

4.

The Board makes the following Findings of Fact:

- a. As a licensed chiropractor, Licensee is subject to the jurisdiction of the Board.
- b. Licensee records and chart notes regarding Patient 1 were no sufficiently legible and were not substantially detailed enough to support the duration and frequency of treatments administered to that patient. The records failed to provide a clear picture of the patient's response to treatment rendered.
- c. Licensee records and chart notes regarding Patient 2 were no sufficiently legible and were not substantially detailed enough to support the duration and frequency of treatments administered to that patient. The records failed to provide a clear picture of the patient's response to treatment rendered.
- d. Licensee took over the treatment and care of patients 1 and 2 from a prior chiropractor who initiated their care and performed the initial diagnostic workup.

5.

Conclusions of Law

Based upon the foregoing Findings of Fact, the Board makes the following conclusions of law:

- a. Licensees conduct described in paragraph 4 above violates OAR 811-015-0005(1).

6.

Stipulations

NOW THEREFORE, the Board and Licensee Stipulate and Agree that this disciplinary action may be concluded by the entry of this Stipulated Final Order upon the following terms:

- a. Pursuant to ORS 183.415(5) the Board and Licensee agree to informally dispose of and settle this matter.
- b. Licensee stipulates that he has been advised of his right to request a hearing in this matter pursuant to ORS 183.415(2)(a) and to be represented at a hearing pursuant to ORS 183.415(3).
- c. Licensee waives his right to a hearing in this matter.
- d. Licensee admits that records and chart notes regarding Patients 1 and 2 were not sufficiently legible and were not substantially detailed enough to support the duration and frequency of treatments administered to that patient. The records failed to provide a clear picture of the patient's response to treatment rendered and was in violation of OAR 811-015-0005(1).
- e. Licensee agrees to accept a two year probation term which will run two years from the date of this Order. During that probationary time, licensee will allow reasonable visits by the OBCE or its representatives who shall have full access to Licensee's business premises to examine, review and photocopy Licensee's patient records and record

keeping processes, and chart keeping notations. During the probationary time, licensee will allow review by OBCE or its representatives who shall have full reasonable access to patient files and records and chart notes.

- f. Licensee shall be on a one year plan of supervision at the expense of Licensee, per the attached description of the Plan of Supervision outlined in Exhibit C.
- g. Licensee agrees to pay the costs of this disciplinary proceeding in the amount of \$432.00.
- h. Licensee waives the right to appeal this Stipulated Final Order.
- i. This Stipulated Final Order memorializes the entire agreement between the Licensee and the Board and supercedes all prior offers, negotiations or settlement discussion regarding this matter.
- j. The Board and the Licensee stipulate to the above facts and agree that this disciplinary action may be concluded by the entry of the following order:

7.

ORDER

NOW THEREFORE, pursuant to the above Findings of Fact and Conclusions of Law and Stipulations;

IT IS HEREBY ORDERED THAT:

- 1. Licensee Gregory Baker D.C. is on a two year probationary period from the date this order is signed.
- 2. Licensee is subject to a one year plan of supervision at his expense.
- 3. During the probationary time, licensee will allow visits by OBCE or its representatives who shall have full access to Licensee's business premises to examine, review and photocopy Licensee's patient records and record keeping processes, and chart keeping notations.
- 4. During the probationary time, licensee will allow review by OBCE or its representatives who shall have full access to patient files and records and chart notes, including, but not limited to cash, motor vehicle accident and workers compensation cases.
- 5. Licensee shall pay costs in the amount of \$432.00.

THIS STIPUALTED FINAL ORDER sets forth the entire agreement and stipulation of the parties to resolve this matter.

I have read and I understand all of the above Stipulated Final Order and fully agree to its terms;

IT IS SO STIPUALTED this 21st day of August, 2000.


Original signature on file
at the OBCE office.

Gregory Baker, D.C., Licensee

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IT IS SO STIPUALTED this 23rd day of August, 2000.

BOARD OF CHIROPRACTIC EXAMINERS
State of Oregon

By:  Original signature on file
at the OBCE office.
Dave McTeague, Executive Director