AGREEMENT REGARDING THE APPLICATION FOR LICENSURE AS A PODIATRIST
WALTER STUART MURPHY AND THE CONDITIONS ON APPROVAL OF SAID APPLICATION

I

Come now Walter Stuart Murphy and the Missouri State Board of Podiatry and enter into this agreement for the purpose of resolving the question of whether Walter Stuart Murphy will be licensed as a podiatrist in Missouri.

Walter Stuart Murphy (hereinafter "applicant") understands that this Agreement is in lieu of proceedings before the Administrative Hearing Commission, where he would have the right of a hearing if the applicant is denied the right to be licensed; the right to appear and be represented by legal counsel; the right to attempt to prove that the applicant is entitled to be licensed; the right to cross-examine any witness appearing at the hearing; the right to present evidence on the applicant's own behalf at the hearing; the right to a decision upon the record of the hearing by a fair and impartial administrative hearing commissioner; the right to a ruling on questions of law by an administrative hearing commissioner and the right to a claim for attorneys fees and expenses. Being aware of these rights the parties knowingly and voluntarily waive each and every one of these rights and agree to abide by the terms of this document in lieu of a hearing before the Administrative Hearing Commission.

II

Walter Stuart Murphy and the Missouri State Board of Podiatry hereby stipulate to the following facts:
1. The Missouri State Board of Podiatry is an agency of the State of Missouri created and established pursuant to Section 330.110, RSMo Supp. 1990, for the purpose of executing and enforcing the provisions of Chapter 330, RSMo.

2. The applicant applied to the Missouri State Board of Podiatry for licensure as a podiatrist in August of 1990.

3. The applicant's Kansas license was disciplined by limiting the license on October 25, 1990. A true and accurate copy of the Amended Petition is attached as Exhibit 1. A true and accurate copy of the Final Order is attached as Exhibit 2.

4. Cause exists for the Board to deny the applicant licensure pursuant to Sections 330.160.1 and 330.160.2(b) and (15), RSMo 1986.

III

In light of the foregoing stipulation of facts, Walter Stuart Murphy and the Missouri State Board of Podiatry hereby consent and agree to the following:

The Missouri State Board of Podiatry will license the applicant as a podiatrist subject to certain conditions set forth below. Immediately upon issuance of a license as a podiatrist to the applicant, the license will be placed on probation for a period of five (5) years on the following terms and conditions:

1. The applicant shall submit to random, periodic bodily fluid tests at his expense as requested by the Board or its representative. The presence of any drug not supported by a valid prescription will be a violation of this probation.
2. The applicant shall cause the Kansas Podiatry Act Compliance Monitoring Program to provide the Missouri State Board of Podiatry with a copy of the document which indicates the terms and conditions of the applicant's participation in that program.

3. The applicant shall cause the Kansas Podiatry Act Compliance Monitoring Program to provide the Missouri State Board of Podiatry with a report of his compliance or noncompliance on a quarterly basis.

4. The applicant shall keep the Missouri State Board of Podiatry informed of his current home and business addresses and telephone numbers at all times.

5. The applicant shall not violate any provision of chapter 330, RSMo.

6. Upon failure of the applicant to comply with the terms of this probation, the Missouri State Board of Podiatry may impose such additional discipline as it seems appropriate.

STATE BOARD OF PODIATRY

WALTER STUART MURPHY 4/24/91
Walter Stuart Murphy, date
Applicant

SHARLENE RIMILLAR 5/3/91
Sharlene Rimiller, date
Executive Director

WILLIAM L. WEBSTER
Attorney General

SARA RITTMAN 5/1/91
Sara Rittman, date
Assistant Attorney General

Effective this 3rd day of May, 1991.
[Effective date to be filled in by Executive Director.]