

BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON

In the Matter of:

Jonathan Hansel, D.C.,

Licensee.

Case # 2009-5000

AMENDED CONSENT ORDER

ENDING PROBATION

(November 2014)

The Oregon Board of Chiropractic Examiners (hereafter "Board") is the state agency responsible for licensing, regulating and disciplining chiropractic physicians in the State of Oregon. Jonathan Hansel, D.C. (hereafter "Licensee"), is currently licensed by the Board to practice as a chiropractic physician in Oregon and is subject to the jurisdiction of the OBCE. The Board has determined as follows:

1.

Licensee is both a licensed chiropractor and naturopath physician in the State of Oregon. On January 5, 2009, Licensee signed a Settlement Agreement and Consent Order with the Naturopath Board for his habitual or excessive use of controlled substances, intoxicants or drugs in violation of ORS 685.110(9). The Naturopathic Board suspended Licensee indefinitely until he successfully completed a board approved treatment program and received a cognitive report. In August 2009, the Naturopathic Board voted to allow Licensee to resume Naturopath practice as he had met all the conditions of the order. Licensee was also placed on probation with additional conditions. They were that Licensee had 3 years of urinalysis monitoring and five years of probation and that he is not allowed to have any controlled substances or nitrous oxide on the premises of his practice for a five year period.

2.

On January 23, 2009, the OBCE entered into an Interim Stipulated Order with Licensee whereby his license was suspended and he could not perform any duties as a Chiropractic Physician in any capacity. That stipulation required that Licensee undergo a cognitive assessment and submit a report to the Board, demonstrate successful progress and/or completion of a board approved drug addiction program and completing a substance abuse evaluation by the Board along with random urine analysis.

Licensee was suspended from January 23, 2009 to September 21, 2009. At that time, Licensee met the requirements for reinstatement of his licensure, that being completing a substance abuse evaluation and treatment program, continuation with that program, negative urine analysis, and a positive cognitive evaluation. A Consent Order was issued September 21, 2009 placing Licensee on probation and had other conditions on his license

As of their November 15, 2012 meeting, the OBCE finds Licensee has been fully cooperative and compliant with his recovery program and UA monitoring, has a sponsor, monitor and has fully participated with his NA support group. In recent meetings with the OBCE, Licensee has presented as continually improving with a positive demeanor especially considering the challenges he has faced with his practice.

Findings of Fact

3.

Licensee admits that the above conduct was habitual or excessive use of controlled substances, intoxicants or drugs in violation of ORS 684.100(1)(f).

Conclusions of Law

4.

The above described conduct of Licensee violates ORS 684.100(1)(f) and (g)(A) and, OAR 811-035-0015(9) and (13).

AMENDED CONSENT ORDER

5.

Therefore, pursuant to ORS 183.415(5) and ORS 684.100(9)(e) the OBCE orders:

1. The parties have agreed to enter this Amended Consent Order. As part of this Order, Licensee agrees to provide authorization for medical and treatment records to the Board and will execute any requested Consent for Release of Confidential Information. Licensee agrees that he is aware of his right to a hearing with his attorney present to contest the charges and hereby waives that right and agrees to entry of this order. The parties wish to settle and resolve the above matter without further proceedings.
2. Licensee is released from probation as of the effective date of this order.
3. Licensee agrees to fully participate in NA meetings for at least two more years.
4. Licensee agrees to undergo random urine drug screens with a comprehensive panel of drugs specifically tested for health professionals at a least twice a year for the next two years. Licensee agrees that a medical review officer will interpret the results of the drug screens and that this is at Licensee's cost. The Board may elect to extend this time periods and these requirements if Licensee tests positive for any drugs or controlled substances or is found to have used these substances contrary to this agreement. Licensee will cause these reports to be sent to the OBCE.
5. Licensee agrees to allow the OBCE to designate a member of his office staff as "office monitor." The monitor must be willing to call the board to report if Licensee's behavior begins to change or deteriorate. Licensee agrees to sign an agreement with this monitor to hold that person harmless for any negative consequences whatsoever for making this report. Licensee understands the monitor may report to the OBCE without his knowledge.
6. Licensee must demonstrate good ongoing recovery by having a home group, a sponsor, and actively working with other recovering addicts.

