

BEFORE THE KANSAS BOARD OF VETERINARY EXAMINERS

IN THE MATTER )

OF )

ALEXANDRA BROOKS-SCHRAUTH, DVM )

License Number: [REDACTED] )

Respondent )

Case No. 19008

Case No. 19042

FILED

JAN 2 2020

KANSAS BOARD OF VETERINARY EXAMINERS

Pursuant to K.S.A. Chapter 77

CONSENT AGREEMENT AND FINAL ORDER

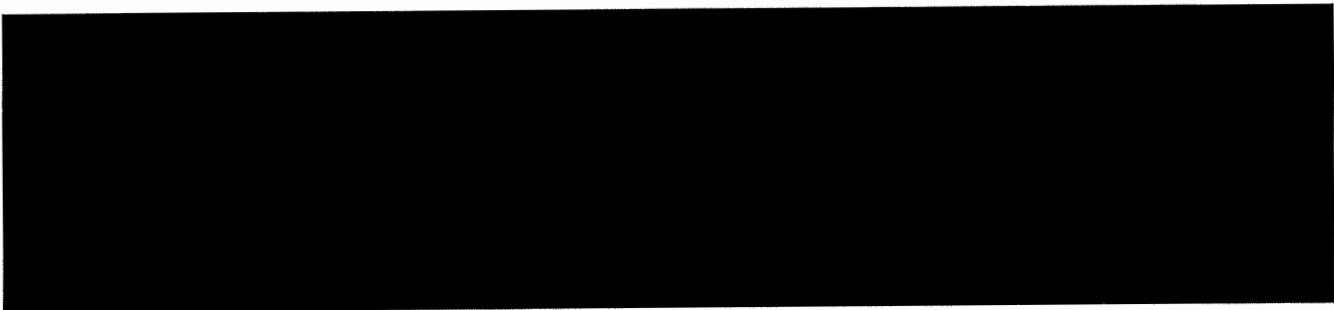
NOW ON THIS 2nd day of January, <sup>2020</sup>2019, the above captioned matter comes before the Kansas Board of Veterinary Examiners ("Board"), by agreement with Alexandra Brooks-Schrauth, D.V.M. ("Respondent"), for the purpose of resolving the above captioned matter.

The parties knowingly and voluntarily agree as follows:

1. Respondent is and was at all times relevant to this matter licensed by the Board to practice veterinary medicine in Kansas pursuant to K.S.A. 47-817 *et seq.*, and amendments thereto. Board records reflect that the Respondent was issued veterinary license number [REDACTED] on or about May 16, 2004. The Respondent's license to practice veterinary medicine in Kansas is current and will expire on June 30, 2020.

Case No. 19008

2. On or about March 19, 2019, Respondent self-reported to the Board that she pleaded guilty to Driving Under the Influence ("DUI") on November 19, 2018. This was Respondent's third conviction for this offense and this instant conviction was now a felony.



**Case No. 19042**

7. On or about July 18, 2019, Respondent reported to the Board that the Missouri Professional License Board and Missouri Veterinary Board conducted a hearing and subsequently revoked her license to practice veterinary license in the State of Missouri.

8. The Findings of Fact, Conclusions of Law, and Order of Discipline issued by the Missouri Veterinary Medical Board (“MVMB”) in Docket No. 2019-001609 found Respondent in violation of their practice act in that the MVMB revoked Respondent’s license in that she pled guilty to a felony offense involving moral turpitude.

**APPLICABLE LAW**

9. K.S.A. 47-816(h)(1): Practice of veterinary medicine means, “To diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury or other physical or mental condition; including the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthesia or other therapeutic or diagnostic substance or technique on any animal including but not limited to acupuncture, surgical or dental operations, animal

psychology, animal chiropractic, theriogenology, surgery, including cosmetic surgery, any manual, mechanical, biological or chemical procedure for testing for pregnancy or for correcting sterility or infertility or to render service or recommendations with regard to any of the above and all other branches of veterinary medicine.”

10. K.S.A. 47-830(e): The Board, in accordance with the provisions of the Kansas Administrative Procedure Act, may refuse to issue a license, revoke, suspend, limit, condition, reprimand or restrict a license to practice veterinary medicine or an institutional license for conviction of a felony or entering into a plea agreement or a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a felony.

11. K.S.A. 47-830(m): The Board, in accordance with the provisions of the Kansas Administrative Procedure Act, may refuse to issue a license, revoke, suspend, limit, condition, reprimand or restrict a license to practice veterinary medicine or an institutional license for disciplinary or administrative action taken by any federal, state or local regulatory agency or any foreign country on grounds other than nonpayment of registration fees.

