

1 Eventually, the relationship turned to strictly a sexual one. Patient 1 would come to Licensee's
2 office early in the morning where they would engage in sexual relations, and then each would go
3 on with their workday.

4 In the investigation, Licensee admitted that he engaged in a sexual relationship with
5 Patient 1 from January 2014 to September 2014. Licensee admitted that Patient 1 was a patient
6 and that he did not discharge her as a patient prior to entering into a sexual relationship with her.

7 Patient records show Licensee recording chiropractic care from November 2011 to
8 August 2013.

9 Conclusions of Law

10 2.

11 If the matter were to proceed to hearing, the Board would prevail in proving that
12 Licensee's conduct as described herein constitutes unprofessional conduct. Licensee's conduct,
13 as described above, in regards to Patient 1 constitutes violations of ORS 684.100 (1)(f)(A); and
14 OAR 811-035-0015(1)(a)-(e). The Board believes that there was a doctor/patient relationship
15 with Patient 1 prior to sexual contact and that the doctor/patient relationship had not been
16 appropriately terminated prior to sexual contact pursuant to OAR 811-010-0005(4).

17 Order

18 3.

19 The Board finds Licensee in violation of ORS 684.100(1)(g)(A) and OAR 811-035-
20 0015(1)(b)-(e) and orders Licensee to complete the following:

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1. The parties have agreed to enter this stipulated final order. Licensee was cooperative during the investigation with the Board. Licensee agrees that he is aware of his right to a hearing with his attorney present to contest the charges and hereby waives that right and agrees to entry of this order. The signature of

1 this order also waives any right to appeal. The parties wish to settle and
2 resolve the above matter without further proceedings.
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4 2. Licensee's license to practice Chiropractic is hereby suspended for 90 days to
5 begin on the date of the last signature, with 60 days of the suspension stayed
6 providing that Licensee complies with the remainder of this agreement.
7 Licensee may not participate in any type of practice of chiropractic during that
8 suspension time period.
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10 3. Licensee is placed on Probation for a period of five years from the date of
11 completion of the suspension.
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13 4. Licensee will have a restriction on his license to have a board approved
14 chaperone for all female patients for five years. The patients shall sign a
15 statement that they understand that Dr. Driscoll is required to have a
16 chaperone and that requirement cannot be waived by any patient. The
17 chaperone shall not be related to the Licensee or involved in the past or
18 current personal relationship with Licensee. The chaperone shall meet
19 with representatives of the Board to be interviewed and approved. The
20 Licensee shall provide the chaperone with a copy of the Final Order and
21 obtain the chaperone's agreement to inform the Board if the chaperone has
22 any concerns that Licensee has violated the conditions of this order or is
23 engaging in behavior which may place a patient at risk. An agreement
24 with Licensee stipulating no harm or retribution to the chaperone may be
25 incurred for reporting to the Board will also be signed. A copy of this
26 agreement with each chaperone using the Board's template will be
27 provided to the Board. The chaperone shall initial the patient's chart at the
28 time of each visit to confirm presence during the visit. The chaperone
29 must be provided for all female patients regardless of age and they may be
30 a Certified Chiropractic Assistant that is employed by Licensee.
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32 To be relieved of the chaperone requirement, Licensee must obtain an
33 opinion from a Board approved practitioner (psychologist or psychiatrist)
34 and someone independent of his current counseling, that he is safe to return
35 to practice without chaperones in writing and present that to the Board
36 prior to release. Licensee agrees to fully cooperate with that practitioner.
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39 5. Licensee must attend and successfully complete the PBI program within six
40 months at his own expense and provide proof of completion of the program
41 and a final report of completion to the Board within thirty days of completion.
42 As of the date of signing this document, Licensee has completed this.
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Dated: 02/02/2016

Original signatures are on file in
OBCE office

BY: _____

Timothy Driscoll DC, Licensee