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

KS State Board of Healing Arts

In the Matter of)
Joel N Schroeder, MD)
License No. 04-23427)

Docket No. *09-HA00078*

SUMMARY ORDER

NOW, on this _____ day of November 2008, this matter comes before Jack Confer, Acting Executive Director of the Kansas State Board of Healing Arts (“Board”), in summary proceedings pursuant to K.S.A. 77-537.

After reviewing the agency record and being duly advised in the premises, the following findings of fact, conclusions of law and orders are made for and on behalf of the Board:

1. License number 04-23427 issued to Joel N Schroeder, MD (“Licensee”) to practice Medicine and Surgery in the state of Kansas expired on June 30, 2008, pursuant to K.A.R. 100-15-1.
2. K.A.R.100-15-5 requires each Licensee desiring to renew a medicine and surgery license to submit to the Board documented evidence of completion during the 18-month period immediately preceding the license expiration date, the person completed at least 50 credits of continuing education, of which at least 20 credits shall be in category I and the remaining credits in category II, or during the 30-month period immediately preceding the license expiration date, the person completed at least 100 credits of continuing education, of which at least 40 credits shall be in category I and the remaining credits in category II, or during the 42-month period immediately preceding the license expiration date, the person completed at least 150 credits of

continuing education, of which at least 60 credits shall be in category I and the remaining credits in category II.

3. On or about June 16, 2008, Licensee submitted an application for renewal of the license.

4. As part of the renewal process, Licensee certified that the rules regarding proof of continuing education had been read, that 150 credits continuing education hours had been achieved, and that documentation of those hours would be maintained for a three-year period and produced to the Board upon request.

5. As part of the renewal process, Licensee further certified that the notice regarding the Board's procedures for auditing continuing education compliance had been read.

6. Licensee was randomly selected to provide verification of compliance with the continuing education requirements and on September 19, 2008, was mailed a letter requesting that Licensee provide, no later than October 31, 2008, the records relied upon when Licensee certified achievement of the continuing education hours.

7. On October 28, 2008, Licensee provided documentation of the achievement of 40 credits of category I and the 170 credits of category II.

8. Board staff contacted Licensee by phone on October 28, 2008, and advised that the submitted continuing education documentation was short 20 credits of category I continuing education. Licensee agreed to attempt to locate additional hours to provide. Board staff agreed to send him a letter requesting the information and an additional week to submit them.

9. On October 28, 2008, a letter was mailed advising Licensee that he was deficit 20 hours of category I and needed to submit the remaining hours by November 7, 2008.

10. Licensee contacted Board staff by e-mail on November 07, 2008, and stated that the only other hours obtained were prior to January 1, 2005

11. Licensee has failed to provide documented evidence of completion of 60 hours category I continuing education hours since January 1, 2005

12. By certifying that Licensee had met the requirements for renewal, Licensee violated K.S.A. 65-2836 (a), "committed fraud or misrepresentation in applying for or securing an original, renewal or reinstated license."

13. Licensee should be required to complete twice the number of deficient category I continuing education hours and be assessed a civil fine for the failure to have had the required continuing education at the time of renewal.

IT IS THEREFORE ORDERED that the license of Licensee is assessed a civil fine in the amount of \$500.00, payable within 30 days of the effective date of this order, for failure to have met the continuing education requirements at the time of renewal.

IT IS FURTHER ORDERED Licensee shall provide documentation of completion of 40 category I continuing education hours within 90 days of the effective date of this order.

PLEASE TAKE NOTICE that this is a summary order. A party to whom a summary order is issued may file a written request for a hearing within 15 days following service of the summary order. If a hearing is not requested, the summary order shall become effective as a final order of the Board upon expiration of the time for requesting a hearing. A request for a hearing must be addressed to Jack Confer, Acting Executive Director, 235 South Topeka Boulevard, Topeka, Kansas 66603.

DATED this ____ day of November, 2008.

KANSAS STATE BOARD OF HEALING ARTS

Jack Confer
Acting Executive Director

CERTIFICATE OF SERVICE

I, do hereby certify that on the ____ day of November, 2008, a true and correct copy of the above and foregoing was deposited in the United States mail, first class postage prepaid to the following:

Joel Schroeder MD
15341 Knox St
Overland Park, KS 66221-9688

and a copy hand delivered to the office of:

Kathleen Selzler Lippert
Litigation Counsel
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 6603-3068

Katy Lenahan
Licensing Administrator
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603-3068

and the original filed with the office of the Executive Director.

Cathy Brown
Executive Assistant