

**BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS**

In the Matter of)
Shane Alexander, D.O.)
)
Kansas License No. 05-25295)
_____)

KSBHA Docket No. 10-HA00135

FINAL ORDER TERMINATING MONITORING REQUIREMENTS

NOW on this 21st day of October 2011, comes before the Kansas State Board of Healing Arts (“Board”) the request of Shane Alexander, D.O. (“Licensee”) for termination of practice monitoring. Licensee appears *pro se*. Reese Hays, Litigation Counsel, appears on behalf of the Respondent Board.

Pursuant to the authority granted to Board by K.S.A. 65-2801 *et seq.*, and in accordance with the provisions of the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.*, the Board hereby enters this Final Order in the above-captioned matter. After reviewing the file, hearing the statements and arguments of Reese Hays, hearing the testimony of Licensee, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and orders:

I. Findings of Fact

1. Licensee is licensed to engage in the practice of medicine and surgery in the State of Kansas, License No. 05-25295, and has been so licensed since approximately August 13, 1994.
2. Licensee’s last known mailing address provided to the Board is: 760 West Avenue D., Kingman, Kansas 67068.
3. On or about August 20, 2010, Licensee entered into a Consent Order with the Board, based upon the fact that sanctions or disciplinary action had been taken against Licensee

by Ninnescah Valley Health Systems, in violation of K.S.A. 65-2836(s). Under the terms of the Consent Order, the Board required Licensee to provide the Board with bi-monthly reports from the administration at Ninnescah Valley Health Systems regarding the status of Licensee's hospital charts completion. The terms of the Consent Order also required Licensee to pay a fine in the amount of \$500.

4. The terms of the Consent Order allow Licensee to request modification or termination of the practice monitoring requirements after the Board's receipt of six (6) bi-monthly reports from Ninnescah Valley Health Systems.

5. Since entering into the Consent Order, Licensee has practiced medicine at Kingman Community Hospital in Kingman, Kansas.

6. Margaret Gillen, RHIT, Director of Information at Kingman Community Hospital, has submitted six bi-monthly monitoring reports regarding Licensee to the Board. Such reports indicate no deficiencies by Licensee.

7. On or about July 21, 2011, Licensee filed a written request to the Board seeking termination of the practice monitoring requirements imposed by the Consent Order.

8. On August 4, 2011, the Respondent Board filed a Response to Licensee's Request for Termination of Monitoring Requirements.

II. Applicable Law

- a. K.S.A. 77-501, *et seq.* – Kansas Administrative Procedure Act
- b. K.S.A. 65-2801, *et seq.* – Kansas Healing Arts Act

III. Policy Statement

The public policy of regulating the practice of healing arts in the State of Kansas is set forth in K.S.A. 65-2801:

Recognizing that the practice of the healing arts is a privilege granted by legislative authority and is not a natural right of individuals, it is deemed necessary as a matter of policy in the interests of public health, safety and welfare, to provide laws and provisions covering the granting of that privilege and its subsequent use, control and regulation to the end that the public shall be properly protected against unprofessional, improper, unauthorized and unqualified practice of the healing arts and from unprofessional conduct by persons licensed to practice under this act.

IV. Conclusions of Law

Licensee has satisfactorily met all requirements of the Consent Order and has no further obligation for compliance.

V. Order

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF HEALING ARTS that Licensee has satisfied all terms and conditions of the Consent Order and that the Board hereby grants Licensee's request to terminate the practice monitoring requirements imposed by the Consent Order.

IT IS FURTHER ORDERED that the Board shall maintain jurisdiction over this matter to issue any future order(s) deemed necessary and appropriate.

IT IS SO ORDERED THIS 27 DAY OF OCTOBER, 2011, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.


Kathleen Selzler Lippert
Executive Director
Kansas State Board of Healing Arts

Prepared and Approved by:



Randy E. Stookey, #21885
Assistant General Counsel
Kansas State Board of Healing Arts

NOTICE OF RIGHTS

PLEASE TAKE NOTICE that this is a Final Order. A Final Order is effective upon service, and service of a Final Order is complete upon mailing. Pursuant to K.S.A. 77-529, Licensee may petition the Board for Reconsideration of a Final Order within fifteen (15) days following service of the final order. Additionally, a party to an agency proceeding may seek judicial review of a Final Order by filing a petition in the District Court, as authorized by K.S.A. 77-601, *et seq.* Reconsideration of a Final Order is not a prerequisite to judicial review. A petition for judicial review is not timely unless filed within **30 days** following service of the Final Order. A copy of any petition for judicial review must be served upon Kathleen Selzler Lippert, the Board's Executive Director, at 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true copy of the foregoing **Final Order Terminating Monitoring Requirements** was served this 27th day of October, 2011 by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Shane Alexander, D.O.
760 West Avenue D.
Kingman, Kansas 67068

And a copy was hand-delivered to:

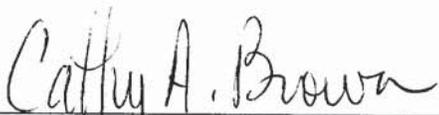
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The original was filed with the office of:

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Cathy Brown
Executive Assistant