability to practice medicine under Chapter 334, RSMo, was conditioned upon his adherence to all terms of the Settlement Agreement.
6. In accordance with the probationary terms contained in the Settlement Agreement, Respondent is required to comply with the provisions of Chapters 334 and 195, RSMo; all the regulations of the Board; all applicable federal and state drug laws, rules, and regulations; and all federal and state laws. State here includes all states and territories of the United States.
7. Section II, Subsection A, paragraph 2 of the Settlement Agreement, provides in pertinent part that:
 2. ...Licensee is prohibited from engaging in solo practice. Within 30 days of the effective date of this Agreement, Licensee shall submit to the Board for its

prior approval a plan of practice limited to a supervised, structured environment in which Licensee's activities will be overseen and supervised by Dr. John S. Munro, M.D.

8. The Settlement Agreement entitles the Board to take such disciplinary action as the Board deems appropriate if the Board finds that Respondent fails to comply with the terms and conditions of the Settlement Agreement.

9. During the disciplinary period, Respondent engaged in solo practice.

10. During the disciplinary period, Respondent failed to submit to the Board, within thirty (30) days for its prior approval, a plan of practice limited to a supervised, structured environment in which Respondent's activities will be overseen and supervised by John S. Munro, M.D.

11. Such failure as described in paragraphs 9 and 10 is in violation of the terms of the Settlement Agreement effective April 12, 2005.

12. Pursuant to 620.153, RSMo, the Board of Healing Arts is authorized to take whatever action it deems appropriate if Respondent fails to comply with the terms of the Settlement Agreement.

CONCLUSIONS OF LAW

1. Pursuant to §620.153, RSMo, the Board has jurisdiction over this proceeding in that the Complaint presents a case in which the Board must determine whether or not a Respondent has violated a condition or conditions of a disciplinary order.

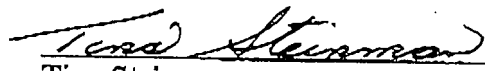
2. Based upon proof of the allegations by Petitioner, the Board finds Respondent's conduct violates the terms of discipline set forth in the Settlement Agreement.
3. The Settlement Agreement entitles the Board to take such disciplinary action as the Board deems appropriate if it finds that Respondent fails to comply with the terms and conditions of the Settlement Agreement.
4. The findings of fact, as set forth herein, show cause exists for this Board to impose such further or other disciplinary action.

DECISION AND DISCIPLINARY ORDER

Pursuant to the above Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED that upon the effective date of this Order, Respondent's license, number R2J18, to practice the Healing Arts in the State of Missouri shall be, and is hereby placed on PROBATION for period of five (5) years in addition to the disciplinary period remaining on the Settlement Agreement. All remaining terms contained in the Settlement Agreement effective April 12, 2005, shall remain in full force and effect.

IT IS SO ORDERED, effective this 22 day of November, 2005.

STATE BOARD OF REGISTRATION
FOR THE HEALING ARTS


Tina Steinman
Executive Director

FINDINGS OF FACT

1. The State Board of Registration for the Healing Arts ("the Board") is an agency of the State of Missouri created and established pursuant to § 334.120, RSMo, for the purpose of executing and enforcing the provisions of Chapter 334, RSMo.

2. Zhivko N. Daskalov, M.D., ("Respondent"), is licensed by the Board as a physician and surgeon, license number R2J18. Respondent's license registration expired January 31, 2007.

3. On or about April 12, 2005, Respondent entered into a Settlement Agreement with the Board. Under the terms of the Settlement Agreement, Respondent's license was placed on probation for a period of two (2) years ("disciplinary period").

4. During the disciplinary period, Respondent's ability to practice medicine under Chapter 334, RSMo, was conditioned upon his adherence to all terms of the Settlement Agreement.

5. In accordance with the probationary terms contained in the Settlement Agreement, Respondent is required to comply with the provisions of Chapters 334 and 195, RSMo; all the regulations of the Board; all applicable federal and state drug laws, rules, and regulations; and all federal and state laws. State here includes all states and territories of the United States.

6. The Settlement Agreement entitles the Board to take such disciplinary action as the Board deems appropriate if the Board finds that Respondent fails to comply with the terms and conditions of the Order.