12. K.S.A. 47-842: In addition to the board's authority to refuse licensure or impose discipline pursuant to K.S.A. 47-830, and amendments thereto, the board shall have the authority to assess a fine not in excess of \$5,000 against a licensee for each of the causes specified in K.S.A. 47-830, and amendments thereto. Such fine may be assessed in lieu of or in addition to such discipline. The proceedings under this act shall be conducted in accordance with the Kansas Administrative Procedure Act, and the board shall have all the powers granted therein.

13. Respondent and the Board mutually desire to enter into this Consent Agreement and Final Order in lieu of further summary and adjudicative proceedings.

14. Respondent understands that by entering into this Consent Agreement and Final Order Respondent waives all rights to further adjudication of facts and law that could be determined pursuant to summary proceedings or a hearing conducted in accordance with the Kansas Administrative Procedures Act, K.S.A. 77-501 *et seq.* in relation to Case Nos. 19008 and 19042.

15. Respondent waives the right to file a motion for reconsideration and all rights of appeal pursuant to the Kansas Act for Judicial Review, K.S.A. 77-601 *et seq.* in relation to Case Nos. 19008 and 19042.

16. The Board accepts Respondent’s waiver of rights and stipulations.

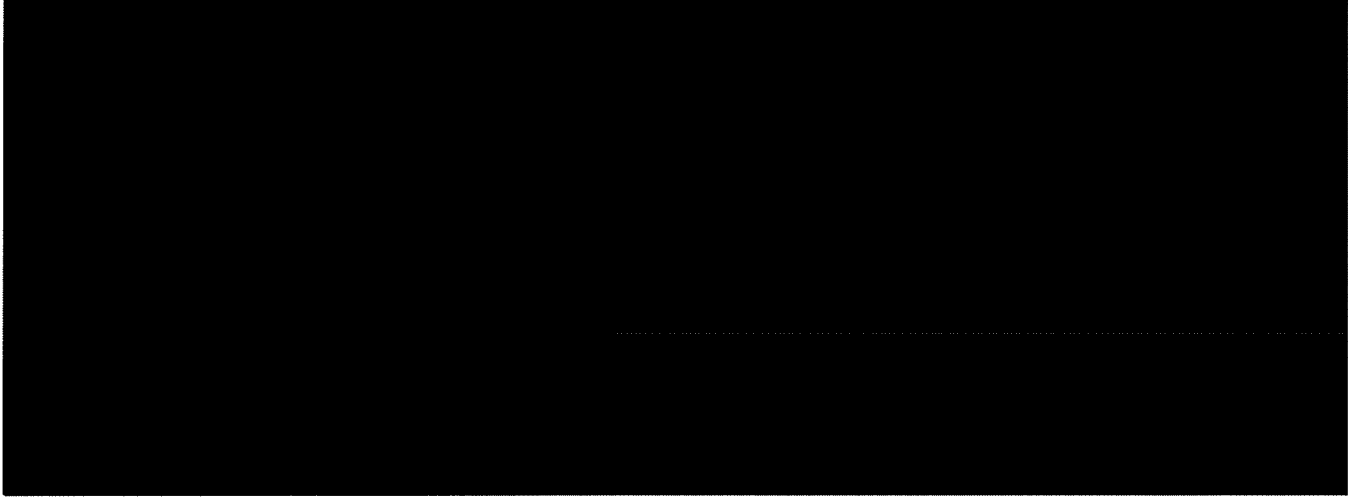
17. A protective order is hereby entered to protect all confidential information under 42 CFR Part II and K.S.A. 47-849.

### **ORDER**

**WHEREFORE**, the Board finds that Respondent is in violation of K.S.A. 47-830(e), in that Respondent pleaded guilty to her third DUI, which resulted in a felony conviction.

Additionally, the Board finds that Respondent is in violation of K.S.A. 47-830(m), in that the State of Missouri revoked Respondent's Missouri license to practice veterinary medicine.

**NOW THEREFORE**, Respondent consents to the following terms and conditions, and the Board orders that:



22. Respondent shall provide a copy of this Consent Agreement and Final Order to her employer.



24. Respondent shall immediately notify the Board of any citation, arrest, or charge filed against her or of any conviction for any traffic or criminal offense.

25. Respondent shall at all times keep Board staff informed of her current practice address. Respondent shall provide to the Board within ten (10) days of this change.

