1		BEFORE	THE	RECEIVED		
2	BOARD OF CHIROPRACTIC EXAMINERS					
3	STATE OF OREGON			APR -8 2013		
4			, and the second	ATK -0 ZUIV		
5						
6	In the Matter of)		OREGON BOARD OF		
7)	Stipulated Final Order	Chillet Large		
8	Hamed Madani DC	ý	(Civil Penalty)			
9)	•			
10)				
11	Licensee.)	Case # 2013 - 5004			
12						
13		•				
14	The Board of Chiropractic Exa	aminers (Boar	rd) is the state agency respo	nsible for		
15	licensing, regulating and disciplining chiropractic physicians in the State of Oregon. Hamed					
16	Madani DC (Licensee), is licensed by the Board to practice as a chiropractic physician in the					
17	State of Oregon.					
18						
19	Findings of Fact					
20		1.	Here.			
21	Licensee signed his Renewal Notice and Affidavit on March 15, 2012 and Licensee					
22	affirmed that he had completed the required 20 continuing education hours required for license					
23	renewal. The renewal application stated "I swear, and affirm that during the previous license					
24	year, I completed the required number of CE credits for my license status and my signature below					
25	verifies that all information hereon is true and correct." Licensee was required to complete the					
26	continuing education hours by March	31, 2012.				
27		2				
28	T.T.,	2.	· · · · · · · · · · · · · · · · · · ·	1 1'		
29	Upon audit and review by the Board of the credits that were actually taken by Licensee					
30	during the required period, of the 20 that were required Licensee was missing 8 hours of CE					
31	credits. Once Licensee was aware of the Board Audit, Licensee took additional hours in a good faith effort to respond to the audit, however, those were not accomplished during the time period					
32 33	required. Licensee explained that because of business challenges he had forgotten about his					
34	remaining 8 credit hours for that year.					
35	remaining o credit nours for that year.					
36		Conclusions	ofLaw			
37		3.	OI Bavi			
38	The Board finds that Licensee'		omplete the CE within the ti	ime period		
39	The Board finds that Licensee's failure to complete the CE within the time period required is a violation of OAR 811-15-0025 and ORS 684.092. In signing the renewal affidavit					
40	stating the CE was completed within that time period, when it was not, Licensee violated OAR					
41	811-035-0015(16).	r	, 220 9 220 91100			
42						
43		Stipulation	ons			
44		4.				

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1		Therefore, pursuant to ORS 183.415(5) and ORS 684.100(9)(e) the OBCE orders:			
2					
3	A.	The parties have agreed to enter this stipulated final order. Licensee agrees that he is			
4		aware of his right to a hearing with his attorney present to contest the charges and hereby			
5		waives that right and agrees to entry of this order. Licensee agrees to waive any right to			
6		appeal. In lieu of proceeding to the contested case hearing scheduled for October 3, 2012,			
7		the parties wish to settle and resolve the above matter without further proceedings.			
8	~				
9	В.	Licensee agrees to a civil penalty in the sum of \$250 for signing a false affidavit and the			
10		fine of \$400 (\$50 per hour of course not completed) for failure to complete the CE within			
11		the time period required. A total civil penalty of \$650 is levied against Licensee. This is			
12		due and payable within 30 days.			
13	C				
14	C.	If Licensee violates any of the terms of this order, it may result in further discipline			
15		pursuant to ORS 684.100.			
16	D	The December of the control of the c			
17	D.	The Board agrees to waive any cost recovery against Licensee in this case.			
18	Б	This order is effective on the date signed by the Board and is a public record.			
19 20	E.	This order is effective on the date signed by the Board and is a public record.			
21					
22		BOARD OF CHIROPRACTIC EXAMINERS			
23		State of Oregon			
24		Original Signatures are on file at OBCE office			
25					
26		By:			
27		Dave McTeague, Executive. Director			
28		Dated: 4-17			
29					
30					
31		Original Signatures are on file at OBCE office			
32		By:			
33		Hamed Madani DC			
34		Dated: <u>64/05/3013</u>			
35		• •			
36					
37					
38		rty is entitled to judicial review of the Final Order. Judicial review is by the Oregon Court			
39		peals pursuant to the provisions of ORS 183.482. Judicial review may be obtained by			
40	_	g a petition for review with the Office of State Court Administrator, Supreme Court			
41		ng, Salem, Oregon 97310. ORS 183.482 requires that an appeal is requested by filing a			
42		n in the Court of Appeals within 60 days following the date the order upon which the			
43	petition	n is based is served.			
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