7. Pursuant to the terms of the probation, "[d]uring the disciplinary period, Licensee shall appear in person for interviews with the Board or its designee upon request."

8. In May 2006, the Board's designee, investigator Paul Williams, attempted to set up an interview with the Licensee. The licensee refused to meet for an interview with the Board's designee, as required by the terms of probation.

9. On June 29, 2006, the Board received a letter from licensee stating that he *"decline[s] to make any further meetings."*

10. Licensee's failure and refusal to meet with the Board's designee is a violation of the terms of probation.

11. Pursuant to the terms of probation, *"[d]uring the disciplinary period, Licensee shall comply with all provisions of Chapters 334 and 195, RSMo...."*

12. Effective July 10, 2006, Licensee's license to practice medicine and surgery in the State of Kansas was surrendered.

13. The surrender of the Licensee's Kansas medical license is a cause to discipline his license to practice medicine in the State of Missouri pursuant to §334.100.2(8), RSMo.

14. Pursuant to the terms of probation, *"[d]uring the disciplinary period, Licensee is prohibited from engaging in solo practice...[the Licensee's practice shall be] limited to a supervised, structured environment in which Licensee's activities will be overseen and supervised by Dr. John S. Munro, M.D."*

15. During the disciplinary period, Licensee continued to examine patients in a solo practice on several occasions, without Dr. John S. Munro or any other individual present in the examination room.

16. Such failures as described in paragraphs 9, 10, 13 and 16 are violations of the terms of the Settlement Agreement effective April 12, 2005.

17. On or about December 7, 2006, Notice of Hearing on Violation of Disciplinary Agreement delivered to Respondent via certified mail and first-class mail.

18. Pursuant to 620.153, RSMo, the Board of Healing Arts is authorized to take whatever action it deems appropriate if Respondent fails to comply with the terms of the Settlement Agreement.

CONCLUSIONS OF LAW

1. Pursuant to §620.153, RSMo, the Board has jurisdiction over this proceeding in that the Complaint presents a case in which the Board must determine whether or not a Respondent has violated a condition or conditions of a disciplinary order.

2. Based upon the findings of fact, the Board finds Respondent's conduct violates the terms of discipline set forth in the Settlement Agreement.

3. The Settlement Agreement entitles the Board to take such disciplinary action as the Board deems appropriate if it finds that Respondent fails to comply with the terms and conditions of the Settlement Agreement.

DECISION AND DISCIPLINARY ORDER

Pursuant to the above Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED that upon the effective date of this Order, Respondent's license, number R2J18, to practice the Healing Arts in the State of Missouri shall be, and is hereby Revoked, with no application for reinstatement for a period of two (2) years and one (1) day. Within ten (10)

days of the effective date of this Order, Respondent shall surrender his medical license, wall-hanging registration, pocket card and all other indicia of licensure

IT IS SO ORDERED, effective this 15 day of February, 2007.

STATE BOARD OF REGISTRATION
FOR THE HEALING ARTS

A handwritten signature in cursive script, reading "Tina Steinman", written over a horizontal line.

Tina Steinman
Executive Director

ORDER

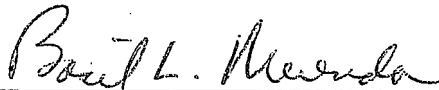
AND NOW, this 26th day of June, 2007 the State Board of Medicine adopts and approves the foregoing Consent Agreement and incorporates the terms of paragraph 5, which shall constitute the Board's Order and is now issued in resolution of this matter.

This Order shall take effect immediately.

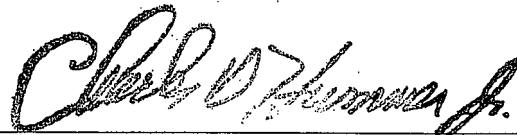
BY ORDER:

**BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS**

STATE BOARD OF MEDICINE



Basil L. Merenda
Commissioner



Charles D. Hummer, Jr., M.D.
Chairman

Date of mailing:

6-27-07

For the Commonwealth:

William A. Newport, Esquire
P. O. Box 2649
Harrisburg, PA 17105-2649

For Respondent:

Zhivko N. Daskalov, M.D.
2016 W. 50th St.
Westwood Hills, KS 66205