



COLBY FREE PRESS

12 pages

Board to review Hildyard case

By **Patty Decker**
Free Press Editor

A Colby doctor's attorney who said his client was cleared of all medical-related incompetencies is the first hurdle, according to the Kansas State Board of Healing Arts.

Tuesday, more information was released by Mark Stafford, general counsel for the Kansas Board of Healing Arts, regarding all 19 allegations, findings and conclusions stemming from 1996 to 2003 involving Hildyard's practice.

Of the 19 allegations ruled upon in the initial order, presiding officer Edward Gaschler concluded Monday "it has not been established by the preponderance of clear and convincing evidence that the respon-



M. O'Neal



D. Steed

dent (Hildyard) violated the Healing Arts Act; and therefore, these counts are dismissed."

Mike O'Neal of Hutchinson, representing Hildyard, said Hildyard's language and behavior issues were viewed as "minor admonitions."

Stafford said following the initial

order by Gaschler, the next step will be review by the entire state board.

The board's next meeting is Feb. 10-11 but because of the agenda, Stafford did not know if Hildyard's case will be ruled on. The next opportunity for the board to review the ruling is in April.

The board makes the final ruling Stafford said, and the board can either accept Gaschler's ruling, modify it or send it back for additional procedures. Stafford has said sending it back is rare.

David Steed of Wichita, who served as the board's attorney did not want to comment on this case.

"Part of my role is as the prosecutor and, therefore, it is not my job to give out any information," he said. Gaschler, he said, is with the Kan-

sas State Department of Administration and is an attorney, but not a medical doctor.

"Sometimes the board has doctors preside over a case," Steed said. "Because I am not out to win at all costs or for that matter lose at all costs, the procedure is to present the evidence as best we could."

According to state statute, an initial order is not effective until it becomes a final order.

The initial order became a final order 30 days after service of the initial order if no party has filed a petition for review of that order.

In this case, if the state board of healing arts, has not provided written notice of its intention to exercise review, the initial ruling stands.

The state board, which will re-

view the initial order includes the following 15 members with medical doctors: Roger D. Warren of Hanover, board president; Michael J. Beezley of Lenexa; Grank Galbraith of Wichita; M.J. "Boo" Hodges of Salina; Mark A. McCune of Overland Park; and Nancy J. Welsh of Berryton. Chiropractic board members: Vinton K. Arnett of Hays; Ray N. Conley of Overland Park and Gary Counselman of Topeka. Doctors of Osteopathy: Carolina M. Soria of Wichita, also vice president of the board; John P. White of Pittsburg and Ronald N. Whitmer of Ellsworth. The public members are: Sue Ice of Newton; Betty McBride of Columbus and Carol Sader of Prairie Village.

The 15-member board licenses or

registers 13 different health care professions and is a state agency. The board's purpose is to protect the public by requiring those professionals to meet and maintain certain qualifications and standards of conduct.

Of the remaining three counts, the presiding officer concluded that the respondent violated provisions of the act. "For these violations," Gaschler said, "the presiding officer publicly censures the respondent (Hildyard). The respondent is admonished that his behavior as outlined in these counts was unprofessional and dishonorable to the profession. Such behaviors are not acceptable behavior for a physician licensed by the Kansas Board of Healing Arts."

E-mail outage results in new server upgrade

By **Tisha Cox**
Colby Free Press

S&T Communications e-mail customers had a 24-hour flu last week.

E-mail services were not available because of a large amount of e-mail viruses said branch manager Gary Slough. More than 6,800 customers were effected.

The outage resulted from an accidental spam. More than 46,000 viruses hit the server at 10:30 p.m. Thursday and service was restored Friday evening.

"We had an inundated intrusion from a mail or virus that came from a specific customer," he said. "By the time we caught it, the damage was already done to the hard drive. It was an accident."

Slough said the good news was they were already planning to update the e-mail server, but it did take time to restore all the accounts and files. The e-mail outage caused them to bring the new server online earlier than expected.

"We had it, we just hadn't implemented it yet," he said.

Each account had to be re-entered manually to set up the new server.

Slough said the new server has 10 times the storage of the old one, and it's also equipped to handle an incident like the one they experienced last week.

It will catch a problem, like mass virus mailers.

He said the majority of the prob-

lem was taken care of by Saturday morning, but there was a brief outage Monday morning when they had to configure the server.

They also managed to save 2.1 million old e-mails saved on the dead server.

S&T has had brief outages in the past, but now have someone on staff to help deal with such incidents. Information Technology manager Timm Davis was instrumental in helping restore service.

