Schools, children, prosperity before legislature

Our schools, our children, our prosperity.

Those are the real issues before Kansas lawmakers as they return to Topeka this week and get back to their unfinished work of making sure every Kansas student gets a world-class education.

No more excuses: the time has come for the Legislature to focus on fulfilling its profound responsibilities to Kansas students, teachers, and parents, as well as every Kansas taxpayer.

This special session is about the long-term economic prosperity of Kansas, and the stakes could not be higher. In a highly competitive education.



world, our well-being relies on the quality of our schools, and our willingness to invest in them.

We can support our schools now, or our children will pay the price later when they are unprepared to sary government expenses, as well find good jobs in an economy weakened by our lack of commitment to

for our investments. Kansas families know this, and so do small business owners. You can't pay your mortgage with a credit card or you end up in serious financial trouble.

I've worked hard for almost three years to rebuild the state's finances through tough-minded management.

We cut bureaucracy and unnecesas rooting out inefficiencies and delivering services to Kansans at lower costs. The Legislature must industry.

And we have to pay not return to old habits of spending far more than we're taking in. We can invest in first-class

> schools, we can do it in the special session, and we can do it without a tax increase. I think it's time for the legislature to get out of the way and allow Kan-

sans to make their own decisions on expanded gaming.

I have supported various gaming proposals over the past three years, and in communities across Kansas citizens tell me they want to keep our revenue in the state, attract tourist dollars to Kansas, and support our Kansas horse and dog breeding

many Kansans at the court decision, mand the same levels of accountespecially ordering the Legislature for a specific amount of money and weakening our local control over schools, I believe that investing in are unusual, this is the most imporour children and their education is the best way to guarantee future prosperity for our state.

At the same time, as we make nomic growth. these important investments, we must demand accountability.

school dollars are spent in the classroom; parents need to know that their families and their communitheir children are graduating from ties. school well prepared for higher education and with the skills they your support as this session begins.

While I share the displeasure of need for good jobs. We must deability that we've insisted on throughout state government

> While special summer sessions tant work that legislators can do invest in preparing our children for a bright future and continue our eco-

Kansans expect their elected representatives to come to Topeka, to Taxpayers need to know that dotheir jobs in a timely and productive manner, and return home to

We welcome your prayers and

Former Goodland surgeon rebuffed in defamation suit

By Patty Decker

Colby Free Press The Kansas State Court of Appeals Friday upheld an earlier ruling by the Thomas County District Court, which granted summary judgment in favor of two Colby doctors, named in a defamation lawsuit more than two years ago by another local doctor.

Dr. Duncan Davis, Clay Center, a general surgeon who lived in Goodland and provided services to hospitals in Thomas and Sherman counties during the time of the lawsuit, alleged that Drs. Victor Hildyard and Raymond Ketting made "false and defamatory statements about him."

The Kansas Court of Appeals in its decision disagreed with Davis' contention that there was sufficient case one was." evidence of malice and damages -

soned opinion."

Citizens Medical Center at that time, was named in the defamation suit, but was later dropped.

MikeO'Neal of Hutchinson, representing Hildyard and Ketting, said on Tuesday he and his clients believed all along that Davis' claim was frivolous and told his counsel so from the beginning.

"Davis complained of comments about the status of his licensure, which in fact was severely limited in Colorado," O'Neal said. "He complained about talk of being the course of a conversation in relation complained about talk of bodies coverage (during a medical staff being exhumed and, in at least one meeting), he had stated, and I can't

O'Neal added that Davis made no

son. Judith Sears, a trustee with or other non-public meeting, but admitted he'd heard rumors told by others in the community.

> O'Neal's reference to the "confines of a medical staff meeting" were in response to Davis' initial claim in the lawsuit regarding a deposition from then Chief Executive Officer Michael Boyles at Citizens Medical Center. Boyles served as the hospital's chief executive officer from 2000 to 2003.

In Boyles' deposition he said: 'Dr. Hildyard had stated during the subject of lawsuits, which he is. He to the emergency room and surgical remember the specific words, but it was either, 'Would you want a per-

by Ketting or Hildyard outside the want a person operating on me who In the initial lawsuit, a third per- confines of a medical staff meeting can't get a license in any other state.

Boyles' deposition went on to say that Dr. Ketting followed up Dr. Hildvard's comments with: "There are four or five lawsuits pending in Goodland and they're exhuming bodies.

The second inference Davis brought forward alleging defamation involved a meeting with the emergency medical technicians at the hospital in Colby.

At the district court level, Judge Jack Burr of Goodland ruled both meetings where these conversations took place regarding Davis were covered by the peer review privilege and consequently "confidential.'

As for outside the confines of the

affirming the trial court's "well rea- claim anything was said about him son operating on you' or 'I wouldn't meeting, Burr further ruled that vincing evidence of malice that since statements made in those would lift the cloak of protection types of meetings are confidential and the only evidence contained in this case would indicate that if the statements were made, they were repeated outside of the meeting by others and not by Hildyard and Ketting.

