

BEFORE THE  
 BOARD OF CHIROPRACTIC EXAMINERS  
 STATE OF OREGON

In the Matter of	)	
	)	Case # 2001-3003
Patrick Landau, D.C.	)	
	)	
Licensee.	)	FINAL ORDER
	)	

The Oregon Board of Chiropractic Examiners (hereafter "Board" or "OBCE") is the state agency responsible for licensing, regulating and disciplining chiropractic physicians and certified chiropractic assistants in the State of Oregon. Patrick Landau, D.C. (hereafter "Licensee"), is currently licensed by the Board to practice as a chiropractic physician in Oregon.

1.

In a letter to the OBCE dated February 27, 2001, Licensee admits running an advertisement which fails to disclose the identity of Licensee or the Licensee's profession on November 15, 23, 30, December 7, 2000, and January 11, 18, 256, and February 1, 2001. This is in violation of OAR 811-015-0045 (3) and (4) which reads as follows:

OAR 811-015-0045 (3) A Chiropractic physician shall not advertise by any media or by telephone without disclosing his/her personal name and the name of the profession,  
 (4) A Chiropractic physician shall adhere to the Doctors' Title Act, ORS, 676.110

Licensee also failed to identify himself or his profession on the phone number provided in his advertisement. The Notice of Proposed Letter of Reprimand is hereby incorporated by reference herein including any attachments.

2.

Licensee has stated the source of this advertising program is Turn-Key Practice Solutions, Inc, Ben Altadonna DC, 322 W. Prospect Ave., Dansville, California 94526. Licensee provided a copy of his free report that is sent in response to phone calls from his. On page 7 of his report he includes a page of personal endorsements titled "Our Patients Speak.." by seven individuals). In the course of the OBCE's review of this case, a copy of the original draft report from Turn-Key Practice Solutions came into the Board's possession, with identical quotes from seven different individuals praising Dr. Altadonna, the creator of this marketing program. Since it is highly unlikely that seven completely different individuals would make spontaneous utterances regarding Licensee *identical* to those made by seven other individuals concerning Dr. Altadonna, the OBCE

finds these statements are untruthful and/or misleading in violation of OAR 811-015-0045 and ORS 684.100 (1)(a).

3.

Licensee admits that cause exists for the OBCE to issue this order in that he failed to identify himself in his advertisements and agrees to accept a written Letter of Reprimand in this matter (Attachment 1).

4.

**ORDER**

Now therefore, pursuant to the above, IT IS HEREBY ORDERED Patrick Landau D.C. is hereby Reprimanded. It is also ordered that Patrick Landau D.C. pay costs in the amount of \$220.00.

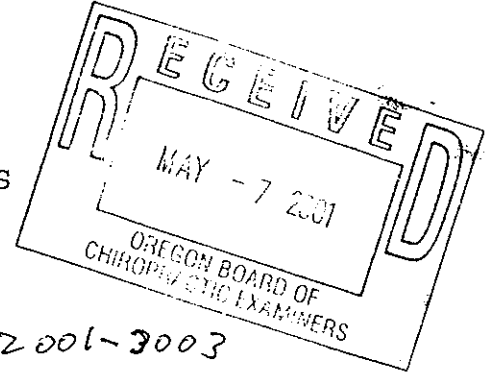
It is so stipulated DATED this 11<sup>th</sup> day of May, 2001.

**BOARD OF CHIROPRACTIC EXAMINERS**  
State of Oregon

By:

  
\_\_\_\_\_  
Dave McTeague, Executive Director

BEFORE THE  
BOARD OF CHIROPRACTIC EXAMINERS  
STATE OF OREGON



In the Matter of the License as )  
a Chiropractic Physician of: )  
Patrick Landau, D.C., )  
Licensee. )

Case # 2001-3003

AGREEMENT RE: PROPOSED  
DISCIPLINARY ACTION

If Licensee does not wish to appear at hearing, Licensee may settle this matter by agreement. To do so, please check the appropriate space, sign and return this document to the Oregon Board of Chiropractic Examiners, Morrow Crane Building, 3218 Pringle Road SE, First Floor, Suite 150, Salem, Oregon 97302.

If Licensee wishes to have a hearing, and does not wish to stipulate to the facts, or if Licensee wishes to appear personally, Licensee must request a hearing in a separate document, filed with the Licensee's answer to the charges.

1.  I, PATRICK LANDAU, D.C., agree that cause exists for the Oregon Board of Chiropractic Examiners to issue civil penalties and costs of this proceeding. I agree to the imposition of this discipline, and hereby waive my right to a hearing.

Patrick Landau D.C., D.C.

