



BEFORE THE BOARD OF CHIROPRACTIC EXAMINERS STATE OF OREGON

In the Matter of

Jeanne Colleen Harrington

CCA Applicant.

CONSENT AGREEMENT

Case # 2006 - 5011

The Board of Chiropractic Examiners (Board or OBCE) is the state agency responsible for licensing, regulating and disciplining chiropractic physicians in the State of Oregon. Jeanne Colleen Harrington (Applicant) is an applicant for licensure as a Certified Chiropractic Assistant (CCA).

1.

On November 7, 2006, the OBCE received Applicant's application which indicated that in 1989 (when she was 18 years old) she was arrested for burglary and forgery and subsequently served community service and provided restitution for these incidents. Applicant states she has reformed and now "a different person."

2.

Applicant has current employment at a chiropractic clinic. The chiropractic physician wrote the Board in support of her application stating, "I have found Ms. Harrington to be a very honest individual and of high moral character. She is a very conscientious worker and takes her responsibilities seriously."

3.

Agreement

This matter having come properly before and been considered by the Board, and Licensee having voluntarily stipulated and consented to the issuance and entry of this order by signing below. Under the provisions of ORS 684.100 (1)(d), ORS 670.280, and OAR 811-010-0084 (6),

IT IS HEREBY ORDERED THAT:

- a. Applicant will be granted her license to practice as a Certified Chiropractic Assistant.
- b. Applicant's license will have the following condition: She must disclose a general description of the aforementioned incidents to any and all chiropractic physicians with whom she seeks employment.
- c. Applicant will cause a letter to be sent to the OBCE within 14 days of her employment from any future chiropractic employers that they have been informed in this regard. Failure to do so will be considered a violation of this Stipulated Final Order.
- d. Failure to abide by the terms of this Stipulated Final Order will result, after investigation and due process, in the revocation of her (CCA) license.
- e. By signing this stipulation Applicant understands that she has been advised of her right to request a hearing on this matter and agrees to waive this right to a hearing or appeal of this matter.

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Effective upon the signing of both parties.

BOARD OF CHIROPRACTIC EXAMINERS

State of Oregon: ~~By:~~

Original Signatures on file
at the OBCE Office

Date: 11-22-06

Original Signatures on file
at the OBCE Office

By: Jeanne Colleen Harrington, Applicant

Date: 11-27-2006

BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON

In the Matter of)	
)	
Jeanne Colleen Harrington)	NOTICE OF PROPOSED
)	CONDITION ON LICENSE
)	
)	
CCA Applicant)	Case # 2006-5011

The Board of Chiropractic Examiners (Board) is the state agency responsible for licensing, regulating and disciplining chiropractic physicians in the State of Oregon. Jeanne Colleen Harrington. (Applicant) has applied to the Board to practice as a certified chiropractic assistant in the State of Oregon. The Board proposes to condition Applicant's license for the following reasons.

1.

On November 7, 2006, the OBCE received Applicant's application which indicated that in 1989 (when she was 18 years old) she was arrested for burglary and forgery and subsequently served community service and provided restitution for these incidents. Applicant states she has reformed and is now "a different person."

2.

Applicant has current employment at a chiropractic clinic. The chiropractic physician wrote the Board in support of her application stating, "I have found Ms. Harrington to be a very honest individual and of high moral character. She is a very conscientious worker and takes her responsibilities seriously."

3.

Under the provisions of ORS 684.100 (1)(d), ORS 670.280 and OAR 811-010-0084 (6), The Board proposes:

- a. Applicant will be granted her license to practice as a Certified Chiropractic Assistant.
- b. Applicant's license will have the following condition: She must disclose a general description of the aforementioned incidents to any and all chiropractic physicians with whom she seeks employment.
- c. Applicant will cause a letter to be sent to the OBCE within 14 days of her employment from any future chiropractic employers that they have been informed in this regard. Failure to do so will be considered a violation of this Stipulated Final Order.

- d. Failure to abide by the terms of this Stipulated Final Order will result, after investigation and due process, in the revocation of her (CCA) license.
- e. By signing this stipulation Applicant understands that she has been advised of her right to request a hearing on this matter and agrees to waive this right to a hearing or appeal of this matter.

4.

Applicant has the right, if Applicant requests, to have a formal contested case hearing before Office of Administrative Hearings by an ALJ to contest the matter set out above. At the hearing, Applicant may be represented by an attorney and subpoena and cross examine witnesses. That request for hearing must be made in writing to the OBCE, must be received by the OBCE within 30 days from the mailing of this notice (or if not mailed, the date of personal service), and must be accompanied by a written answer to the charges contained in this notice.

5.

The answer shall be made in writing to the OBCE and shall include an admission or denial of each factual matter alleged in this notice, and a short plain statement of each relevant affirmative defense Applicant may have. Except for good cause, factual matters alleged in this notice and not denied in the answer will be considered a waiver of such defense; new matters alleged in this answer (affirmative defenses) shall be presumed to be denied by the agency and evidence shall not be taken on any issue not raised in the notice and answer.

6.

If Applicant requests a hearing, before commencement of that hearing, Applicant will be given information on the procedures, rights of representation and other rights of the parties relating to the conduct of the hearing as required under ORS 183.413-415.

7.

If Applicant fails to request a hearing within 30 days, or fails to appear as scheduled at the hearing, the OBCE may issue a final order by default and impose the above sanctions against Applicant. Upon default order of the Board or failure to appear, the contents of the Board's file regarding the subject of this automatically become part of the evidentiary record of this disciplinary action upon default for the purpose of proving a prima facie case.

DATED this 22nd day of November, 2006.

BOARD OF CHIROPRACTIC EXAMINERS
State of Oregon

By:

Dave McTeague, Executive Director