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BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON

In the Matter of:

CHRISTOPHER FOWLER, DC,

Licensee.

Case Nos. 2012-3034, 2013-2003
AMENDED STIPULATED ORDER

The Board of Chiropractic Examiners (Board) is the state agency responsible for licensing, regulating and disciplining chiropractic physicians in the State of Oregon. Christopher Fowler, DC (Licensee), is licensed by the Board to practice as a chiropractic physician in the State of Oregon. The Board proposes to discipline Licensee for the following reasons.

1.

The Oregon Board of Chiropractic Examiners received two complaints with respect to Licensee's chart notes in relation to treatment provided to Patients 1 and 2. The treatment records, correspondence and billing records were obtained by the Board and the Peer Review Committee (PRC) reviewed them. The PRC also interviewed the Licensee with respect to his patient records.

2.

The Peer Review Committee found the following:

a. Due to utilization of electronic medical record software, Licensee's chart notes often automatically repeated the same information on subsequent visits. The PRC expressed concern about reviewing daily chart notes to assure their accuracy.

1 Licensee explained the automatic software functions to the PRC and has since identified
2 how to terminate some of these features.

3 b. The PRC recommended more detail in the documentation of
4 patient encounters to allow other chiropractors to understand or resume care provided by
5 Licensee. The PRC recommended more detail in the following areas:

6 i. Orthopedic and neurological testing results. Although Licensee
7 recorded positive orthopedic and neurological tests for Patients 1 and 2, the PRC
8 felt additional detail regarding these findings should be recorded in his chart
9 notes.

10 ii. Clinical justification. Although information regarding the justification
11 for treatment could be deduced by various aspects of the record, the PRC
12 indicated the clinical justification should be better documented within the
13 treatment plan.

14 iii. Chart labeling. Licensee's records identified patients by name and the
15 clinic of origin only on the first page of each date of treatment, but not on
16 subsequent pages.

17 iv. Differential diagnoses. The PRC recommended diagnoses and
18 differential diagnoses be clearly marked with clinical justification for same.

19 v. Massage therapy records. Massage records required more detail
20 regarding the service provided and the name of the provider.

21 vi. Retention of patient records. Licensee created patient ID tags for use in
22 the clinic during the patient's treatment program. Licensee discarded these tags
23 after the conclusion of the patient's care. The PRC recommended these tags be
24 kept.

25 Licensee submitted exemplar patient records to demonstrate improved charting in
26 the above areas and correction of software features.

CONCLUSIONS OF LAW

3.

As described in paragraph 2 above, the records provided by Licensee are in violation of the following: ORS 684.100(1)(f)(A), OAR 811-015-0005(1)(a)-(b), OAR 811-015-0010(1).

STIPULATIONS

4.

Due to the aforementioned violations, in July of 2013, Licensee was issued: (1) a letter of reprimand, (2) a civil penalty in the sum of \$1,000 to be paid within 30 days of this order becoming final, (3) 12 hours of continuing education (6 on charting, coding,

1 billing and documentation; and 6 on clinical justification) in addition to continuing
 2 education required annually for licensure, to be completed within six months of this order
 3 with proof of completion submitted to the Board. Licensee may submit 2013 courses
 4 already taken toward this requirement; (4) probation for 18 months; and (5) two random
 5 file reviews at six months and one year from when this order becomes final. The file
 6 reviews will involve Board staff, or their representative requesting patient files for the
 7 Board and/or their representative to review. Licensee will cooperate with the file reviews
 8 and submit any form samples at the Board's request during file reviews. File reviews will
 9 be focused on care provided following the entry of this order.

10 The Board agreed to waive any costs on these matters.

11 As of the time of this amendment, Licensee has paid the assessed penalty and
 12 completed ordered continuing education. Licensee and the Board amend this order to
 13 reflect that Licensee is not currently practicing chiropractic in Oregon. At the time
 14 Licensee's chiropractic practice becomes active again, Licensee stipulates the remaining
 15 probation period (9 months) and the two random file reviews will be implemented.
 16 Licensee will inform the Board if he returns to active practice in Oregon.

17 IT IS SO STIPULATED AND AGREED TO:

18
 19 DATED this 27 day of May, 2014.

20 Original signatures on file in
 21 the OBCE office.
 22 By: Christopher Fowler, DC

23 DATED this 23rd day of May, 2014.

24 BOARD OF CHIROPRACTIC EXAMINERS
 25 Original signatures on file in the
 26 OBCE office.
 By: [Signature]
 Dave McTeague, Executive Director