

Also known as: Ryan Lambert Bellacov  
(eff 9-13-10) Lic #3857

BEFORE THE  
BOARD OF CHIROPRACTIC EXAMINERS  
STATE OF OREGON

RECEIVED

NOV 3 2009

In the Matter of )  
Ryan Lambert DC )  
Licensee 3857 )  
Case # 2009-3018 )

**STIPULATED FINAL ORDER**

OREGON BOARD OF  
CHIROPRACTIC EXAMINERS

The Oregon Board of Chiropractic Examiners (hereafter "Board" or "OBCE") is the state agency responsible for licensing, regulating and disciplining chiropractic physicians and certified chiropractic assistants in the State of Oregon. Ryan Lambert, D.C. (hereafter "Licensee"), is currently licensed by the Board to practice as a chiropractic physician in Oregon.

Findings of Fact

1.

A complaint was filed in June 2009, regarding false representations that Licensee was making in his advertising and additional unprofessional conduct on behalf of Licensee. Specifically, the allegations were that Licensee had plagiarized the website and advertising materials from a previous employer. In addition, in the advertisements from Licensee he falsely advertised experiences that his staff and he had when evidence pointed to the contrary. Further he used without authorization copyright material in his advertisements.

2.

In his previous employment, Licensee was asked to aid with several elements of electronic data assistance in preparation for various aspects of the advertising of this employer and the assimilation to electronic health records. The website for that employer (bimsportsmedicine.com) was identical to the website that Licensee created for his clinic (bigsportsmedicine.com) once he left that employment. Comparison of the two websites shows that nearly every page is identical as to text, font, color layout, imagery and at times logo. The topics of the introduction, the treatment methods, the links page, the articles written by another DC and the providers are all copied from the employer's website. Licensee lists various staff by name stating they are on staff, however, the individuals named were previous staff of his prior employer and are not practicing at his clinic, entitled Back in the Game, nor have they provided authorization to make any statements on their behalf to be associated with Licensee.

The website for Licensee indicates there is a chiropractor, physical therapist, massage therapist, exercise physiologist, naturopath and acupuncturist on staff; however, Licensee is the only practitioner in the office. It further claims that Licensee was in the top of his class IN chiropractic school when that was not the case. Licensee also said he was "board certified" when

he was not. It also states he has 10 years of experience when he had only been graduated from chiropractic school for 2 years.

In a newsletter that was also taken from his previous employer, Licensee substitutes a doctor in the newsletter for someone affiliated with his practice and misleads the public stating that that practitioner was selected by the U.S. Olympic Committee as a team doctor in Rio de Janeiro Brazil. It also states that he performed a two week internship just prior to the Athens Olympics at the Olympic Training Center. These statements are false and the claims made in the article are clearly the experiences of his previous employer. Licensee has inserted, without authorization, the use of the covenant Olympic rings which the USOC and IOC only allow with permission. In these newsletters Licensee also attributes other D.C.'s working in his clinic having ties to Olympic level track and field events that either did not exist or that are false.

In addition, Licensee states he has authored several articles which he attaches to his website and these articles are in fact written by his prior employer.

3.

In the investigation the Board also found evidence that when Licensee was undergoing a credentialing inquiry by the CHP Group's Credentialing Committee that they found evidence that Licensee had forged a fraudulent certificate of liability insurance form known as a certificate of insurance. It was from USAA Insurance Agency out of San Antonio Texas and was issued to Ryan Lambert DBA Back in the Game on March 24, 2009. CHP contacted Pratt Lambert & Brown Insurance Company and they confirmed that there was no policy under Licensee's name or with the policy number noted on the declarations page, that numerous inaccuracies noted on the declaration page existed, that the Logo was not printed on the pages as it usually is, and that the signature was not from someone who worked for Pratt Lambert and Brown Insurance Company. Due to these discrepancies, his request to be allowed to be part of that panel was denied.

#### Board Findings

4.

The conduct noted above in paragraphs 1, 2 and 3 violates ORS 684.100(1)(g)(A), (j), (r), OAR 811-035-0015 (12), (22), OAR 811-015-0045(1)(a), (c) (2).

#### Stipulations

5.

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

1. The parties have agreed to enter this stipulated final order. Licensee agrees to the entering of this final order. Licensee agrees that he is aware of his right to a hearing with his attorney present to contest the charges and hereby waives that right and agrees to entry of

this order. The signature of this order also waives any right to appeal. The parties wish to settle and resolve the above matter without further proceedings.

