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4	BEFORE THE BOARD OF CHIROPRACTIC EXAMINERS
5	STATE OF OREGON
6	In the Matter of:) Case No. 2017-1013
7	Nicholas McBride, DC STIPULATED FINAL ORDER
8	Licensee.
9)
10	The Oregon Board of Chiropractic Examiners (Board or OBCE) is the state agency
11	responsible for licensing, regulating, and disciplining chiropractic physicians and certified
12	chiropractic assistants in the State of Oregon. Nicholas McBride, DC (Licensee) is a licensed
13	chiropractic physician in Oregon.
14	Findings of Fact
15	1.
16	On February 9, 2018, the Board issued a Notice of Proposed Disciplinary Action.
17	The Proposed Notice of Discipline is incorporated herein by reference. Licensee denies the
18	allegations, findings and conclusions of law and timely filed a Request for Hearing. The
19	hearing is set for October 22, 2018.
20	Conclusions of Law
21	3.
22	The Board finds, and Licensee denies, Licensee's documentation of the incidents, his
23	conduct and failure to communicate as described herein toward Patients 1 and 2 constitutes
24	unprofessional conduct in the Chiropractic profession in violation of ORS 684.100(1)(f)(A)
25	and OAR 811-035-0015(1)(a-e).
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Stipulations

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

- 1. The parties have agreed to enter this Stipulated Final Order. Licensee agrees 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 withdraw his request for hearing 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 denied cupping Patient 1's breast or any intent to contact breast tissue. Licensee denies he inappropriately touched Patient 2.
- 3. Licensee has completed a psycho-sexual evaluation by a Board approved practitioner and agrees to provide a copy of the evaluation to the Board. Licensee received authorization from the practitioner that he is medically safe to practice chiropractic in the state of Oregon. Licensee also successfully passed a polygraph.
- 4. Licensee agrees to successfully take and pass all sections of the EBAS and provide verification of passing to the Board.
- 5. Licensee agrees to utilize a Board approved consent form with all female patients prior to commencement of treatment. The consent form will advise female patients they have the following options for all deep tissue work in sensitive areas: (1) treatment with Licensee following consent; or (2) referral to another provider for treatment. Licensee will make a specific chart note regarding these referrals.
- 6. Failure to abide by the terms of this agreement may result in further discipline, after appropriate notice, up to and including revocation.

1	7. There will be no cost recovery sought by the Board.
2	8. This order is effective on the date signed by the Board and is a public record.
3	DATED this Z day of September 2018.
4	Original signature are on file in OBCE office.
5	By Cassandra C. McLeod-Skinner, JD,
6	Executive Director
7	DATED this 20day of September, 2018.
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9	Original signature are on file in OBCE office.
10	Nicholas McBride, DC
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