

BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON

In the Matter of)
Kevin Krautsack, D.C.) STIPULATED FINAL ORDER
)
)
Licensee.) Case # 2019-1020
_____)

The Oregon Board of Chiropractic Examiners (Board or OBCE) is the state agency responsible for licensing, regulating, and disciplining chiropractic physicians and certified chiropractic assistants in the State of Oregon. Kevin Krautsack, D.C. (Licensee), is a licensed chiropractic physician in Oregon.

On June 9, 2020, the Board issued a Proposed Notice of Discipline that made the following allegations. Licensee does not agree with all allegations proposed by the Board.

1. Treatment of Patient 1.

Patient 1: From July 3, 2019 to September 26, 2019, Patient 1 was employed by Licensee as office staff and became his patient in July 2019. As a benefit of being an employee, Patient 1 received chiropractic care from Licensee. Patient 1 had previously met Licensee in 2017 from a dating site and had gone on two dates with him. Patient 1 didn't see him for four months and, at that time, Patient 1 was suffering from a hip being out of place and was in a lot of pain. In 2017, Patient 1 contacted Licensee for medical care and Licensee began to treat her at that time.

Patient 1 didn't see Licensee again until 2019 when she began to work for him in July 2019. Patient 1 worked for Licensee as office staff from that point up to and including September 26,

2019. During that same time period, Patient 1 began treatment with Licensee again while employed.

When receiving chiropractic treatment while employed in 2019, Patient 1 experienced Licensee attempting to put his hands up her dress and touch her breasts. Licensee also attempted to kiss her while she was receiving treatment from him. Patient 1 would attempt to get Licensee to stop this behavior and would tell him "no" while receiving treatment. Specifically, this occurred in the office setting on July 2 and 3, 2019. The treatment provided to Patient 1 was chiropractic examination and adjustment by Licensee.

Patient 1 needed to keep her employment and felt that she was trying to tell him she didn't want any sexual relationship without making Licensee mad in order to keep her job.

Prior to leaving employment in 2019, Patient 1 described Licensee's behavior as angry and with bouts of verbal abuse toward her. The anger toward Patient 1 escalated at the end and Licensee laid her off from employment. During her 2019 employment period, Licensee and Patient 1 had ongoing text communication between them. After Patient 1 left employment, Licensee continually texted her in an attempt to get her to accept a severance payment from him in exchange for not making a formal complaint to the Board. Patient 1 did not agree.

2.

During his Board investigative interview, Licensee stated that prior to becoming licensed in Oregon, he was licensed as a chiropractor in Florida and lived in a residence called Maximum Living. While he was working at the same location as a chiropractic physician, he had a sexual encounter with a female patient that was a patient of the clinic he worked in. In his investigative

interview, Licensee acknowledged he had a sexual relationship with this patient while she was a clinic patient.

Licensee admitted that, in 2019, he had some inappropriate sexual text messages with Patient 1 while she was employed and receiving treatment from him as a patient. In his written response to the Board, Licensee admitted that, while in the office in 2019, he “lightheartedly did ask Patient 1 if she wanted to sit on his lap.”

The investigation revealed that from June 18, 2019 through September 28, 2019, there were up to 337 pages of text messages between Licensee and Patient 1, with many of them containing graphic sexual references, statements, or jokes.

2. Conclusion of Law

The Board finds that Licensee’s conduct as reported by Patient 1, and as documented in his interview with the Board, are evidence of violations of appropriate boundaries with a patient over a sustained period of time. In addition, Licensee’s admission that while practicing previously in Florida he had a sexual relationship with a current patient of the clinic where he worked is also evidence of violation of appropriate boundaries. The Board finds that Licensee’s conduct as described herein toward Patient 1 constitutes unprofessional conduct in the chiropractic profession in violation of ORS 684.100(1)(f)(A) and OAR 811-035-0015(1)(a)-(e). Licensee’s attempt to make an agreement that he pay Patient 1 severance in exchange for not reporting issues to the Board is a violation of OAR 811-035-0015(25) or (26) depending on when in 2019 the allegation occurred.

3. Stipulations

Therefore, pursuant to ORS 183.417(3) and ORS 684.100(9)(f), the OBCE orders:

1. The parties have agreed to enter this Stipulated Final Order. 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. Licensee agrees to waive any right to appeal. The parties wish to settle and resolve the above matter without further proceedings.
2. Licensee agrees that within the six months after signing this order, Licensee will take and successfully and unconditionally pass all aspects of PROBE. If Licensee does not unconditionally pass PROBE, Licensee will be suspended until he has done so with the conditions noted above. Licensee is required to cover the expense of the program and to provide proof of successful completion to the Board in writing.
3. Licensee agrees to complete 2 hours in continuing education, in record keeping. This is in addition to CE required for annual licensure.
4. Licensee agrees to an assessment of a civil penalty of \$2,500. Licensee will pay the sum within **180 days** upon signature of this order.
5. If Licensee leaves the State of Oregon for any time period over 30 days, the requirements of this order are thereby tolled, requiring Licensee to serve the time requirements while practicing in the State of Oregon. If Licensee violates any of the terms of this order, the Board may consider further discipline up to and including revocation.
6. This is a public document, considered a disciplinary action, and reportable to all national and state databanks.
7. This order is effective on the date signed by the Board and is a public record.

Dated this 25 of October, 2020

**BOARD OF CHIROPRACTIC EXAMINERS
State of Oregon**

Original signatures are available in OBCE administrative office.

Cassandra C. McLeod-Skinner, J.D.,
Executive Director

Original signatures are available in OBCE administrative office.

Kevin Krautsack D.C., Licensee

Dated: 10/25/2020