> The Kansas Court of Appeals in upholding Burr's ruling, said they agreed with the trial court that, "Dr. Davis has failed to offer clear and convincing evidence of an extrinsic character to prove actual malice on the part of Dr. Hildyard or Dr. Ketting.

The higher court further ruled, 'the statements in this case were made in the context of peer review proceedings and Dr. Davis has Court of Appeals decision, O'Neal failed to demonstrate clear and con-

from these privileged statements."

Noted in the syllabus by the court was that, "It would defeat the obvious purpose of the statute to force cases of this kind into trial based on allegations of the nature that we have here, when it is obvious the basic substance of them: unreported restrictions on Dr. Davis' license in Colorado, malpractice lawsuits and the exhumation of a former patient. are true."

Hildyard said on Tuesday both he and Ketting were happy with the decision

Although it is unknown at this time, Davis can petition the Kansas Supreme Court for review of the said.

Witnessing tunnel accident in Washington was like being in movie

It was a little like being in a movie. OK.

It was a *lot* like being in a movie, but shorter.

Tonda was driving us to the Washington National Airport after lunch and a business meeting downtown. Like the old Kansas City airport, National is just a short hop from downtown.

We'd wound up in Chinatown for lunch, and she offered us a ride to the airport.

We were headed east, through the Ninth Street Tunnel under the Mall, when the car came up fast from behind on the left.

There was no time to say, just to react. Tonda, in her little four-wheel-



And even more amazing, his car, spinning, careening off the wall, had come to rest without anyone hitting it.

Then the driver jumped out, looking wildly over his shoulder like a man with the devil on his tail, and started running down the tunnel, iust like in a movie, his shirttail flying, long dreadlocks streaming and bouncing behind him.

Only, no good guys came skidding up. No bad guys were shooting at him

the Mall (I knew this because there was a big sign over the entrance), a guy just wrecked a car and left it in the middle of the tunnel. He's running away. He left the car."

"I need to send an officer to the Ninth Street Tunnel?"

"Yes. No one is hurt, but the driver is running away."

"Can you give me a description?" Ethnic?'

'Can't tell. A black shirt, dark pants, long hair, going east."

By that time people had figured

"He's still in the tunnel, running

Ninth Street Tunnel under nel. He's turned south." "To L'Enfant Plaza," Tonda said.

And by the time we got there, he was gone.

I relaved the directions to the dispatcher and gave her my name. "Well, that was exciting," Cyn-

thia said, turning to Tonda. "Do you from somebody. He thought they always entertain guests like this?" Her mouth was still open.

"I'm just glad he wasn't trying to blow up the tunnel," she said. "That

scares me." "That guy," I said, "was running were after him. He wasn't going to blow up anything.' But later, I thought it was a darned

good thing for us he didn't try to carjack somebody.



out one lane was open. They were honking at the front gawkers, and traffic started to move.

There the guy was, still running.

rive, started edging to the right

The car was going way too fast for the curving, three-lane tunnel. The driver was trying to weave through the traffic, but he had too much speed.

You could just see the car, an older silver gray El Dorado, going out of control.

And WHAM, it hit the wall.

WHAM again, and it spun around.

A wheel — the left one, I think - went rolling down the tunnel. The car spun to a stop.

By this time, everyone else was

stopped, gawking, speechless. No one in our car had said a word.

By some miracle, this maniac had not hit anyone. Traffic was light, people reacted well.

We sat there, jaws gaping. "Stolen car? Tonda asked.

I reached for my cell phone, dialed 9.

"911 Emergency. District of Columbia"

I reported, calmly, I think: "In the

billed due to the low cost of these services. We will fax a copy of the results to your physician.



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Consultant Schedule

		- 1 - 4 /
	Jeffrey Rumbyrt, M.D	
0	Sherri M. Beck, M.A., CCC-A	
	Barry Smith, M.D	
	Vijay Sabbarao, M.D	
0	Charles Ruggles, M.D	
	Sarah Linton, RD, LD	
Ear, Nose and Throat	Alfred N. Carr, M.D	July 8, 15 & 22
Endocrinologist	Gerald Poticha, M.D	July 1, 22 & 29
Gastroenterologist	Jeffrey D. Huston, M.D	July 18
Gynecology	Laura Rokosz, M.D	July 7 & 28
Neurologist	Steven J. Gulevich, M.D	July 13, 14 & 27
Obstertrics/Gynecology	David Forschner, M.D	July 20
	Martin Rubinowitz, M.D	
	Kent Bashford, M.D	
	Brian Joondeph, M.D	
	David Pfoff, M.D	
1 0	John Gargaro, M.D	
	Tim Birney, M.D	
	Armond Hatzidakis, M.D	
	James Holmes, M.D.	
	Edward Parks, M.D	
	Raymond Ketting, M.D	
	John C. Faul, M.D	
	Erik Ouderkirk, D.P.M	
	Ken Weisiger, M.D	
	Val Linquist, M.D	
	Professional Radiology Services	
	Karl Chambers, M.D.	
	Lisa Paxton	
1 17	Fred Waters, CADC III	,
	Darrell D. Werth, M.D.	
	Wallace Michael Curry, M.D	
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