

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

FILED
APR 15 2015
KS State Board of Healing Arts
[Signature]

In the Matter of)
Donald G. Schmitt, L.R.T.)
)
)
Kansas License No. 22-04912)
_____)

KSBHA Docket No. 15-HA00067

JOURNAL ENTRY

NOW on this 10th day of April, 2015, this matter comes before the Kansas State Board of Healing Arts (“Board”) for presentation of a Consent Order to be ratified by the Board. Applicant appears in person and *pro se*. Jessica Bryson, Associate Litigation Counsel, appears in person on behalf of the Respondent Board.

Pursuant to the authority granted to the Board by K.S.A. 65-7301, *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 Journal Entry. After reviewing the agency record, and hearing the statements of the parties, and being otherwise duly advised in the premises, the Board makes the following determinations:

1. Upon the agreement of the parties, the Board strikes from the proposed Consent Order the following language contained in paragraph 37.

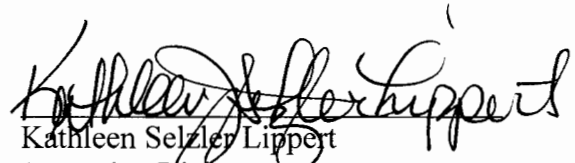
“Applicant agrees **Confidential**
Confidential his license will be suspended until the Board and/or its designee has conducted a hearing on the issue. The suspension will automatically be in effect when Board staff provides notice to the Executive Director and Applicant of the determination of the evaluator. The Board will attempt to serve Applicant personally, but if not successful, service by facsimile or electronic mail will be sufficient. The Board and/or its designee shall conduct a hearing within ten (10) business days after the suspension is effective. The hearing

will be conducted to determine whether the suspension should continue.”

IT IS THEREFORE ORDERED that the Consent Order filed in the above-captioned matter is amended by the Board. The Board shall maintain jurisdiction over this matter to issue any order(s) deemed necessary and appropriate in the circumstances.

IT IS THEREFORE ORDERED that the Consent Order filed on March 13, 2015, in the above-captioned matter, is hereby **ACCEPTED** and **RATIFIED** by the Board.

IT IS SO ORDERED THIS 15 **DAY OF** April, 2015, **IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**


Kathleen Selzler Lippert
Executive Director
Kansas State Board of Healing Arts

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 15th day of April 2015, a true and correct copy of the above and foregoing **JOURNAL ENTRY** was deposited in the United States Mail, first-class postage prepaid and addressed to:

Donald G. Schmitt, LRT
Confidential
St. Marys, KS 66536

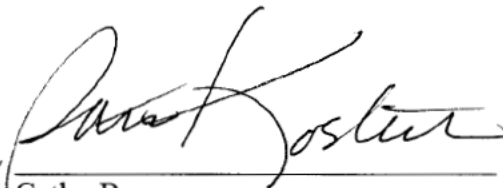
And a copy was hand-delivered to:

Jessica Bryson, Associate Litigation Counsel
Kansas State Board of Healing Arts
800 SW Jackson Street, Lower Level- Suite A
Topeka, Kansas 66612

Compliance Coordinator
Kansas State Board of Healing Arts
800 SW Jackson Street, Lower Level- Suite A
Topeka, Kansas 66612

Katy Lenahan
Licensing Administrator
Kansas State Board of Healing Arts
800 SW Jackson Street, Lower Level- Suite A
Topeka, Kansas 66612

And the original was filed with the office of the Executive Director.

for 
Cathy Brown
Executive Assistant