



COLBY FREE PRESS

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No decision yet made on doctor's license

By Patty Decker

Free Press Editor

Tuesday's hearing involving a Colby doctor and the Kansas State Board of Healing Arts concluded after two hours with no decision from the court.

Dr. Victor H. Hildyard's attorney, Mike O'Neal of Hutchinson, appealed to the Thomas County District Court to overturn an order issued by the state's board of healing arts to revoke Hildyard's medical license.

Mark Stafford of Topeka, the board's general counsel, and Diane Bellquist, assistant to Stafford, defended the board's decision.

District Judge Jack Burr said he would make a decision as soon as possible, but until then, the doctor still is without his medical license.

In determining not to reinstate the doctor's license before his decision, Burr reiterated his previous reason.

He said he would not pre-judge the case, which was the same decision he made earlier this month following the Kansas Supreme Court's order the judge overturn his August ruling staying the board's revocation of Hildyard's license.

"This is not at all easy," Burr said, "and I will be but a brief stop over as one side or the other will take immediate appeal following my decision."

Prior to hearing from both sides, Burr said he had read more than 3,000 pages of transcripts and was familiar with the arguments.

Hildyard's defense

O'Neal addressed the court first in front of a packed, standing-room only courtroom.



PATTY DECKER/Colby Free Press

Donna Bennett of Colby collected signatures for a sign of support for Dr. Victor Hildyard during a hearing about the doctor's licence at the Thomas County Courthouse Tuesday.

"It is clear from those in attendance that this is much more than a disciplinary action," he said. "This is also about the availability of healthcare in northwest Kansas."

O'Neal spoke about the character and integrity of Hildyard and how he has practiced 30-plus years with no malpractice claims, but rather a career filled with delivering

hundreds of thousands of babies and serving as chief of staff at Citizens Medical Center at least on four or five different occasions.

"Today, we find ourselves in a

unique position to defend Hildyard's integrity," O'Neal said. "A nightmare that the doctor has lived through for the last four years."

In addition, O'Neal said it is important to review the actions of Citizens Medical Center as background leading to this proceeding.

"Dr. Hildyard has suffered penalties that were unlawful and unreasonable sanctions by CMC in losing his hospital privileges," he said. "Then, the doctor went through a nine-day hearing to defend himself against 19 counts of wrongdoing."

Summarizing that hearing, O'Neal said the board of healing arts' presiding officer, Edward Gaschler found no standard of care issues, no dangers to patients, but did say some of his behavior was worthy of public censure.

"Four years ago," he said, "the action by the hospital leading to the suspension of his privileges was based on actions of behavior with the hospital's counsel stipulating that no standard of care issues were involved."

The suspension, four years ago, rested on the testimony of one witness, who was discredited and admitted committing perjury at the initial hearing by the board's presiding officer said O'Neal.

"In Gaschler's findings during the nine-day hearing (Oct. 5-17, 2005), it was made clear to everyone that the hearing was fatally flawed in due process and was a proverbial house of cards."

Based on hearing and the board's final order revoking the doctor's license, O'Neal said it was clear both the Colby hospital and the board's remedy were extreme.

As for the standard of care cases reviewed by the board, O'Neal said

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TISHA COX/Colby Free Press

Elaine Ptacek of Heartland Rural Counseling Services admired a mural painted by High Plains Art Club. The mural is in the children's therapy room at Ptacek's office, and is one of several murals completed by the club.

Art club's work brushes the community

By Tisha Cox

Colby Free Press

Artistic expression is helping children in an unexpected way.

Members of High Plains Art Club in Colby painted a mural at Heartland Rural Counseling Services, at the request of owner Elaine Ptacek. Club secretary Marj Brown said Ptacek wanted a mural for the children's therapy room.

Ptacek said the new artwork replaced a seven-year-old mural that was damaged by a water leak.

She said the children who come to her office enjoy the mural, and think it seems real. The purpose of the mural is to provide a calm, comfortable atmosphere for children in

counseling. The club wants to connect to the community.

"We're looking for a way to bring artists to Colby to teach classes for the community," Brown said. "We thought this would be a good way to do that."

Murals are not an unusual endeavor for the club. A few spots around the community sport their work.

A week of work was all it took to complete the mural, finished on Nov. 14.