Dated: 5/2/01

2. \_\_\_\_\_ I, \_\_\_\_\_, D.C., agree that the facts as alleged in the Notice of Proposed Disciplinary Action are true and accurate. I have an additional written statement that I wish the Board to consider in its deliberation of this matter. It is submitted with this agreement. I hereby request a hearing and waive my right to appear.

\_\_\_\_\_, D.C.

Dated: \_\_\_\_\_

**VERIFICATION**

State of Oregon )  
County of Marion ) Case # 2001-3003

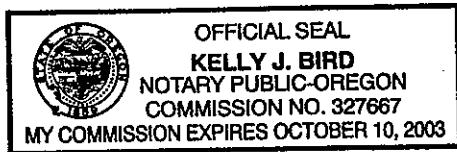
I, Dave McTeague, being first duly sworn, state that I am the Executive Director of the Board of Chiropractic Examiners of the State of Oregon, and as such, am authorized to verify pleadings in this case: and that the foregoing Notice is true to the best of my knowledge as I verily believe.

*Dave McTeague*  
DAVE McTEAGUE, EXECUTIVE DIRECTOR  
OREGON BOARD OF CHIROPRACTIC EXAMINERS

SUBSCRIBED AND SWORN to before me

this 11th day of May, 2001.

*Kelly J Bird*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 10/10/03



**CERTIFICATE OF SERVICE**

I, Dave McTeague, certify that on May 11, 2001, I served the foregoing Final Order upon Patrick Landau DC, the party hereto, by mailing, certified mail, postage prepaid, a true, exact and full copy thereof to:

Patrick Landau DC  
801 W. Centennial Blvd.  
Springfield, Oregon 97477



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Dave McTeague  
Executive Director  
Oregon Board of Chiropractic Examiners

BEFORE THE  
BOARD OF CHIROPRACTIC EXAMINERS  
STATE OF OREGON

In the Matter of	)	
	)	Case # 2001-3003
Patrick Landau, D.C.	)	
	)	
	)	<b>NOTICE OF PROPOSED</b>
Licensee.	)	<b>LETTER OF REPRIMAND</b>
	)	
	)	

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1.

In a letter to the OBCE dated February 27, 2001, Licensee admits running an advertisement (Attachment 1) which fails to disclose the identity of Licensee or the Licensee's profession on November 15, 23, 30, December 7, 2000, and January 11, 18, 256, and February 1, 2001. This is in violation of OAR 811-015-0045 (3) and (4) which read as follows:

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Licensee also failed to identify himself or his profession on the phone number provided in his advertisement (Attachment1).

2.

Licensee has stated the source of this advertising program is Turn-Key Practice Solutions, Inc, Ben Altadonna DC, 322 W. Prospect Ave., Dansville, California 94526. Licensee provided a copy of his free report that is sent in response to phone calls from his advertisement (Attachment

2). On page 7 of his report he includes a page of personal endorsements titled "Our Patients Speak.." by seven individuals (Attachment 2). In the course of the OBCE's review of this case, a copy of the original draft report from Turn-Key Practice Solutions came into the Board's possession, with identical quotes from seven different individuals praising Dr. Altadonna, the creator of this marketing program (Attachment 3 & 4). Since it is highly unlikely that seven completely different individuals would make spontaneous utterances regarding Licensee *identical* to those made by seven other individuals concerning Dr. Altadonna, the OBCE finds these statements are untruthful and/or misleading in violation of OAR 811-015-0045 and ORS 684.100 (1)(a).

3.

The Board proposes a Letter of Reprimand due to the previously mentioned violations.

4.

Licensee shall pay costs of this disciplinary proceeding, including investigative costs and attorney fees, pursuant to ORS 684.100(9)(g).

5.

#### **NOTICE OF RIGHT TO A HEARING**

Licensee has the right, if Licensee requests, to a hearing as provided by the Administrative procedures Act (ORS Chapter 183) before the Board or its hearing officer to contest the matter set out above. At the hearing, Licensee may be represented by an attorney, and may subpoena and cross-examine witnesses. A request for hearing must be made in writing to the Board, and must be received by the Board within 30 days from the date of mailing of this notice (or if not mailed, the date of personal service), and must be accompanied by a written answer to the charges contained in this Notice. Upon receipt of a request for hearing, the Board will notify licensee of the time and place of the hearing. If Licensee requests a hearing, Licensee will be given, prior to the

commencement of the hearing, information on the procedures, right of representation, and other rights of parties relating to the conduct of the hearing as required by ORS 183.413(2).

6.

Licensee's answer shall be made in writing to the Board and shall include an admission or denial of each factual matter alleged in this Notice, and a short plain statement of each relevant affirmative defense Licensee may have. Except for good cause, factual matters alleged in this notice and not denied in the answer shall be presumed admitted; failure to raise a particular defense in the answer will be considered a waiver of such defense; and new matters alleged in the answer (affirmative defenses) shall be presumed to be denied by the agency, and evidence shall not be taken on any issue not raised in the Notice and answer.

