

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

**FILED**

JW JUL 12 2024

In the Matter of )  
John P. Harris, D.C. )  
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Kansas License No. 01-05507 )  
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KS State Board of Healing Arts

Docket No. 24-HA00012

**ORDER DENYING MOTION TO LIFT SUSPENSION**

NOW ON THIS 14<sup>th</sup> day of June 2024, with due and proper notice, comes on for hearing the Licensee's Motion to Lift Suspension. R. Jerry DeGrado, D.C. President of the Board, appears with a lawfully convened Board of Healing Arts (Board). Todd Hiatt, Litigation Counsel, appears in person and presents the Disciplinary Panel's (Disciplinary Panel #38's) response to the Motion. John P. Harris, Licensee, appears in person and through counsel, Diane Bellquist of Joseph Hollander & Craft, LLC. Bradley Taylor, previously Associate Litigation Counsel, recused himself, did not appear, and did not participate in the hearing, having withdrawn from the case prior to commencement of the hearing.

**I. Summary of the Case**

On April 29, 2024, Licensee moved to lift the previously agreed upon suspension approved by the Board on October 13, 2023. Effective October 27, 2023, the Consent Order memorializing the agreement indefinitely suspended Licensee's chiropractic practice and found he violated the Kansas Healing Arts Act to include violations of

“unprofessional conduct” as defined in K.S.A. 65-2837(b)(16) [having sexual contact with a patient]; K.S.A. 65-2837(b)(25) [failing to keep written medical records accurately describing services rendered]; and “professional incompetency” as defined by K.S.A. 65-2737(a) [treatment without first obtaining informed consent]. Upon due consideration and review of the evidence, arguments, and record before it, and in accordance with the Kansas Supreme Court’s standards enumerated in *Vakas v. Kansas Board of Healing Arts*, 248 Kan. 589, 808 P.2d 1355 (1991), the Board DENIES the Motion to Lift Suspension as follows:

## II. Admission of Evidence

The Disciplinary Panel’s exhibits marked 1-6 were offered and admitted without objection. The Licensee’s exhibits marked A-D were offered and admitted without objection. At the time of the hearing, licensee offered exhibit E—a letter on behalf of Licensee. No objection was made to the letter, and the letter was admitted into evidence.

## III. Additional Pertinent Findings of Facts and Conclusions of Law

1. The Consent Order entered by the Board on October 19, 2023, indefinitely suspended the Licensee effective October 27, 2023. Consent Order, ¶ 37.
2. The Consent Order constitutes public disciplinary action and substantially controls the agreed upon procedures to be followed. Consent Order, ¶ 35.
3. The Consent Order required that Licensee’s patients’ medical records be placed in the custody of another licensed chiropractor or with a records maintenance facility who would respond to questions from patients. Consent Order, ¶ 41.

4. On October 27, 2023, Licensee designated Jerome Greene, D.C. to serve as custodian and have exclusive access to Licensee's patient records.  
Exhibit 6.
5. Two of Licensee's former patients, identified as patients #2 and #3, were not discussed in the Consent Order but came forward and complained about Licensee's conduct toward them.  
Exhibits 2-5.
6. Licensee's contact with patients' #2 and #3 occurred prior to entry of the Consent Order.
7. Patient #2 complained to Licensee's office manager shortly after the Licensee engaged in the conduct giving rise to her complaint.  
Testimony of Licensee.
8. Despite the terms of the Consent Order and despite Licensee's awareness of how incredibly uncomfortable patient #2 was made to feel about Licensee's conduct, the Licensee contacted patient #2 directly about her records.  
Testimony of Licensee; Exhibits 2-4.
9. Licensee's contact with patient #2 shows a lack of respect for the boundaries he is expected not to cross.  
See record generally.
10. Licensee inserted his bare finger without a glove into patient #3's anus.  
Exhibits 3 and 5, Testimony of Licensee.
11. Licensee did not apply proper skill and knowledge within the standard of care required of him when treating patients #2 and #3.  
See record generally.
12. Licensee did not properly cover or provide gowns to all his patients during their appointments with him.  
See record generally.
- 13.

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14. Licensee was found unfit to practice as recently as late last year.  
Exhibits A-C.
15. Licensee's testimony suggests he blames his education for not teaching him what proper boundary measurers to follow. What he needs instead is possession of sound moral judgment and good intuition about sexual boundaries.  
Testimony of Licensee, see record generally.
16. Licensee remains morally unfit for practice.  
See record generally.
17. Licensee does not demonstrate an understanding of his wrongful conduct, and his understanding of the disrepute his conduct poses to the profession is presented to the Board without conviction.  
See record generally.
18. Licensee lacked credibility in making his assurances and in his assertion that he understood necessary boundary measures and their importance.  
See record generally.
19. Licensee is not rehabilitated and has more work to do to be considered rehabilitated.  
See record generally.
20. Licensee had an inappropriate sexual relationship with an employee in his office.  
Testimony of Licensee.
21. Insufficient time has lapsed since the Consent Order was approved.  
See record generally.
22. Licensee indicates and, in some sense, admits that he lacked character, maturity, and certain experience at the time the Consent Order was entered. He acknowledges that discipline by the Board has served as a catalyst for at least some change, though his awareness of what is needed is insufficient to resume practice.  
Testimony of Licensee; see record generally.
23. Licensee's present competence remains deficient as demonstrated by his failure to recognize and articulate appropriate boundaries,

his contact with a former patient about records in violation of the Board's order, his misdirected blame on his chiropractic education for not teaching him boundaries, and his failure to recognize the victimization of his patients for his own sexual interests.  
See record generally.

24. There is no time limitation on when Licensee can request the Board to stay or terminate his indefinite suspension in the future. Licensee remains subject to all conditions of the October 19, 2023, Consent Order.

**IT IS SO ORDERED** that the Motion to Lift Suspension is **DENIED** and the **INDEFINITE SUSPENSION** of Licensee's chiropractic license remains in force.

**KANSAS STATE BOARD OF HEALING ARTS**

*Susan Gile*

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Susan Gile  
Executive Director

## CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing Order Denying Motion to Lift Suspension was served this 12th day of July 2024 by depositing the same in the United States Mail, first-class postage prepaid, and via email addressed to:

John Harris, D.C.

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Licensee

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A copy was hand delivered to:

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Licensing Administrator  
Kansas State Board of Healing Arts  
800 SW Jackson, Lower Level-Suite A  
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And the original was filed with the office of the Executive Director:

*Christopher Conner*

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Staff Signature

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