7. Licensee shall abstain from the use of all mood-altering chemicals, including alcohol and any substances including prescriptive and non prescriptive drugs and nitrous oxide.
8. Any use of medications by Licensee must be recommended by his personal physician, with the direct knowledge and cooperation of the OBCE.
9. Licensee waives all privilege with respect to any physical, psychiatric or psychological evaluation or treatment in favor of the Board for purposes of determine compliance with this Order, or the need to, or the appropriateness of, modifying this Order, and will execute any waiver or release the board requests.
10. Licensee shall appear before the Board once a year for the next two years (November 2013 and November 2014).
11. If Licensee violates any of the terms of this order, the Board may, after Notice and Hearing, enter further disciplinary orders.
12. This order is effective on the date signed by the Board.

IT IS SO ORDERED

BOARD OF CHIROPRACTIC EXAMINERS
State of Oregon

Original Signatures are on file at OBCE office

By:

Dave McTeague Ex. Director

Date:

December 3, 2012

Original Signatures are on file at OBCE office

By:

Jonathan Hansel D.C.

Date:

November 26, 2012

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BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON

In the Matter of:

Jonathan Hansel, D.C.,
Licensee.

Agency Case No. 2009-5000

CONSENT ORDER

The Oregon Board of Chiropractic Examiners (hereafter "Board") is the state agency responsible for licensing, regulating and disciplining chiropractic physicians in the State of Oregon. Jonathan Hansel, D.C. (hereafter "Licensee"), is currently licensed by the Board to practice as a chiropractic physician in Oregon and is subject to the jurisdiction of the OBCE. The Board has determined as follows:

1.

Licensee is both a licensed chiropractor and naturopath physician in the State of Oregon. On January 5, 2009, Licensee signed a Settlement Agreement and Consent Order with the Naturopath Board for his habitual or excessive use of controlled substances, intoxicants or drugs in violation of ORS 685.110(9). The Naturopath Board suspended Licensee indefinitely until he successfully completed a board approved treatment program and received a cognitive report. Licensee was also placed on some additional conditions. They were that Licensee had 3 years of urinalysis monitoring and five years of probation and that he is not allowed to have any controlled substances or nitrous oxide on the premises of his practice for a five year period. In August 2009, the Naturopathic Board voted to allow Licensee to resume Naturopath practice as he had met all the conditions of the order.

2.

On January 23, 2009, this Board entered into an Interim Stipulated Order with Licensee whereby his license was suspended and he could not perform any duties as a Chiropractic Physician in any capacity. That stipulation required that Licensee undergo a cognitive assessment and submit a report to the Board, demonstrate successful progress and/or completion of a board approved drug addiction program and completing a substance abuse evaluation by the Board along with random urine analysis.

Licensee was suspended from January 23, 2009 to the present. Licensee has accomplished all the requirements for reinstatement for licensure, that being completing a substance abuse evaluation and treatment program, continuation with that program, negative urine analysis, and a positive cognitive evaluation.

Findings of Fact

3.

Licensee admits that the above conduct was habitual or excessive use of controlled substances, intoxicants or drugs in violation of ORS 684.100(1)(f).

Conclusions of Law

4.

The above described conduct of Licensee violates ORS 684.100(1)(f) and (g)(A) and, OAR 811-035-0015(9) and (13).

Stipulated Final Order

5.

Therefore, pursuant to ORS 183.415(5) and ORS 684.100(9)(e) the OBCE orders:

1. The parties have agreed to enter this stipulated final order. As part of this Order, Licensee agrees to provide authorization for medical and treatment records to the Board and will execute the attached Consent for Release of Confidential Information. Licensee agrees that he is aware of his right to a hearing with his attorney present to contest the charges and hereby waives that right and agrees to entry of this order. The parties wish to settle and resolve the above matter without further proceedings.

2. Provided Licensee abides fully by the terms of this order, he may return to the active practice of Chiropractic.
3. Licensee is placed on probation and must participate in this continuing treatment and monitoring program or as modified by the OBCE for a minimum of five years. Thereafter the probation, treatment and monitoring may be concluded upon a demonstration to the OBCE that Licensee has successfully completed all treatment programs and has fully abided by the terms of this Stipulated Final Order.
4. Licensee agrees to seek aftercare through a counselor or mental health provider licensed by the State of Oregon, at a minimum of one time per week, at least 48 weeks per year. Licensee will inform the provider that reports are to be provided to the OBCE quarterly each year. This is to continue until the OBCE determines otherwise, after consultation.
5. Licensee agrees to fully participate in Twelve Step recovery which includes attending NA meetings at least twice per week during the probationary period at least 48 weeks per year.
6. Licensee agrees to undergo urine drug screens with a comprehensive panel of drugs specifically tested for health professionals at a frequency of not less than 24 for the first year, 12 for the second and third year and a minimum of 6 for the remaining years. Licensee agrees that a medical review officer will interpret the results of the drug screens and that this is at Licensee's cost. The Board may elect to extend the probation time periods and these requirements if Licensee tests positive for any drugs or controlled substances or is found to have used these substances contrary to this agreement.
7. Licensee agrees to allow the OBCE to designate a member of his office staff as "office monitor." The monitor must be willing to call the board to report if Licensee's behavior begins to change or deteriorate. Licensee agrees to sign an agreement with this monitor to hold that person harmless for any negative consequences whatsoever for making this report. Licensee understands the monitor may report to the OBCE without his knowledge.
8. Licensee must demonstrate good ongoing recovery by having a home group, a sponsor, and actively working with other recovering addicts.

