

 **FILED**
FEB 24 2026

BEFORE THE BOARD OF HEALING ARTS OF THE STATE OF KANSAS KS State Board of Healing Arts

In the Matter of)
) KSBHA Docket No. 26-HA00006
Lane D. Smith, D.C.)
Reinstatement Pending)

**CONSENT ORDER FOR REINSTATEMENT OF
LICENSE TO PRACTICE CHIROPRACTIC**

COMES NOW Disciplinary Panel #39 (“Panel”), a duly constituted committee of the Kansas State Board of Healing Arts (“Board”), by and through Matthew Gaus, Litigation Counsel, and Lane D. Smith, D.C. (“Applicant”), *pro se*, and moves the Board for approval of this Consent Order reinstating Applicant’s license to practice chiropractic in Kansas. The parties stipulate and agree to the following:

1. Applicant’s last known mailing address to the Board is: **CONFIDENTIAL**
CONFIDENTIAL Applicant’s last known email address to the Board is: **CONFIDENTIAL**
2. Applicant was previously licensed to practice chiropractic in Kansas, having been issued License No. 01-05155 on or about October 23, 2007. Applicant’s current license status is Cancelled – Failure to Renew, having let his license expire on or about January 31, 2019. Applicant previously requested the Board reinstate his license, but the Board denied his reinstatement via a Final Order Denying Reinstatement (“Final Order”) issued on August 29, 2019.
3. This Consent Order is based on the following facts, which the parties agree to and stipulate to be true and relevant to the requested relief:
 - a. On January 31, 2019, Applicant allowed his license to practice chiropractic in Kansas to cancel for failure to renew such license.

Consent Order
Lane D. Smith, D.C.
Reinstatement Pending

- b. On or about February 21, 2019, Applicant submitted to the Board an application for the reinstatement of his license to practice chiropractic (“2019 application”).
- c. On August 9, 2019, the Board held a conference hearing and considered the 2019 application.
- d. On August 29, 2019, the Board issued a Final Order which denied the 2019 application. The Board based its decision on the following findings:
 - i. Applicant violated K.S.A. 65-2836(a), in that he committed fraud or misrepresentation on his 2019 application by failing to disclose arrests in February 2017, November 2018, and April 2019.
 - ii. Applicant violated K.S.A. 65-2836(b), in that he committed acts of unprofessional or dishonorable conduct in that he was repeatedly arrested and charged for violent conduct and violation of a protective order, was not forthcoming about such arrests, and showed a lack of regard for the law governing his profession.
 - iii. Applicant violated K.S.A. 65-2803(a) in that he treated 62 patients while not holding a valid license.
- e. Applicant has not practiced chiropractic since the Board issued its Final Order.
- f. On or about January 3, 2024, Applicant submitted to the Board an application for the reinstatement of his license to practice chiropractic (“2024 application”).

Consent Order
Lane D. Smith, D.C.
Reinstatement Pending

- g. Upon consideration of his application, the Panel informed Applicant that he needed to provide evidence of his present fitness to practice chiropractic, both in terms of demonstrating professional competency and in demonstrating he was unlikely to repeat the conduct which led the Board to deny the 2019 application.
- h. On December 6, 2024, Applicant took and passed the Special Purposes Examination for Chiropractic ("SPEC") administered by the National Board of Chiropractic Examiners, which required Applicant to receive a minimum score of 375. CONFIDENTIAL

i. **CONFIDENTIAL**

j. **CONFIDENTIAL**

iv. Applicant will require a workplace monitor **CONFIDENTIAL**

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4. The Board is the sole and exclusive administrative agency in the State of Kansas authorized to regulate the practice of chiropractic. K.S.A. 65-2801, *et seq.*

5. The Kansas Healing Arts Act K.S.A., 65-2801 *et seq.*, is constitutional on its face and as applied in this case. Applicant agrees that in considering this matter the Board is not acting beyond its jurisdiction as provided by law.

6. The terms and conditions of the Consent Order are entered into between the undersigned parties and are submitted for the purpose of allowing these terms and conditions to become a lawful Order and/or directive of the Board. This Consent Order shall not be binding on

Consent Order
Lane D. Smith, D.C.
Reinstatement Pending

the Board until an authorized signature is affixed at the end of this document. Applicant specifically acknowledges that counsel for the Board is not authorized to sign this Consent Order on behalf of the Board.

