



COLBY FREE PRESS

Doctor's hearing no longer open to public

By Jan Katz Ackerman

Colby Free Press

Amid-afternoon ruling in a local doctor's medical license hearing changed its status of being open to the public.

Despite one witness testifying during a morning session, the presiding officer about 3 p.m. Wednesday said the balance of Dr. Victor Hildyard's hearing would be behind closed doors.

David Steed, Wichita, a special prosecutor for the Kansas Board of Healing Arts, during a procedural portion of the hearing Wednesday morning raised issue about the

need to protect certain people's rights.

At the center of Steed's argument were people who are currently or were in the past Hildyard's patients.

Others Steed wanted to protect are those people involved in a peer review process which took place in April 2003 at Citizens Medical Center.

Hildyard's attorney, Mike O'Neal, Hutchinson, during a morning session expressed the need for the hearing to be open to the public. He said his focus was that his client got a "fair hearing."

Steed said while O'Neal wanted much of

the 10 days worth of testimony to be made in open session, the state's attorneys had the duty to protect any private material covered by state statute. He said he "didn't want to be party" to any disclosure of patient identity.

"Mr. O'Neal wants this public then it's his responsibility, or yours, to define patient confidentiality," Steed told Edward Gaschler, administrative law judge acting as presiding officer from Topeka.

"I don't appreciate being threatened," O'Neal told Steed.

Following a break for lunch and a 30-

minute conference involving Gaschler, O'Neal, Steed and the state's other attorney, Diane Bellquist, O'Neal appeared to concede to Steed's motion to close the hearing. He said he was prepared to agree patient confidentiality and peer review issues were "covered by statutory guidelines."

"It's become apparent I had a misunderstanding about what (the state) wanted closed," O'Neal said.

He said after reviewing the situation he was "persuaded" that all the allegations against Hildyard are covered by state statute and could be closed to the public.

"I'm prepared to stipulate to what (Steed's) proposing," O'Neal said.

Before calling the state's second witness, Kathy Bissett, Gaschler said both parties had agreed the remainder of the hearing should be closed to the public. Gaschler told about 17 of Hildyard's supporters seated in the back of the room they would not hear any of the witnesses testify.

"In other words, you are not going to be able to hear the evidence presented," Gaschler said.

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Former Colbyite escapes from jail

By Patty Decker

Free Press Editor

A former Colby resident is on the

run after walking out of a Wichita jail Monday morning, according to information provided to the Colby Police Department by Sedgewick County officials.



Troy Bauer

Troy Bauer, who lived in Colby about four years from 1999 to 2002, was jailed last Friday in Wichita on parole violations for burglary and theft charges.

Instead of going to court Monday in Sedgewick County, though, Bauer ended up fooling the jailers there into letting him go and he's still on the run, said Capt. Barbara Maxwell, with the Sedgewick County Sheriff's office.

Maxwell said what happened was that Bauer was in a booking cell with other inmates when an officer called out another individual's name and Bauer answered back, giving a false name.

Making matters worse, the mug shot of Bauer was accidentally filed with the other man's name, she said,

which is why the jail guards didn't catch the mistake until it was too late.

"This doesn't happen very often," Maxwell said, "Of course it has happened in the past, but like I said, it doesn't happen very often so it's once every so many months that a case like this comes up."

Recalling a similar incident in September, Maxwell said in that scenario 29-year-old Dennis Sayarath, of Wichita, walked out of jail after he impersonated another inmate.

While part of the problem is overcrowding, she said, jailers usually book more than 100 people a day.

Because Bauer did live in Colby, said Gary Shull, detective sergeant with the Colby Police, he could return to the area.

"He still has acquaintances in Colby," Shull said, "and if anyone has information about Bauer's whereabouts, the sheriff's office in Sedgewick County toll-free is (800) 874-6994."

If someone should spot Bauer in Colby or Thomas County, law enforcement officials here are urging that people call 9-1-1.

"When Bauer is found," Maxwell said, "he could face additional charges for giving the guards a false name."

Sign posts damaged

By Patty Decker

Free Press Editor

Colby police spent time earlier today investigating three signs and posts damaged on College Drive, said Gary Shull, detective sergeant at the Colby Police Department.