"We've had good luck with our Internet and e-mail servers," Slough said.

Davis said he didn't panic during the outage, but said the stress level does go up.

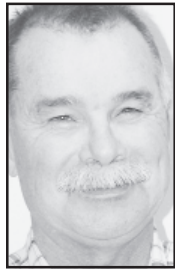
"When it happens all you can do is react," he said.

Davis added they do upgrades when they will have the least affect on users, usually in the middle of the night.

S&T could have had e-mail back online after putting in the new server, but it took longer because they saved all of the old messages.



T. Davis



G. Slough

Crafty family



TISHA COX/Colby Free Press

James Elling and his children, Meghann and Kamrynn worked on a penguin project during Family Story Night Tuesday at Pio-

neer Memorial Library. The library holds the event at 7 p.m. each Tuesday, and it includes stories and craft projects.

Kansas lawmakers praise Bush's stance on terror, fuel alternatives

WASHINGTON (AP) — Kansas' mostly Republican lawmakers in Congress praised President Bush on Tuesday night for his strong stand against global terrorism and his commitment to reduce dependence on foreign oil with alternative fuels.

In his annual State of the Union speech, the president projected an upbeat vision for America despite the lingering conflict in Iraq, skyrocketing oil prices and massive budget deficits.

Republican Sen. Pat Roberts said Bush was right to defend his administration's domestic spying program to monitor phone calls made to suspected terrorists abroad.

"He needs to use every constitutional tool at his disposal to find and capture or kill the enemies of this nation," said Roberts, who serves as chairman of the Senate Intelligence Commit-

tee. Republican Sen. Sam Brownback said he appreciated the president's strong response to the hard-line regime in Iran and its moves toward obtaining nuclear weapons.

Brownback also cheered the focus on increased federal research into alternative fuels such as ethanol. The president said the nation "is addicted to oil" and touted technology as the best way to break the habit.

In November, Brownback was part of a bipartisan group of senators who backed legislation that would save 2.5 million barrels of oil a day within a decade and 10 million barrels a day by 2031.

"We must be more energy independent and I support the president in efforts to make current tax cuts permanent and improve primary math and science education, all of which will help us continue to grow our economy," Brownback said.

Bush also urged the government

to confront the rising cost of care and help people afford the insurance coverage they need, an issue Republican Rep. Jerry Moran, of Hays, calls "the number one issue we face in this country."

"I've been saying for several years that we really should get the policy makers in Washington to focus on what we can do to improve health care," Moran said. "We need to get to the underlying issue of why health care costs seem to escalate every year."

Rep. Dennis Moore of Lenexa — the only Democrat in the Kansas delegation — said he was glad Bush focused on improving the health care system.

"But I'm disappointed he didn't address, in detail, the problems with the new Medicare prescription drug program," Moore said. Republican Rep. Jim Ryun, of Lawrence, said he found the president's remarks on health savings accounts encouraging.

County landfill looks to collect household hazardous wastes

By **Tisha Cox**
Colby Free Press

Moving the county's household and hazardous waste building to the landfill could be a reality in the near future.

Thomas County Commissioners gave their consensus at their meeting Tuesday to Sandy Swob, who oversees household and hazardous waste for the county, and landfill supervisor Larry Jumper to start looking at grants for the project.

Swob said the state cost-shares 60/40 on such projects, and the commissioners are willing to pay up to \$40,000.

The county currently leases the former Pyramid Oil building on Fourth Street.

During a discussion on custodial concerns with Jim McGuire, the conversation turned to storage and buildings.

McGuire said grant money is available from the Kansas Depart-



R. Evans



L. Jumper

ment of Health and Environment for buildings, and the Thomas County Health Department wants to have a place to store its bioterrorism trailer.

He suggested it could go behind the Thomas County Office Complex, and it could also be used for storing supplies for the county's emergency management office.

If they decided to include a storage area, she said they would have to repermit before completing the grant process.

Chairman Ron Evans had reservations about such a facility at the

landfill. His concerns were people might dump waste where they shouldn't if they can't access the drop-off point, and it should be kept close to town.

Swob said other counties have them at their landfills, or in town. "You've got them both ways in the state," she said.

Jumper said he didn't have any problem with having it at the landfill.

Commissioner Paul Steele said the facility could be open more if it was at the landfill, as long as they had properly trained personnel.

Swob said it would be a good idea, because the county has only two or three collection days scheduled during the year. She added they aren't taking in as much waste as they could be because of that.

The commissioners also told Swob to go look at some of the better collection sites around the area, such as Hays, to get an idea of what other counties are doing.