7. Applicant has committed an act or acts of unprofessional conduct in violation of the Kansas Healing Arts Act, and/or applicable rules and regulations adopted by the Board to govern the practice of chiropractic. Specifically:

- a. Applicant violated K.S.A. 65-2836(a), in that he committed fraud or misrepresentation on his 2019 Application by failing to disclose arrests in February 2017, November 2018, and April 2019.
- b. Applicant violated K.S.A. 65-2836(b), in that he committed acts of unprofessional or dishonorable conduct by being repeatedly arrested and charged for violent conduct and violation of a protective order, was not forthcoming about such arrests, and showed a lack of regard for the law governing his profession.
- c. Applicant violated K.S.A. 65-2803(a), in that he treated 62 patients while not holding a valid license.

d.

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8. Applicant acknowledges that the Board has sufficient evidence to prove Applicant has violated the Kansas Healing Arts Act with respect to the above allegations. Applicant further waives his right to dispute or otherwise contest the allegations contained in the above paragraphs in any further proceeding before this Board.

9. Applicant voluntarily and knowingly waives his right to a hearing. Applicant voluntarily and knowingly waives his right to present a defense by oral testimony and documentary evidence, to submit rebuttal evidence, and to conduct cross-examination of witnesses. Applicant voluntarily and knowingly agrees to waive all possible substantive and procedural motions and defenses that could be raised if an administrative hearing were held.

10. All **CONFIDENTIAL** materials in **CONFIDENTIAL** regarding Applicant were fully reviewed and considered by the Board members who serve on the Panel. The Panel authorized and directed Board counsel to seek settlement of this matter with the provisions contained in this Consent Order.

11. As set forth in K.S.A. 65-2838(b) and K.S.A. 77-505, the Board has authority to enter into this Consent Order without the necessity of proceeding to a formal hearing.

12. Applicant further understands and agrees that if the Board finds, after due written notice and an opportunity for a hearing, that Applicant has failed to comply with any of the terms of this Consent Order, the Board may immediately impose any sanction provided for by law, including but not limited to, suspension or revocation of Applicant's license to practice chiropractic in the state of Kansas. Applicant hereby expressly understands and agrees that, at any such hearing, the sole issue shall be whether Applicant has failed to comply with any of the terms

Consent Order
Lane D. Smith, D.C.
Reinstatement Pending

or conditions set forth in this Consent Order. The Board acknowledges that at any such hearing, Applicant retains the right to confront and examine all witnesses, present evidence, testify on their own behalf, contest the allegations, present oral argument, appeal to the courts, and all other rights set forth in the Kansas Administrative Procedures Act, K.S.A. 77-501, *et seq.*, and the Kansas Healing Arts Act.

13. Applicant hereby releases the Board, its individual members (in their official and personal capacity), attorneys, employees, and agents (collectively, "Releasees"), from any and all claims including, but not limited to, those alleged damages, actions, liabilities, both administrative and civil, arising out of the investigation and acts leading to the execution of this Consent Order. This release shall forever discharge the Releasees of any and all claims or demands of every kind and nature that Applicant has claimed to have had at the time of this release or might have had, either known or unknown, suspected or unsuspected, and Applicant shall not commence to prosecute, cause, or permit to be prosecuted, any action or proceeding of any description against the Releasees.

14. This Consent Order, when signed by both parties, constitutes the entire agreement between the parties, and may only be modified or amended by a subsequent document executed in the same manner by the parties.

15. The Board may consider all aspects of this Consent Order in any future matter regarding Applicant.

16. Nothing in this Consent Order shall be construed to deny the Board jurisdiction to investigate alleged violations of the Kansas Healing Arts Act, or to investigate complaints received

Consent Order
Lane D. Smith, D.C.
Reinstatement Pending

under Risk Management Laws, K.S.A. 65-4921, *et seq.*, that are known or unknown and are not covered under this Consent Order, or to initiate formal proceedings based upon known or unknown allegations of violation of the Kansas Healing Arts Act.

17. Applicant acknowledges he has read this Consent Order and fully understands the contents.

18. Applicant acknowledges this Consent Order has been entered into freely and voluntarily.

19. Applicant shall obey all federal, state and local laws and rules governing the practice of chiropractic in Kansas which may be in place at the time of execution of this Consent Order or may become effective after the execution of this document.

20. Applicant further understands and agrees that, upon signature by the Applicant, this document shall be deemed a public record and shall be reported to any entity authorized to receive disclosure of the Consent Order.

21. Applicant agrees that all information maintained by the Board pertaining to the nature and result of any complaint and/or investigation may be fully disclosed to and considered by the Board in conjunction with the presentation of any offer of settlement, even if Applicant is not present. Applicant further acknowledges that the Board may conduct further inquiry as it deems necessary before the complete or partial acceptance or rejection of any offer of settlement.

