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BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON

In the Matter of the License)
to Practice as a Chiropractic)
Physician of:) STIPULATED FINAL ORDER
JOSEPH COX, D.C.,)
Licensee.)

1.

On December 26, 1997 the Oregon Board of Chiropractic Examiners (OBCE) served a Notice of Proposed Disciplinary Action (required continuing education and random review of patient files) against Joseph Cox, D.C., (Licensee). In the OBCE's notice that is incorporated herein by reference as Exhibit A, the OBCE proposed to require Licensee to obtain 24 hours of OBCE-approved continuing education courses on charting and coding, in addition to the annual hours that are required by the OBCE; and submit to a random review by the OBCE of Licensee's patient files to verify that Licensee's patient chart notes meet the minimum standard set forth in OAR 811-015-0005 and the Oregon Practicing Utilization Guidelines. The OBCE also proposed to assess against Licensee the cost of this disciplinary proceeding.

2.

On January 12, 1998 Licensee filed an Answer to the Notice of Disciplinary Action. It is incorporated herein by reference as Exhibit B. Licensee generally denied OBCE's allegations and asserted various affirmative defenses. Licensee also challenged

///

1 the appropriateness of the OBCE's intent to impose disciplinary
2 proceeding costs against Licensee.

3 3.

4 On August 31, 1998 Licensee wrote to inform the OBCE,
5 through its counsel, that Licensee had completed approximately 12
6 hours of educational training. Licensee proposed to attend two
7 additional training sessions that totalled approximately 12 hours
8 of continuing education. For purposes of settlement, Licensee
9 asked the OBCE to approve Licensee's proposed 12 hours of
10 educational training. Licensee also agreed that the OBCE could
11 place Licensee on probation/supervision for a brief period so
12 that the OBCE could ascertain whether Licensee was implementing
13 his enhanced education.

14 4.

15 At its regularly scheduled OBCE meeting, on September 24,
16 1998, the OBCE reviewed Licensee's August 31, 1998 letter, and
17 considered and discussed Licensee's settlement proposal.

18 In order to informally dispose and settle this matter,
19 Licensee and the OBCE, by and through Dave McTeague, agree to
20 settle this matter through stipulation and agree that this
21 stipulation sets forth the facts upon which the parties have
22 agreed, the sanctions to be imposed, and the basis for the OBCE
23 final order in this matter under ORS 183.415.

24 Licensee and the OBCE agree to the following facts:

25 a. Licensee's record keeping and chart notes did not
26 conform to the minimum standards required by the OBCE.

1 b. Licensee received approximately 3 hours of educational
2 training in consultation, insurance billing and chart
3 notes on July 10, 1998.

4 c. Licensee received 6 hours of educational training in
5 insurance coding, documentation and risk management on
6 August 13, 1997.

7 d. Licensee received 3 hours of educational training at
8 Medicare Seminar #4912 on November 13, 1997.

9 CONCLUSION OF LAW

10 Licensee violated OAR 811-015-0005 by failing to comply
11 with the minimum standard requirements for patient records.

12 FINAL ORDER

13 THEREFORE, pursuant to ORS 183.415(5) the OBCE ORDERS:

14 1. Licensee hereby placed on probation for six months
15 during which time Licensee is subject to the following
16 conditions:

17 a. Completion of 12 hours of continuing education courses
18 on charting and recordkeeping that are in addition to the annual
19 required hours.

20 b. Subjection to random reviews by the OBCE of its patient
21 files.

22 2. The OBCE assesses against Licensee the costs of this
23 disciplinary proceeding in the amount of \$ 1719.10.

24 3. Licensee agrees to waive all judicial review of this
25 Stipulated Final Order under ORS 183.415(5).

26 ///



Oregon

John A. Kitzhaber, M.D., Governor

Oregon Board of Chiropractic Examiners

3218 Pringle Road SE

Suite 150

Salem, OR 97302-6311

(503) 378-5816

November 25, 1998

To: Board of Chiropractic Examiners

Fr: Dave McTeague, Ex. Dir.


Re: Stipulated Final Order on Case # 2002-96, Joseph Cox, DC

Attached is the final outcome of this case heard by Peer Review some time ago.

Please add this to your Final Orders book under the heading "Record Keeping."

November 25, 1998

To: Peer Review Committee members

Fr: Dave McTeague, Ex. Dir. 

Re: Stipulated Final Order on Case # 2002-96, Joseph Cox, DC

Attached is the final outcome of this case heard by Peer Review some time ago.

Please add this to your Final Orders book under the heading "Record Keeping."