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

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In the Matter of ) EVIDENTIARY RULING, FINDINGS OF FACT, ULTIMATE FINDINGS OF RICHARD BALSIGER, D.C. ) FACT, CONCLUSIONS OF LAW, ORDER AND NOTICE OF OPPORTUNITY FOR JUDICIAL REVIEW

This contested case was heard by the entire Board of Chiropractic Examiners (Board) on May 16, 1991. Licensee was represented by Dean Heiling, Attorney at Law, and the Board was not represented by an attorney. The Board, has considered the evidence and exhibits and makes the following disposition of this contested case:

## EVIDENTIARY RULING

At the time of the hearing, attorney Dean Heiling, offered a Memorandum of Law on behalf of Dr. Balsiger. At the time of the hearing the Presiding Officer ruled that the evidence would be made a part of the record.

## FINDINGS OF FACT

The Board mailed a notice of the requirements of ORS 684.092 which stated that the annual registration fee was due on August 1, 1990, to the licensee on May 31, 1990. The licensee, Richard Balsiger, paid his license renewal fee on August 2, 1990. The Board received proof that licensee Richard Balsiger completed his continuing education requirements on August 2, 1990. On August 13, 1990 the Board received notification that Dr. Balsiger's check for renewal had been returned NSF. The Board received the written application of licensee, and payment of the renewal fee plus the additional one-half of the annual registration fee on October 9, 1990. The license of Richard Balsiger expired on August 31, 1990,

and was not renewed until October 9, 1990. Licensee Richard 1 Balsiger submitted a bill to SAIF, a workers' compensation 2 insurance company, for chiropractic services rendered to patient 3 on September 4, 1990, September 7, 1990 and September 4 At the time that the chiropractic services to patient 5 were rendered the license of Richard Balsiger was б expired. 7 ULTIMATE FINDINGS OF FACT 8 Richard Balsiger practiced chiropractic during the time when his 9 license had expired. 10 CONCLUSION OF LAW 11 Richard Balsiger violated the provisions of ORS 684.015(1)(a). 12 ORDER 13 Licensee Richard Balsiger is ordered to pay a fine of \$200 and a 14 letter of reprimand shall be placed in his permanent license file. 15 16 Dated 17 Original signatures on file 18 at the OBCE office. 19 Christie Joachim,/ Executive Director 20 21 NOTICE: You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review 22 within 60 days from the service of this order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of 23 Appeals. 24

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## Oregon Board of Chiropractic Examiners

796 WINTER STREET NE SALEM, OREGON 97310 PHONE: 378-5816

To : Richard Balsiger, DC

From : Oregon Board of Chiropractic Examiners

Date: January 23, 1991

Subj : Letter of Reprimand

The Board's records show that you failed to renew your active chiropractic license during the 1990 license renewal period, thereby allowing the license to expire. See ORS 684.090 (1)(2)(3).

The Board expects that all licensed professionals will maintain their license and obey the statutes and administrative rules governing chiropractic at all times.

You have shown poor professional judgement in allowing your license to expire. The Board does not condone this behavior and will insert this letter of reprimand into your permanent record.

Your record will now show that you have been sanctioned for failure to renew your license in a timely manner. The Board sincerely hopes that you will not allow this to happen in the future.