22. Applicant, by signature to this document, waives any objection to the participation of the Board members, including the Disciplinary Panel and General Counsel, in the consideration of this offer of settlement and agrees not to seek the disqualification or recusal of any Board

Consent Order
Lane D. Smith, D.C.
Reinstatement Pending

member or General Counsel in any future proceedings on the basis that the Board member or General Counsel has received investigative information from any source which otherwise may not be admissible or admitted as evidence.

23. Upon execution of this Consent Order by affixing a Board authorized signature below the provisions of this Consent Order shall become an Order under K.S.A. 65-2838. This Consent Order shall constitute the Board's Order when filed with the office of the Executive Director for the Board and no further Order is required.

24. This Consent Order constitutes **public disciplinary action**.

25. In lieu of conducting a formal proceeding, Applicant, by signature affixed to this Consent Order, hereby voluntarily agrees to the following:

MONITORING

26. Within 15 calendar days of the execution of this Consent Order, Applicant shall enter into a Monitoring Agreement **CONFIDENTIAL** for a term of **three years**.

27. The terms and conditions of the Monitoring Agreement shall be incorporated into this Consent Order as if fully restated.

28. The terms and conditions of the monitoring agreement shall include, at a minimum, the following:

CONFIDENTIAL

b. **CONFIDENTIAL**

c.

d.

e. Upon his return to practice, Applicant will require a workplace monitor for the length of the monitoring agreement.

f. **CONFIDENTIAL**

29. **CONFIDENTIAL**

CONFIDENTIAL

Any subsequent revisions to the

Monitoring Agreement must be communicated to the Board and shall be incorporated into this Consent Order as if fully restated.

30. Applicant shall immediately notify both the Board **CONFIDENTIAL** if he fails to comply with the Monitoring Agreement and/or this Consent Order in any manner.

31. Licensee acknowledges that a failure to abide by the terms of the Monitoring Agreement and/or this Consent Order, **CONFIDENTIAL** may result in the increase of the terms of the monitoring agreement from three years to five years.

32. Within seven calendar days of receiving the same, Applicant shall notify the Board, or its designee of any complaint filed, or investigation opened, by the proper licensing authority or another state, territory, District of Columbia, or other country, or by a peer review body, health care facility, professional association or society, or governmental agency.

Consent Order
Lane D. Smith, D.C.
Reinstatement Pending

33. Applicant shall at all times keep Board staff informed of all his current practice locations, addresses, and telephone numbers. Applicant shall provide the above information in writing to the Board within 14 calendar days of any changes to the above information.

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35. All costs associated with Applicant's monitoring shall be at Applicant's expense.

36. Applicant acknowledges and understands that in the event he applies for reinstatement, the allegations contained in this Consent Order shall be considered as findings of fact and conclusions of law.

TIMELINE

37. Upon the execution of this Consent Order, Applicant shall be granted his Active license to practice chiropractic in Kansas. This in no way relieves Applicant of his duty to comply with any restrictions placed on his practice by the Monitoring Agreement or this Consent Order.

38. Upon completing the Monitoring Agreement's term, Applicant may request in writing that the Board terminate this Consent Order.

IT IS THEREFORE ORDERED that this Consent Order and agreement of the parties contained herein is adopted by the Board as findings of fact, conclusions of law, and as a Final Order of the Board and

Consent Order
Lane D. Smith, D.C.
Reinstatement Pending

IT IS FURTHER ORDERED that Applicant shall be granted his Active license to practice chiropractic, subject to the terms and conditions set forth above.

IT IS SO ORDERED on this 24th day of FEBRUARY, 2026.

FOR THE KANSAS STATE
BOARD OF HEALING ARTS:

Jusan Hill

2/24/26

Date

Lane D. Smith D.C.

Lane D. Smith, D.C.
Applicant

1/6/2026

Date

PREPARED BY:

Matthew Gaus

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Consent Order
Lane D. Smith, D.C.
Reinstatement Pending

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the **CONSENT ORDER** by () e-mail, () placing the same in the U.S. mail, postage prepaid, () facsimile to the phone numbers listed below, and that the transmission was reported as complete and without error and that the facsimile machine complied with Supreme Court Rule 119(b)(3), or () hand delivery, on this the 24th day of FEBRUARY, 2026, to the following:

Lane D. Smith, D.C.

CONFIDENTIAL

Applicant

And the original was with:

Office of the Executive Director
Kansas Board of Healing Arts
800 SW Jackson, Lower Level – Suite A
Topeka, Kansas 66612

Lythia . Davis

Staff Member

Consent Order
Lane D. Smith, D.C.
Reinstatement Pending