"Our first call was at 8:19 a.m., today, when Marc Gilman, Colby public utilities director, said two stops signs were down on College

Drive," Shull said.

The incident is still under investigation, but as of today it looks like a total of three signs — two stop signs and one speed sign — were damaged.

Authorities are speculating that a pickup truck ran over the sign posts.

Anyone with information about what happened is encouraged to call police at (785) 460-4460.

Talking fire safety



PATTY DECKER/Colby Free Press

The Colby Fire Department made its first stop at Puddle Duck Preschool as part of Fire Safety Month in October, said Rick Dickman, assistant fire chief. In helping children better understand the hazards of fire, Dickman said, the fire safety trailer is being used. The trailer is complete with a kitchen, bedroom, fireplace

and other items that would be found in any home. One of the fun exercises the children are doing as part of fire awareness, but also a serious option, is escaping through an open window in the trailer. In the next few weeks, the fire safety trailer will be visiting grade schools in Colby, Brewster, Hoxie and Goodland.

Moo-ving violation Wednesday

By Jan Katz Ackerman

Colby Free Press

A runaway steer prompted quick action by local law enforcement officials Wednesday evening.

Thomas County Undersheriff Jason Moses said as officers were leaving the law enforcement center they were "greeted by an unknown steer" at the back door.

"I noticed this steer was very gentle in nature, especially when it walked up to me and nudged my hand," Moses said this morning.

Officers from the Thomas County Sheriff's Office and Colby Police Department corralled the steer in the exercise yard at the Thomas County jail.

It turned out the steer, estimated to weigh between 700 and 800 lbs., was a 4-H steer which had absconded from a nearby residence.

"The steer was booked on the charges of escape from custody and a moo-ving violation.

"It was released to a responsible party pending a first appearance, hopefully at the dinner table," Moses



Deputy Reid Rogers stood outside the exercise pen of the Thomas County jail about 6 p.m., Wednesday, after officers captured a runaway steer and booked him into jail on multiple charges.

County health plans flu clinics

By Patty Decker

Free Press Editor

Flu season means flu clinics will soon be offered by the Thomas County Health Department, said Juanita Dewey, administrator.

The clinics begin next Monday for children 6 months to 8 years-old with the adult clinics starting Thursday, Oct. 20.

"We are trying to accommodate as many people as possible," she said.

The pediatric flu clinic will run from 8:30 a.m. until 4 p.m. at the Thomas County Health Department in the county office complex, 350 S. Range Ave, Colby.

"No appointment is necessary and while the clinics are going on, the office will be closed for all other services," Dewey said.

The follow-up clinic for children is scheduled for Monday, Nov. 21, also from 8:30 a.m. until 4 p.m. and is only for children who have never had a flu shot and who received their first dose Monday, Oct. 10.

Adult flu clinics begin Thursday,



Thomas County

HEALTH DEPARTMENT

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Oct. 20 and will be held at locations other than the health department. From 9 to 11 a.m., shots will be administered at the Brewster Senior Center; 1 to 3 p.m., Colby Senior Center; and 3:15 to 4:15 p.m. at Meadowlark Manor in Colby.

County officials will be at Fairview Estates in Colby for the flu clinic from 10 to 11 a.m. and for employees at the Thomas County Courthouse and at Colby City Hall on Friday, Oct. 21.

Rexford and Gem clinics will be held from 9 to 11 a.m. at the Rexford Red Barn and at 11:15 a.m. to noon at the Gem Community Building.

The Thomas County Health Department will offer a flu clinic at its office from 9 a.m. to 3:30 p.m., Wednesday, Nov. 2 and again on

Tuesday, Nov. 8 from noon until 8 p.m.

"We will bill Medicare and Healthwave for the shots," Dewey said, adding that those participants need to bring the information with them so that county officials can bill those organizations.

All clinics are "walk-ins," she said.

For questions about flu shots or general information about the health department, call 460-4596.

Editor's note: See the Thomas County Health Department's article on flu season, page 4, in today's edition. The information should answer many questions about the flu, who is vulnerable to it, when to get the vaccine, and the benefits of flu shots.



J. Dewey

