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BEFORE THE  
BOARD OF CHIROPRACTIC EXAMINERS  
STATE OF OREGON

In the Matter of )  
Mark Burdell D.C. ) Case # 2009-2003  
Licensee )  
\_\_\_\_\_ ) **STIPULATED FINAL ORDER**

14 The Oregon Board of Chiropractic Examiners (hereafter “Board” or “OBCE”) is the state  
15 agency responsible for licensing, regulating and disciplining chiropractic physicians and certified  
16 chiropractic assistants in the State of Oregon. Mark Burdell D.C. (hereafter “Licensee”), is a  
17 licensed Chiropractic physician in Oregon.

18 Findings of Fact

19 1.

20 On March 7, 2006 Licensee filled out his Renewal Notice and Affidavit and answered no  
21 to the following questions; Since your last renewal date have you been arrested or convicted for  
22 any misdemeanor or felony. Since your last renewal date, have you been disciplined by any  
23 other regulatory body? If yes which body? The renewal was received and processed by the  
24 Board on March 16, 2008.

25 On March 16, 2009 on his renewal forms, Licensee answered no to these same questions  
26 again. Between his 2006 and 2009 renewals, Licensee did not answer these questions on his  
27 renewal forms for 2007 and 2008.

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2 While licensed in Oregon, Licensee was also licensed in Arizona. After the 2006 and  
3 2009 Oregon renewals were sent, an investigation began into discipline that Licensee had  
4 received by the Arizona Board of Chiropractic Examiners.

5 The following is a list of issues that Licensee had with the Arizona Board:

6 1. On January 1, 2006, Licensee failed to renew his Arizona license and an  
7 administrative suspension was issued on January 11, 2006. His office received notice of that  
8 suspension by certified mail.

9 2. On April 5, 2006, Licensee was suspended and was treating patients in Arizona. The  
10 Arizona board contacted him and he ceased practice until he got his renewal in order. On April  
11 24, 2006 the Arizona Board reinstated his license after he paid the fee. Two days later on April  
12 28, 2006, his check did not clear and the Arizona Board issued an administrative suspension of  
13 his license. The Arizona board opened a complaint about him practicing while suspended.

14 3. During 2006, Licensee moved to different cities in Arizona. The Arizona Board sent  
15 him on May 1, 2006, a notice of complaint to the address Licensee provided at the Board  
16 meeting on April 28, 2006. Licensee appeared in person at the Board meeting in Arizona in  
17 April 2006, where he was notified of the open complaint.

18 4. On May 17, 2006, Licensee pays his Arizona licensing fee and his license is  
19 reactivated.

20 5. In 2006, Licensee takes a year away from practice but does not notify the Arizona  
21 board. On January 1, 2007, Licensee fails to timely renew his Arizona license and is suspended  
22 on January 10, 2007.

23 6. On April 7, 2007 the Arizona board refers a complaint to formal administrative  
24 hearing. The last known address provided by Licensee is where all notices were sent by the  
25 Arizona Board.



1 his clinic received the notice and Licensee later admitted to Board staff that he knew of the  
2 Arizona revocation in September or November 2008.

3 Conclusions of Law

4 6.

5 The Board finds the facts as demonstrated above show that Licensee was not truthful on  
6 two renewal orders and when confronted with that, his responses to the conduct is to blame a  
7 bounced check and/or minimize the conduct. The Arizona Board felt that his conduct was  
8 egregious enough to warrant revocation of his license. Licensee's failure to be forthright in his  
9 renewals and his revocation from another Board constitute grounds to discipline his Oregon  
10 license to practice as a chiropractic physician in Oregon under the provisions of:

11 **ORS 684.100 (1)(a)(s)**

12 (1) The State Board of Chiropractic Examiners may refuse to grant a license to  
13 any applicant, or may discipline a person upon any of the following grounds:

14  
15 (a) Fraud or misrepresentation.

16 (s) the suspension or revocation by another state of a license to practice chiropractic,

17 based upon acts by the licensee similar to acts described in this section.

18  
19 **OAR 811-035-0015 Unprofessional Conduct in the Chiropractic Profession**

20 Unprofessional conduct means any unethical, deceptive, or deleterious conduct or  
21 practice harmful to the public; any departure from, or failure to conform to, the minimal  
22 standards of acceptable chiropractic practice; or a willful or careless disregard for the  
23 health, welfare or safety of patients, in any of which cases proof of actual injury need not  
24 be established. Unprofessional conduct shall include, but not be limited to, the following  
25 acts of a chiropractic physician:

26 (16) resorting to fraud, misrepresentation, or deceit in applying for or taking the licensure  
27 exam or obtaining a license or renewal thereof;

28 (20) failing to fully cooperate with the Board during the course of the investigation.  
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IT IS SO ORDERED this 15<sup>th</sup> February day of ~~January~~ 2011.

**BOARD OF CHIROPRACTIC EXAMINERS**  
State of Oregon

Original signature on file at OBCE

By: [Signature]  
Dave McTeague Ex. Director

Original signature on file at OBCE

By: [Signature]  
Mark Burdell D.C.

Dated: 1/24/2011

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