26. All foreseen and unforeseen expenses to complete the aforementioned course including travel, lodging, program fee, meals, etc., shall be at Respondent's own expense.

27. After completion of the actions set out in the Consent Agreement and Final Order, Respondent will have no remaining obligations to the Board in relation to this case. However, Respondent may be subject to further enforcement action if Respondent fails to comply with the terms, conditions, and requirements imposed by this Consent Agreement and Final Order.

28. The matters referred to in this Consent Agreement and Final Order shall not be grounds for future action against Respondent, except the extent that that such matters may be relevant for future disciplinary or licensure proceedings in the Board's consideration of the factors identified in K.S.A. 47-829 [Licenses; expiration; renewal; continuing education requirements], and K.S.A. 47-830 [Grounds for refusal to issue or revocation or suspension of license or other restriction],

for establishing rehabilitation or a pattern of conduct.

29. Except as provided in paragraph 28, this Consent Agreement and Final Order shall operate as a complete release of all claims the parties may have against each other pending before the Board and arising out of the Board's investigation of these matters. Respondent agrees not to file, or cause to be filed, any litigation or claims in any federal or state court of law or federal or state administrative agency against the Board, its agents, Board members, or employees, individually or in their official capacity. Such litigation or claims include, but are not limited to, any K.S.A. Chapter 60 or Chapter 61 civil action regarding negligence and/or a 42 United States Code action and/or any administrative petition for redress. Respondent agrees that all actions in this matter were a bona fide use of administrative discretion on the part of the Board, its members, and employees, which is a statutory exception to liability within the Kansas Tort Claims Act, K.S.A. 75-6104(b), (c) or (e).

30. Respondent agrees that this Consent Agreement and Final Order conforms to Kansas and federal law and that the Board has jurisdiction to enter into it and enter the Final Order provided for herein.

31. Respondent understands that a notification of this Consent Agreement and Final Order shall be provided to any other state licensing board or entity if Respondent is also licensed, registered or certified in another state.

32. This Consent Agreement and Final Order shall be a public record in the custody of the Board. Additionally, this Consent Agreement and Final Order may be made know to the public by publication in the Board's newsletter and/or by a press release issued by the Board.

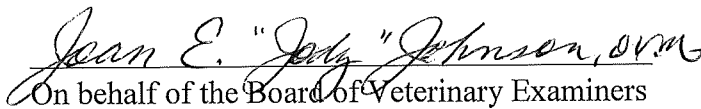
33. This Consent Agreement and Final Order constitutes the entire agreement of the parties and may only be modified by order of the Board or by a subsequent writing signed by the parties. The agreement shall be interpreted in accordance with the laws of the State of Kansas.

34. This Consent Agreement and Final Order shall become effective on the date indicated in the Certificate of Service.

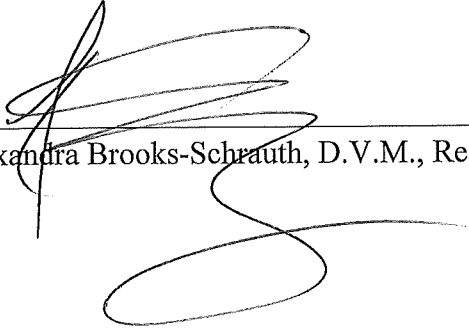
**WHEREFORE**, the parties consent to these provisions, which are hereby made the Final Order of the Kansas Board of Veterinary Examiners in the above-captioned case.

IT IS SO ORDERED.

Signed:

  
On behalf of the Board of Veterinary Examiners


APPROVED AND CONSENTED TO BY:

  
\_\_\_\_\_  
Alexandra Brooks-Schrauth, D.V.M., Respondent

\_\_\_\_\_  
Date 12-10-19

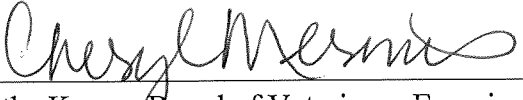
**CERTIFICATE OF SERVICE**

This is to certify that on this 2nd day of January, ~~2019~~<sup>2020</sup>, a true and correct copy of the above and foregoing Consent Agreement and Final Order was deposited in the U.S. Mail, first class postage prepaid, addressed to:

Alexandra Brooks-Schrauth  


and by email to: [jane.weiler@ag.ks.gov](mailto:jane.weiler@ag.ks.gov)

Jane E. Weiler, No. 25276  
Assistant Attorney General  
*Attorney for the Board*

  
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For the Kansas Board of Veterinary Examiners