

BEFORE THE BOARD OF CHIROPRACTIC EXAMINERS  
OF THE STATE OF OREGON

1  
2  
3 In the Matter of )  
4 DAVID MARSHALL, D.C. )

) FINDINGS OF FACT, ULTIMATE  
) FINDINGS OF FACT, CONCLUSIONS  
) OF LAW, ORDER AND NOTICE OF  
) OPPORTUNITY FOR JUDICIAL REVIEW

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6 This contested case was heard by the entire Board of Chiropractic  
7 Examiners on May 16, 1991. Licensee represented himself and the  
8 Board was not represented by an attorney. The Board, has  
9 considered the evidence and exhibits and makes the following  
10 disposition of this contested case:

11 EVIDENTIARY RULING

12 At the time of the hearing, Dr. Marshall offered Resp. Ex - A, in  
13 addition to his own testimony. At the time of the hearing the  
14 Presiding Officer ruled that the evidence would be made part of the  
15 record.

16 FINDINGS OF FACT

17 The Board mailed a notice of the requirements of ORS 684.092  
18 which stated that the annual registration fee was due on August 1,  
19 1990, to licensee on May 31, 1990. The licensee, David Marshall,  
20 paid his license renewal fee on July 26, 1990. The Board received  
21 proof that licensee David Marshall completed his continuing  
22 educations requirements on September 12, 1990. The Board received  
23 the written application of licensee and the payment of the  
24 additional one-half of the annual registration fee on September 14,  
25 1990. The license of David Marshall expired on August 31, 1990, and  
26 was not renewed until September 14, 1990. Licensee David Marshall  
27 submitted a bill to SAIF, a workers' compensation insurance  
28 company, for chiropractic services rendered to patient

1 on September 4, 1990 and September 19, 1990. At the time  
2 that the chiropractic services to patient were  
3 rendered the license of David Marshall was expired.

4 ULTIMATE FINDINGS OF FACT

5 David Marshall practiced chiropractic during the time when his  
6 license had expired.

7 CONCLUSION OF LAW

8 David Marshall violated the provisions of ORS 684.015(1)(a).

9 ORDER

10 Licensee David Marshall is ordered to pay a fine of \$100 and a  
11 letter of reprimand shall be placed in his permanent license file.

12  
13 DATED this 5 day of May, 1991.

14 Original signatures on file  
15 at the OBCE office.

16 *Caroline J. ...*  
17 Executive Director

18 NOTICE: You are entitled to judicial review of this order.  
19 Judicial review may be obtained by filing a petition for review  
20 within 60 days from the service of this order. Judicial review is  
21 pursuant to the provisions of ORS 183.482 to the Oregon Court of  
22 Appeals.  
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