

BEFORE THE BOARD OF CHIROPRACTIC EXAMINERS
OF THE STATE OF OREGON

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In the Matter of the Suspension)
of the License of)
JOHN T. CHECKAL, D.C.)
_____)

STIPULATION

1.

On May 31, 1990, the Board of Chiropractic Examiners of the State of Oregon (Board) held a meeting wherein it considered the factual circumstances surrounding the filing of a lawsuit by SAIF Corporation against Dr. John Checkal and Checkal Chiropractic Clinic, P.C., an Oregon Professional Corporation, alleging violations of the Oregon Civil RICO law and alternative claims for fraud, conversion and money had and received. That matter has been settled by the entry of a stipulated judgment against Dr. Checkal on the claim for money had and received and all other claims raised by SAIF were dismissed. Dr. Checkal was represented by his attorney, Emily Simon. Dr. Checkal did not personally appear.

2.

John Checkal stipulates and agrees that the Board has grounds to suspend his license to practice chiropractic for the reason that he has engaged in conduct which violated ORS 684.100(1)(s) and OAR 811-15-000(2) in that he knowingly implemented and utilized a system within his clinic for billing SAIF Corporation workers' compensation insured patients at a rate which was more than double the rate charged for private paid patients for the same services.

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2 Accordingly, the Board and John Checkal stipulate and agree
3 that this license suspension may be concluded by entry of this
4 Stipulation with the following terms and conditions:

5 NOW THEREFORE, IT IS STIPULATED by the parties that,

6 1. John Checkal is suspended from the practice of
7 chiropractic within the State of Oregon for a period of two years.

8 2. Implementation of this suspension is stayed and Dr.
9 Checkal is placed on a term of probation for a period of three
10 years.

11 3. Within the next 12 months, Dr. Checkal will enroll and
12 successfully complete, at his own expense, a course in chiropractic
13 jurisprudence and ethics, which shall first be approved by the
14 Board and which shall be in addition to the usual and required
15 continuing education.

16 4. During the period of probation, Dr. Checkal agrees to
17 make his books and records available to the Board of Chiropractic
18 Examiners on ten days' notice in response to any Board investiga-
19 tion of Dr. Checkal's compliance with the rules and statutes
20 relating to the practice of chiropractic.

21 5. Dr. Checkal will become knowledgeable about and will comply
22 with all Oregon statutes and rules relating to the practice of
23 chiropractic within the State of Oregon from this date forth.

24 6. In any public statements or press releases, Dr. Checkal
25 will not contradict the admissions made in this Stipulation.

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1 7. Dr. Checkal submits herewith the sum of \$1000 assessed
2 by the Board as a civil penalty pursuant to ORS 684.100(9)(f).

3 This Stipulation is conditioned on Dr. Checkal complying with
4 the terms of the probation appearing herein. If the Board obtains
5 evidence that Dr. Checkal has violated the terms of this
6 Stipulation and probation, the Board may immediately suspend his
7 license to practice chiropractic within Oregon, subject only to
8 his right to obtain a hearing on such suspension within 21 days
9 thereafter, pursuant to ORS 183.413. If Dr. Checkal successfully
10 completes the probation according to the terms and conditions set
11 out in this Stipulation, the Board of Chiropractic Examiners will
12 take no further action based on the conduct described in paragraphs
13 1 and 2 on page 1 of this Stipulation.

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15 IT IS SO STIPULATED this 14th day of June, 1990.

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18 John T. Checkal, D.C.
JOHN T. CHECKAL, D.C.

19 SO STIPULATED this 15th day of June, 1990
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21 Steven K. Gardner, D.C.
STEVEN K. GARDNER, D.C., Chairman
22 Board of Chiropractic Examiners
for the State of Oregon

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