9. Licensee shall abstain from the use of all mood-altering chemicals, including alcohol and any substances including prescriptive and non prescriptive drugs and nitrous oxide.
10. Any use of medications by Licensee must be recommended by his personal physician, with the direct knowledge and cooperation of the OBCE.
11. Licensee shall instruct all of the professionals participating in his treatment plan to promptly respond to the Board of Chiropractic Examiners inquiry concerning Licensee's compliance with the treatment plan and to immediately report to the Board any positive test results or any serious failure to fully participate by Licensee. Licensee shall instruct the foregoing professionals to make quarterly reports to the Board of Chiropractic Examiners of Licensee's progress and compliance with the treatment plan.
12. Licensee waives all privilege with respect to any physical, psychiatric or psychological evaluation or treatment in favor of the Board for purposes of determine compliance with this Order, or the need to, or the appropriateness of, modifying this Order, and will execute any waiver or release the board requests.
13. Licensee shall appear before the Board every 6 months for the first two years of probation and once per year for the remainder of his probation.
14. Licensee shall not apply for release from probation any earlier than five years from the effective date of this order.
15. If Licensee violates any of the terms of this order, the Board may, after Notice and Hearing, enter further disciplinary orders.
16. This order is effective on the date signed by the Board.

IT IS SO ORDERED

BOARD OF CHIROPRACTIC EXAMINERS

State of Oregon

Original signature on file at OBCE

By:

Dave McTeague Ex. Director

Date:

Sept. 21, 2009

By:

Original signature on file at OBCE.

Jonathan Hansel D.C.

Date:

09/21/2009

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BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON

In the Matter of:

Jonathan Hansel, D.C.,
Licensee.

Agency Case No. 2009-5000

INTERIM STIPULATED ORDER

The Oregon Board of Chiropractic Examiners (Board) is the state agency responsible for licensing, regulating and disciplining chiropractic physicians in the State of Oregon.

Jonathan Hansel, N.D. (Licensee) is a licensed chiropractic physician currently practicing in Oregon, and is subject to the jurisdiction of the Board.

The Board has conducted an investigation of Licensee and determined it has grounds to take disciplinary action for habitual or excessive use of controlled substances, intoxicants or drugs in violation of ORS 684.100(1)(f). This Interim Stipulated Order between the parties is an interim resolution pending outcome of the Board's investigation.

STIPULATIONS

The Board issues the following interim order: Licensee's license to practice chiropractic health care is hereby **SUSPENDED**.

1. Licensee may not perform duties as a chiropractic physician in any capacity or function as a chiropractic physician in any setting. Licensee may testify in regards to a patient's previous care if requested by the patient's attorney.
2. The Board may agree to lift Licensee's **SUSPENSION** no sooner than 60 days from the date of this order and by further order if Licensee does the following:
 - a. Undergo a cognitive assessment by a Board-approved evaluator, and submit an evaluation report to the Board indicating Licensee is not cognitively impaired and is safe to practice chiropractic treatment; and

- 1 b. Licensee demonstrates successful progress and/or completes a Board-
2 approved drug addiction treatment program and provides written verification
3 of that to the Board.
4 c. Licensee completes a substance abuse evaluation by a Board approved
5 treatment facility or program and causes that evaluation report to be provided
6 to the Board.
7 d. Licensee must submit to and provide verification of random urine analysis for
8 the duration of his suspension to the Board.
9

10 IT IS SO ORDERED this 23rd day of January 2009.

11 BOARD OF NATUROPATHIC EXAMINERS

12 Original signature on file at OBCE.

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14 Dave McTeague
Executive Director

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16 IT IS SO STIPULATED.

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Original signature on file at OBCE.

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19 Jonathan Hansel, N.D.

Date

01/26/2009