7.

If Licensee fails to request a hearing within 30 days, or fails to appear as scheduled at the hearing, the Board may issue a final order by default and impose the above sanctions against Licensee. Upon default order of the Board or failure to appear, the contents of the Board's file regarding the subject of this case automatically becomes part of the evidentiary record of this disciplinary action for the purpose of proving a prima facie case. ORS 183.415(6).

DATED this 6th day of April, 2001.

**BOARD OF CHIROPRACTIC EXAMINERS**  
State of Oregon

By:

  
\_\_\_\_\_  
Dave McTeague, Executive Director



**VERIFICATION**

State of Oregon )  
County of Marion ) Case # 2001-3003

I, Dave McTeague, being first duly sworn, state that I am the Executive Director of the Board of Chiropractic Examiners of the State of Oregon, and as such, am authorized to verify pleadings in this case: and that the foregoing Notice is true to the best of my knowledge as I verily believe.

*Dave McTeague*  
DAVE McTEAGUE, EXECUTIVE DIRECTOR  
OREGON BOARD OF CHIROPRACTIC EXAMINERS

SUBSCRIBED AND SWORN to before me

this 5<sup>th</sup> day of April, 2001.

*Kelly Bird*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 10/10/03

**CERTIFICATE OF SERVICE**

I, Dave McTeague, certify that on April 6, 2001, I served the foregoing Notice upon Partick Landau DC, the party hereto, by mailing, certified mail, postage prepaid, a true, exact and full copy thereof to:

Patrick Landau DC  
801 W. Centennial Blvd.  
Springfield, Oregon 97477



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Dave McTeague  
Executive Director  
Oregon Board of Chiropractic Examiners

Breema Workshop

Sweet ♥ Special • 2 for 1  
Sun, Feb 11th, 1-5:30, \$45

Breema

Northwest

1227 1/2 Commercial

Eugene, OR 97401

## Car Accident Recently?

Eugene/Springfield - A new free report has recently been released that reveals information every car accident victim should have before they speak to anyone. Research shows that even a "fender bender" can cause pain, headaches, even arthritis. Many car accident victims worry more about their car than they do their rights. If you have been involved in an auto accident listen to the 24 hour toll-free recorded message by calling 1-888-803-0498. The call is free and so is the report.

## **Our Patients Speak..**

**"I've never had Chiropractic Care before, but since I've had it personally, all I can say is "What took me so long to have this treatment!"**

Debbie Morgan

**"Dr. Landau is very friendly and gentle" Tammy S.**

**"Friendly service - concern for patients' health - very real - not obligated - and I obtained the treatment I needed" Danny D.**

**"Dr. Landau is very competent and is thoroughly knowledgeable regarding his profession"**

Dr. Robert Fitzgerald

**"Dr. Landau always hears me...the doctor always has time to listen"**

Ray L.

**"The service and people are excellent...they make the patient feel really comfortable"**

Carol S. Attorney at Law

**"Dr. Landau is the BEST!" Kim F.**

## Our Patients Speak...

**"I 've never had Chiropractic Care before, but since I've had it personally, all I can say is "What took me so long to have this treatment!"**

Mishel Williams

**"Dr. Altadonna is very friendly and gentle" Patricia Ivascania**

**"Friendly service - concern for patients' health - very real - not obligated - and I obtained the treatment I needed"**

Betty Nickerson

**"Dr. Altadonna is very competent and is thoroughly knowledgeable regarding his profession" Jim Cardwell**

**"Dr. Altadonna always hears me...the doctor always has time to listen" Sydney Lemmon**

**"The service and people are excellent...they make the patient feel really comfortable"**

Darold Brown - Baseball pitcher, The Chicago Cubs

**"Dr. Altadonna is the BEST!" Laura Lipitski, Olympic hopeful competitive figure skater**

## Our Patients Speak...

**"I 've never had Chiopractic Care before, but since I've had it personally, all I can say is "What took me so long to have this treatment!"**

Mishel XXXX

**"Dr. Altadonna is very friendly and gentle"**

Patricia XXXX

**"Friendly service - concern for patients' health - very real - not obligated - and I obtained the treatment I needed"**

Betty XXXX

**"Dr. Altadonna is very competent and is thoroughly knowledgeable regarding his profession"**

Jim XXXX

**"Dr. Altadonna always hears me...the doctor always has time to listen"**

Sydney XXXX

**"The service and people are excellent...they make the patient feel really comfortable"**

Darold XXXX - Baseball pitcher, The Chicago Cubs

**"Dr. Altadonna is the BEST!"**

Laura XXXX, Olympic hopeful competitive figure skater