2. A Letter of Reprimand will be issued to Licensee.
3. Licensee is assessed a civil penalty in the sum of \$3000. Licensee will make monthly payments of \$200, due and payable by the 1st of every month, until the remaining amount owed is paid. If ten days pass the 1<sup>st</sup> of the month, and payment is not received, Licensee will be considered delinquent in payment and may be charged interest at the rate determined by the state rate. Payments which are over 90 days delinquent if payments have stopped, then the entire amount remaining becomes due and may be referred either to the Department of Revenue for collections, or to state contracted private collection firms and may include the filing of liens on property.
4. Licensee must take and pass the NBCE Ethics and Boundaries Examination within six months.
5. Licensee will take 8 hours board approved continuing education on ethics in addition to the regular continuing education requirements within six months.
6. Failure to complete this stipulated final order with the terms so stated, may result in further discipline, up to and including, revocation.
7. This agreement encompasses all stipulations made by the parties and is a public document.

I have fully read and fully understand all of the above facts and agree to the above terms:

IT IS SO ORDERED effective last date signed below

BOARD OF CHIROPRACTIC EXAMINERS  
State of Oregon

Original signature on file at OBCE

By:

[Signature]  
Dave McTeague, Executive Director

Date: October 20, 2009

Original signature on file at OBCE

By:

[Signature]  
Ryan Lambert DC

Date: 11/02/09

A party is entitled to judicial review of the Final Order. Judicial review is by the Oregon Court of Appeals pursuant to the provisions of ORS 183.482. Judicial review may be obtained by filing a petition for review with the Office of State Court Administrator, Supreme Court Building, 1163 State St., Salem, OR 97301-2563. ORS 183.482 requires that an appeal is requested by filing a petition in the Court of Appeals within 60 days following the date the order upon which the petition is based is served.



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5.

The Board proposes to issue a Letter of Reprimand to Licensee, impose a \$5000 Civil Penalty due within 30 days, that Licensee take and pass the NBCE Ethics examination, and that Licensee take 8 hours board approved continuing education of on ethics in addition to the regular continuing education requirements.

6.

Licensee shall pay costs of this disciplinary proceeding, which may include investigative costs and attorney fees pursuant to ORS 684.100(9)(g). This cost recovery may also include collection of non-sufficient funds fees, interest, hearing panel and contested case related expenses. The statutory rate of interest applies to an amount not paid when due. This amount is immediately due and payable unless the OBCE agrees to a payment plan.

NOTICE OF HEARING RIGHTS

7.

Licensee has the right, if Licensee requests, to have a formal contested case hearing before the OBCE or its hearings officer to contest the matter set out above. At the hearing, Licensee 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.

8.

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 Licensee 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.

9.

If Licensee requests a hearing, before commencement of that hearing, Licensee 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.

10.

If Licensee 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 Licensee. 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 23<sup>rd</sup> day of September, 2009


**BOARD OF CHIROPRACTIC EXAMINERS**  
State of Oregon

By: Original signature on file at OBCE.  
Dave McTeague, Executive Director

State of Oregon ) Case # 2009-3018  
County of Marion ) Ryan Lambert DC

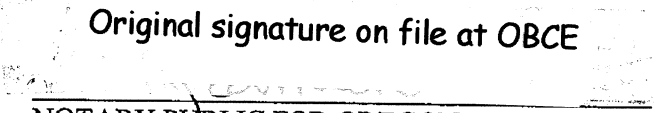
I, Dave McTeague, being first duly sworn, state that I am the Executive Director of the Oregon Board of Chiropractic Examiners, and as such, am authorized to verify pleadings in this case: and that the foregoing Notice of Proposed Disciplinary Action is true to the best of my knowledge as I verily believe.

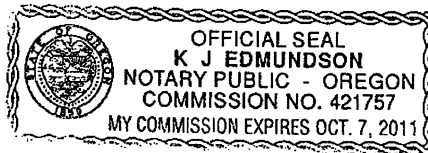
**Original signature on file at OBCE**

  
Dave McTeague, Executive Director  
Oregon Board of Chiropractic Examiners

SUBSCRIBED AND SWORN to before me  
this 23<sup>rd</sup> day of September, 2009

**Original signature on file at OBCE**

  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 10/7/11




## Certificate of Service

I, Dave McTeague, certify that on September 23, 2009, I served the foregoing Notice of Proposed Disciplinary Action upon the party hereto by mailing, certified mail, postage prepaid, a true, exact and full copy thereof to:

Ryan Lambert, DC  
511 Roosevelt St.  
Oregon City, OR 97045

Original signature on file at OBCE

  
\_\_\_\_\_  
Dave McTeague  
Executive Director  
Oregon Board of Chiropractic Examiners