Seven club members worked on the mural. Marlene Carpenter did the trees; Ruth Hughes designed the barn; Bev Kern painted the sky; the landscape was by Margaret Denneker; flowers by Rosie

VanDyke; Jo Bricker painted the flowers and Brown worked on the figures of the children and horses.

A committee of Bricker, Lee Fleckenstein, Ruth Hughes and Carpenter designed the mural. Walmart donated the paint.

The club formed in 2001 after the group painted a mural in the Bedker Building on the Colby Community College campus. Brown said many of them were students of instructor Kenneth Mitchell.

She said they had so much fun they decided to form the club, which now has 12 members. It also has one honorary member, Lily Plummer. Brown said when members can't make it to meetings anymore, they become honorary, but

they can still display their works.

The club has done a mural at Prairie Senior Living Complex and other projects.

That has included many art shows. A current display is an exhibit of works at the Goodland Grind.

Another art show is in the works for February. In March, a display of Plummer's work will go on exhibit at the Prairie Museum of Art and History.

The club meets once a month at the Colby United Methodist Church. Club officers are Marlene Carpenter, president; Margaret Denneker, vice-president; Brown, secretary/publicity; and Bev Kern, treasurer.

Ferret proposal not guaranteed

By Jan Katz Ackerman

Colby Free Press

Concerned landowners met with proponents Tuesday in Oakley of a government program to put black-footed ferrets in parts of Logan County.

Since July, the Kansas Ecological Office of the United States Fish and Wildlife Service located in Manhattan has considered a five-year experiment using ferrets to reduce the number of prairie dogs in Logan County.

Mike LeValley, service field supervisor, said Kansas had at one time a large ferret population. He presented a 23-page draft copy of an environmental assessment outlining its ferret proposal and its potential effects. While he supports the reintroduction program, he admitted it was not a 100 percent fix.

"Ferrets aren't going to control prairie dogs," LeValley said. "But you have to have prairie dogs on ground to reintroduce ferrets."

According to the U.S. Wildlife Service, about 18,000 acres of Logan County have prairie dogs.

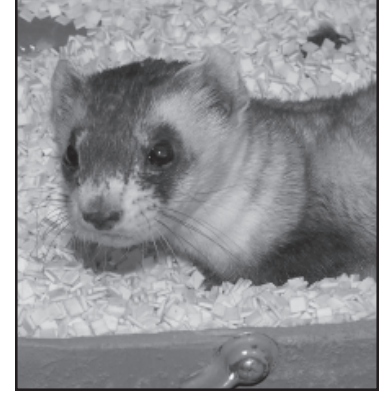
LeValley said there are no guarantees to the reintroduction program, and said the wildlife service assumes the risk some of the ferrets might leave the area where they are placed.

"If a ferret gets off the ground into treated ground that's just tough for the ferret," he said.

The meeting which lasted from 1 to 7:30 p.m. was attended by landowners in and around Logan County. One of those landowners is Cameron Edwards of Russell Springs. Edwards does not support turning ferrets loose in Logan County.

"I'm against it for the economic reasons," he said. "Our land values will plummet and we've got bankers who've said that. We've spent a substantial amount of money on poison this year and the prairie dogs will be back."

Edwards said while he is an ani-



A black-footed ferret

mal lover, his livelihood depends on agriculture.

"I don't like the title that comes along with the ferret," he said. "Endangered species is just too expensive of a risk."

Despite various landowners willing to accept the governments' ferret reintroduction offer, Logan County Commissioners Doug Mackley, Nick Scott and Carl Uhrich at their July 17 meeting voted against the proposal being used on a county-wide basis.

One person ready to accept the government's offer is Larry Haverfield.

"I believe if you want to have a healthy range plan you have to have prairie dogs," he said.

Craig Cooper, district administrator for the Farm Bureau in charge of 11 northwestern Kansas counties disagrees with LeValley and Haverfield.

"I'm not in favor of putting any endangered species on private property," Cooper said. "The negative economic impact to farmers and producers is too high because prairie dogs reduce grazing and if you put the black-footed ferrets out, the government is going to tell you how to control your ground."

Cooper is skeptical of having ferrets and chemicals on the same ground. And LeValley said he is not sure what the government will do after the pilot program, if even used,

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