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**BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON**

In the Matter of)
)
Lisa Walton, C.A.) STIPULATED FINAL
) ORDER
)
)
)
Licensee.) Case # 2016-5005

The Board of Chiropractic Examiners (Board) is the state agency responsible for licensing, regulating and disciplining chiropractic physicians in the State of Oregon. Lisa Walton C.A. (certificate holder), is certified by the Board to practice as a certified chiropractic assistant in the State of Oregon.

Findings of Fact

1.

While investigating another matter, the Board became aware of conduct of certificate holder. Certificate holder acted as a chiropractic assistant in a practice that she worked in with her husband, a chiropractor. It was discovered that Licensee contacted a patient of the clinic, Patient 1, and Patient 1's boyfriend, Patient 2, in regard to personal matters. That conduct included traveling to Patient 1's home which she shared with Patient 2, and confronting them about personal matters, providing the patient with copies of personal communications, repeatedly calling, texting and attempting to communicate with these patients about their private personal communications. There were also indications that certificate holder was abusing alcohol during these events. Certificate holder provided text messages to Patient 2.

2.

During the investigative interview about her conduct, certificate holder was untruthful in her original responses to the Board investigator. Certificate holder told the investigator she did not recall text messages between her and Patient 1, nor the extent of the texts, until confronted with them and shown them. She then admitted to the content and extent of the texts and admitted to drinking to excess during one weekend when many of the texts were sent. Certificate holder initially denied any specific rationale as to why she provided Patient 1's boyfriend (Patient 2) with the text messages. Certificate holder claimed she was providing those to him so that he could have the issue resolved.

3.

When asked how certificate holder obtained personal information to contact Patient 1 and her boyfriend, Patient 2, certificate holder stated that Patient 1 had provided certificate holder with her home address for a matter unrelated to her chiropractic care the year prior. Certificate holder stated that she had entered Patient 1's information into her phone digitally and kept it in

1 her phone. Patient 1 disputes ever providing certificate holder with her home address other than
2 in the context of medical forms and treatment. Certificate holder denies that she violated any
3 HIPAA laws.

4 5 Conclusions of Law

6 7 4.

8
9 The Board finds that the conduct described above is a violation of OAR 811-010-0110 (6)
10 and (16), (f) and (t) and ORS 684.100(1)(g)(A) in that certificate holder failed to cooperate with
11 the Board during the course of the investigation by not being truthful in her original answers, and
12 intentionally caused physical or emotion injury to a patient by contacting them about personal
13 issues and inappropriate behavior towards a patient. That contact was made outside the course of
14 her role as a chiropractic assistant and was done with intent to disrupt the Patient 1 in her
15 ongoing relationship with Patient 2.

16 17 Stipulations

18 5.

19 Therefore, pursuant to ORS 183.415(5) and ORS 684.100(9)(e) the OBCE orders:

20
21 1. The parties have agreed to enter this stipulated final order. Certificate holder agrees
22 that she is aware of her right to a hearing with her attorney present to contest the charges and
23 hereby waives that right and agrees to entry of this order. Certificate holder agrees to waive any
24 right to appeal. The parties wish to settle and resolve the above matter without further
25 proceedings.

26
27 2. Certificate holder disagrees with the Board's findings of facts but agrees that there is
28 enough evidence for the Board to proceed to hearing.

29
30 3. Certificate holder agrees that in lieu of proceeding to hearing on all matters listed in the
31 caption of this stipulation, certificate holder agrees to the following:

32
33 a. Pay a \$2000 civil penalty within 30 days. Pursuant to Oregon Revised Statute
34 ORS 293.231, the OBCE will refer the amounts owed to collection if it has
35 received no payment on the account for more than 90 days. Thereafter, the Board
36 will consider assignment to the Oregon Department of Revenue or a private
37 collection agency for collection. Final fees may include additional percentages for
38 any increase in the amount you owe due to the accrual of interest on the unpaid
39 principal amount.
40

b. To surrender her chiropractic assistant certificate and not to renew or reapply for that certificate with the Oregon Board of Chiropractic Examiners in the future.

3. If certificate holder violates any of the terms of this order, the Board may consider further discipline.

4. This order is effective on the date signed by the Board and is a public record.

DATED this 6th day of February, 2017

BOARD OF CHIROPRACTIC EXAMINERS
State of Oregon

Original signatures are on file in OBCE office.

By:

Cassandra C. Skinner, J.D., Executive Director

Original signatures are on file in OBCE office.

By:

Lisa Walton, ~~CCA~~

NOT CCA