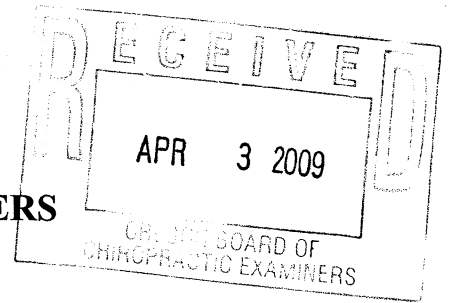


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**BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON**



6 In the Matter of)
7) STIPULATED FINAL ORDER
8 John Donovan DC)
9) Case # 2008 - 5021
10)
11 Licensee.)

14 The Board of Chiropractic Examiners (Board) is the state agency responsible for
15 licensing, regulating and disciplining chiropractic physicians in the State of Oregon. John
16 Donovan DC (Licensee) is licensed by the Board to practice as a chiropractic physician in the
17 State of Oregon.

18
19 Findings of Fact

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21 1.

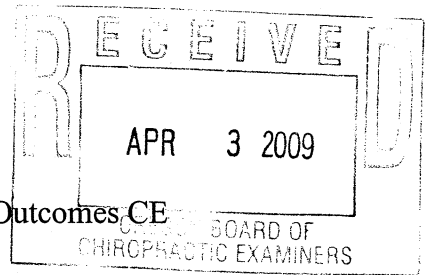
22 Licensee signed his Renewal Notice and Affidavit on July 1, 2008 and Licensee
23 affirmed that he had completed the required 20 continuing education hours required for license
24 renewal. The renewal application stated "I swear, and affirm that during the previous license
25 year, I completed the required number of CE credits for my license status and my signature below
26 verifies that all information hereon is true and correct." Licensee was required to complete the
27 continuing education hours by July 31, 2008.

28
29 2.

30 Upon audit and review by the Board of the credits that were actually taken by Licensee
31 during the required period, of the 20 that were required Licensee was missing 8 hours of CE
32 credits. Once Licensee was aware of the Board Audit, Licensee took the additional 8 hours in
33 response to the audit; however, those were not accomplished during the time period required.
34 Those hours were completed in October 2008. Subsequently, Licensee also provided evidence of
35 his efforts to meet his continuing education requirements for the immediate years previously and
36 subsequently.

37
38 3.

39 On January 26, 2009, Licensee was sent a Notice of Proposed Civil Penalty. On Feb. 2,
40 2009, Licensee sent a response with a request for reconsideration and a hearing. In that letter he
41 acknowledged his mistake in signing the affidavit but maintained he was meeting his CE
42 requirements, although not in the timeframe required. On February 9, 2009, Licensee was sent an



1 Amended Notice which acknowledged he had met the Evidence Based Outcomes CE
2 requirement.

3
4 Conclusions of Law

5
6 4.

7
8 The Board finds that Licensee did not complete the CE within the licensure period in
9 violation of OAR 811-15-0025 and ORS 684.092. In signing the renewal affidavit stating the
10 CE was completed within that time period, when it was not, Licensee violated OAR 811-035-
11 0015(16).

12
13 5.

14 Agreement

15
16
17 This matter having come properly before and been considered by the Board, Licensee
18 having voluntarily stipulated and consented to the issuance and entry of this order by signing
19 below: IT IS HEREBY ORDERED THAT:

- 20
21 1. Licensee is assessed a \$250 Civil Penalty for filing a false affidavit payable within 30
22 days of the effective date of this order.
23 2. The OBCE waives the proposed Civil Penalty for the 8 hours not taken within the
24 required license year.
25 3. Licensee will be included in the annual audit for the next three years.
26 4. By signing this stipulation Licensee understands that he has been advised of his right
27 to request a hearing on this matter and agrees to waive this right to a hearing or appeal
28 of this matter.

29
30 BOARD OF CHIROPRACTIC EXAMINERS
31 State of Oregon

32 Original signature on file at OBCE

33
34 By: _____

35 Dave McTeague, Executive Director

36 Date: March 23, 2009

37
38 Original signature on file at OBCE.

39
40 J John Donovan DC

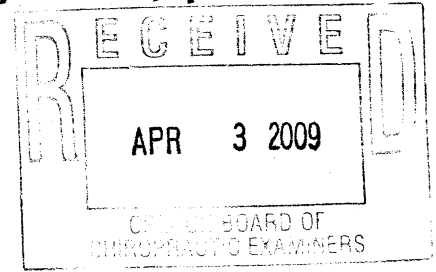
41 Date: 4-1-09

JOHN M. DONOVAN, D.C.

405 East Second Street
The Dalles, OR 97058

541-298-8644
541-298-9856 FAX

Exec FYI



April 1, 2009

Dave McTeague
Oregon Board of Chiropractic Examiners
3218 Pringle Rd SE #150
Salem, OR 97302-6311

Re: Case 2008-5021

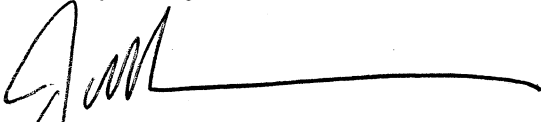
Dear Mr. McTeague and board members:

Attached is the original stipulated final order dated March 23, 2009 with my signature. Also, I have enclosed a check for the \$250 fine imposed by the board.

For the record, I remind this board that I have not been lazy or complacent with continuing education. As you should know from my records sent for your review, 20-34 hours have been obtained annually for each of the last several years. The dates were simply a little off on my 2008 audit. My signing the affidavit was not intentionally fraudulent but rather an inconvenient mistake costing valuable time for both the board and myself. In retrospect, it should be suggested that a prompt review of records and a subsequent warning should be adequate and certainly less costly to both the board and any licentiate in this situation. Unfortunately, in my case, the board chose the course we have taken and I have agreed, although reluctantly, to the formulated, final stipulation.

Finally, may I request that this matter (or at least my name) be left out of the Board newsletter? I have always enjoyed a clean record and a good reputation among my fellow practitioners. I see this as a matter between the board and myself and do not feel that anyone could possibly benefit from my embarrassment. The welfare and safety of my patients is not a concern in this matter. I remain a hardworking, honest chiropractor who looks forward to many more years of practice in Oregon.

Respectfully,



John M. Donovan, D.C.

JMD/dm