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KS State Board of Healing Arts

BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS

In the Matter of	)	
ALEXANDER J. HEMME, D.C.	)	
	)	**KSBHA Docket No. 16-HA00043**
Kansas License No. 01-05779	)	
	)	

FINAL ORDER GRANTING
MODIFICATION OF CONSENT ORDER

NOW on this 14th day of October, 2016, comes before the Kansas State Board of Healing Arts ("Board") Petitioner's Motion to Modify Consent Order in this matter. Alexander Hemme, D.C. ("Licensee") appears in person, and by and through attorney Diane Bellquist of Joseph, Hollander & Craft, LLC. Jane Weiler, Associate Litigation Counsel, appears on behalf of the Respondent agency.

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 agency record, hearing the statements and arguments of the parties, receiving exhibits into evidence, and being otherwise duly advised in the premises, the Board makes the following findings, conclusions and order:

1. Licensee is licensed to practice as a chiropractor in the State of Kansas, having been issued License No. 01-05779 in February of 2016.

2. On or about December 30, 2015, Licensee entered into a Consent Order with the Board as a condition of being granted a license to practice chiropractic in Kansas. The Consent Order was ratified by the Board in February of 2016.

3. [redacted]

4. On or about June 29, 2016, Licensee filed a Motion to Modify Consent Order [redacted]

5. Licensee included with his Motion to Modify a letter [redacted] dated April 25, 2016. [redacted]

6. Licensee argued in his Motion to Modify that there are no substantial differences [redacted]

7. [redacted]

8. [redacted]

9. On September 13, 2016, Associate Litigation Counsel filed a Response to the Motion to Modify Consent Order requesting the Board grant Licensee's Motion to Modify [redacted]

10. Based on the evidence and arguments presented, the Board concludes that the modifications of the Consent Order as requested by both Licensee and Associate Litigation Counsel are warranted under the circumstances.

11. All other requirements of the Consent Order shall remain in full force and effect as written.

12. **IT IS THEREFORE ORDERED, BY THE KANSAS STATE BOARD OF HEALING ARTS** that the Consent Order is **MODIFIED** [redacted]

IT IS SO ORDERED THIS 14 DAY OF NOVEMBER, 2016, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.

Kathleen Selzler Lippert, Executive Director
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, Executive Director, Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level-Suite A, Topeka, KS 66612.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing **FINAL ORDER GRANTING MODIFICATION OF CONSENT ORDER** was served this 15th day of November, 2016, by depositing the same in the United States Mail, first-class, postage prepaid, and addressed to:

Alexander Hemme, D.C.
[redacted]
Kansas City, MO 64131

Diane Bellquist
Joseph, Hollander & Craft, LLC
1508 SW Topeka Blvd.
Topeka, KS 66612

And a copy was delivered to:

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

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

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

Cathy A. Brown

Cathy Brown, Executive Assistant