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BEFORE THE OREGON STATE
BOARD OF CHIROPRACTIC EXAMINERS

In the Matter of the)
Chiropractic License of)
MICHAEL KIRKLAND, D.C.)
) STIPULATED FINAL ORDER

WHEREAS, there is presently pending before the Oregon Board of Chiropractic Examiners an administrative proceeding initiated by the service upon Michael Kirkland, D.C. of a Notice of Proposed Revocation of Chiropractic License, and,

WHEREAS, this Notice of Proposed Revocation of Chiropractic License indicated a proposal, on the part of the Oregon Board of Chiropractic Examiners, to revoke Dr. Kirkland's chiropractic license because of his conviction in April of 1989, in the Circuit Court of Polk County, State of Oregon, of a crime involving moral turpitude, that is to say the crime of submitting a wrongful claim, and,

WHEREAS, because of the circumstances surrounding this conviction and the treatment accorded Dr. Kirkland by the prosecutor and the sentencing court, the Oregon Board of Chiropractic Examiners is willing to impose a penalty less serious than a license revocation or a suspension, and,

WHEREAS, Michael Kirkland, D.C. is willing to agree that the Oregon Board of Chiropractic Examiners may enter a final order which contains the following provisions and the Oregon Board of Chiropractic Examiners is willing to dispose of this matter based upon the entry of such final order,

1 NOW THEREFORE, the parties agree that the Board of Chiropractic
2 Examiners may dispose of this matter by entry of an order containing
3 the following provisions:

4 1. Michael Kirkland, D.C., has entered into this agreement
5 with the Oregon Board of Chiropractic Examiners freely and
6 voluntarily and without the imposition of force or coercion
7 against on the part of any person.

8 2. Michael Kirkland, D.C., on or about April 26, 1989, was
9 convicted of a crime of submitting a wrongful claim in the
10 Circuit Court of Polk County of the State of Oregon.

11 3. Michael Kirland, D.C. will pay to the Oregon Board of
12 Chiropractic Examiners a civil monetary penalty in the amount
13 of \$1,000 and will adhere to the following schedule of payments
14 in paying this civil monetary penalty:

October 15, 1989	- \$84.00	April 15, 1990	- \$84.00
November 15, 1989	- \$84.00	May 15, 1990	- \$84.00
December 15, 1989	- \$84.00	June 15, 1990	- \$84.00
January 15, 1990	- \$84.00	July 15, 1990	- \$84.00
February 15, 1990	- \$84.00	August 15, 1990	- \$84.00
March 15, 1990	- \$84.00	September 15, 1990	- \$76.00

15 4. That a transcript of the sentencing court's remarks in the
16 case of State of Oregon v. Kirkland, Circuit Court Polk County
17 No. 89P-3110 be attached as a permanent exhibit to this
18 document.

19 ENTRY OF FINAL ORDER ASSENTED TO:

20 Original signature on file
21 at the OBCE office.

22 Dated: September 25, 1989

23 APPRO

24 Original signature on file
25 at the OBCE office.

26 Daniel J. Gatty, Attorney at Law
Of Attorneys for Michael J. Kirkland, D.C.

27 SO ORDERED:

28 Steven Gardner, D.C.
29 Steven Gardner, D.C., Chairman
30 Oregon Board of Chiropractic Examiners

31 TET:ros/9670G