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2 **BEFORE THE**  
3 **BOARD OF CHIROPRACTIC EXAMINERS**  
4 **STATE OF OREGON**

5  
6 In the Matter of )  
7 ) FINAL ORDER BY DEFAULT  
8 Richard Sommers DC ) CIVIL PENALTY  
9 )  
10 )  
11 Licensee. ) Case # 2013 - 5006  
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17 The Board of Chiropractic Examiners (Board) is the state agency responsible for  
18 licensing, regulating and disciplining chiropractic physicians in the State of Oregon. Richard  
19 Sommers DC (Licensee) is licensed by the Board to practice as a chiropractic physician in the  
20 State of Oregon. The Board proposes to discipline Licensee for the following reasons.  
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22 Findings of Fact

23 1.

24 Licensee signed his Renewal Notice and Affidavit on October 23, 2012 and Licensee  
25 affirmed that he had completed the required 20 continuing education hours required for license  
26 renewal. The renewal application stated "I swear, and affirm that during the previous license  
27 year, I completed the required number of CE credits for my license status and my signature  
28 below verifies that all information hereon is true and correct." Licensee was required to complete  
29 the continuing education hours by October 31, 2012.  
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31 2.

32 Upon audit and review by the Board of the credits that were actually taken by Licensee  
33 during the required period, of the 20 that were required Licensee was missing 2 hours of CE  
34 credits. The OBCE reviewed Licensee's response and voted to issue a Notice of Proposed Civil  
35 Penalty. On April 25, 2013, Licensee paid \$350 civil penalty is full and provided additional  
36 explanation and hardship request. He did not request a hearing.  
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38 Conclusions of Law

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40 3.

41 The Board finds that Licensee's failure to complete the CE within the time period  
42 required is a violation of OAR 811-15-0025 and ORS 684.092. In signing the renewal affidavit

1 stating the CE was completed within that time period, when it was not, Licensee violated OAR  
2 811-035-0015(16).

3 On April 25, 2013, Licensee paid \$350 civil penalty is full and provided additional  
4 explanation and hardship request. The Board will refund \$100 to Licensee.

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8 Order

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10 4.

11 Licensee is assessed a \$250 civil penalty (which has been paid).


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14 DATED June 3, 2013

15  
16 **BOARD OF CHIROPRACTIC EXAMINERS**

17 State of Oregon

18 Original Signatures are on file in OBCE office

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20 By:

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Dave McTeague, Executive Director

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**CERTIFICATE OF SERVICE**

I, Dave McTeague, certify that on June 3, 2013, I served the foregoing Final Order by Default upon Licensee, the party hereto, by mailing, regular mail, postage prepaid, a true, exact and full copy thereof to:

Richard Sommers, DC  
Chiropractic Wellness Center  
820 Crater Lake Ave., Ste 106  
Medford, OR 97504

Original Signatures are on file in OBCE office

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Dave McTeague  
Executive Director  
Oregon Board of Chiropractic Examiners