

BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON

In the Matter of

George Edward Meredith,

CCA applicant

)
) Case # 2005-5000
)
)

) **FINAL ORDER ON DEFAULT**
) **DENIAL OF LICENSE**

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. George Edward Meredith (hereafter "Applicant"), applied for a license as a certified chiropractic assistant in Oregon. The Board proposes to deny the certificate of the above applicant on the following basis:

Findings of Fact

1.

On May 23, 2005, the OBCE received CCA's application for a certificate to practice as a certified chiropractic assistant in Oregon. On question five of the application where Applicant was asked if he had ever been arrested or charged with a violation, misdemeanor or felony, Applicant responded yes. Applicant also responded in the affirmative to question 6, if he had ever been treated for substance abuse. In the attached explanation for that response, Applicant provided that in 1981 he had been arrested for second degree burglary for stealing a ladder after an evening of drinking. That resulted in the police citing him with petty theft and second degree burglary.

2.

On question 7 of the application where it asks if they have ever been convicted of, pled guilty, or no contest to any offense, misdemeanor or felony which could have resulted in imprisonment, Applicant responded yes. Again, Applicant referred to the burglary incident with the ladder in 1981. He stated he pled no contest and was released from probation early and believed the conviction was expunged from court records.

3.

Follow-up investigation revealed that Applicant had been arrested and charged for Harassment and Assault 4, an A misdemeanor in 1999. Applicant did not divulge this in his explanation attached to his application that arrest or charge. When inquiries of Applicant were requested, Applicant provided an explanation that he believed his Assault 4 was set aside and the matter was no longer on his record. Documents obtained during investigation indicate that Applicant was arrested and charged with Harassment and Assault 4 and subsequently entered a Deferred Sentencing Program during which time he took participated in treatment to address his recent alcohol and domestic violence issues, all information pertinent to this application.

Applicant was not truthful in his responses on the application and failed to provide adequate explanation to the Board.

4.

Court records do indicate that Applicant was charged and convicted of Second Degree Burglary through a plea of no contest in 1981. Applicant was placed on probation for 2 years and fined.

5.

On July 28, 2005, the Board served applicant with a Proposed Notice of Denial of License by certified mail with instructions that he needed to request a hearing within 60 days in order to protect his right to contest the matter. In addition, the Notice included language stating that if she failed to appear or request a hearing, a final order by default would be prepared and the Board would rely on the record as evidence. Applicant failed to timely request a hearing.

Conclusions of Law

6.

The Board finds that the acts and conduct of applicant in his application and responses to such, are cause to refuse to grant a certificate (license) to Applicant. The misrepresentations in the responses to questions regarding criminal arrests and convictions is evidence of fraud or misrepresentation in applying for or procuring a certificate; in violation of **OAR 811-010-0110(14)(b)**. In addition, the Board may also deny a certificate for conviction of a misdemeanor involving moral turpitude or a felony pursuant to **OAR 811-010-0110(14)(c)**. The Board finds that a misdemeanor conviction of Second Degree Burglary is a crime involving moral turpitude.

Order of the Board

7.

Due to the aforementioned findings of fact and conclusions of law, the OBCE formally denies applicant a license based on the above.

DATED this 10th day of October 2005.

BOARD OF CHIROPRACTIC EXAMINERS
State of Oregon

Original Signatures on file
at the OBCE Office
By _____
Dave McTeague, Executive Director
Oregon Board of Chiropractic Examiners

Appeal Rights:

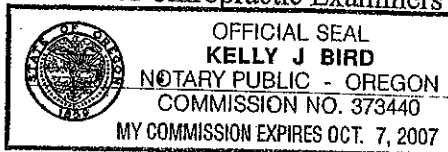
You are entitled to judicial review of this order in accordance with ORS Chapter 183.480.
You may request judicial review by filing a petition with the Court of Appeals in Salem, Oregon within 60 days from the date of this order.

State of Oregon) Case # 2005-5000
County of Marion) George Meredith, CCA applicant

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

**Original Signatures on file
at the OBCE Office**

Dave McTeague, Executive Director
Oregon Board of Chiropractic Examiners



SUBSCRIBED AND SWORN to before me

this 10th day of October, 2005

**Original Signatures on file
at the OBCE Office**

NOTARY PUBLIC FOR OREGON

My Commission Expires: 10/7/07

CERTIFICATE OF SERVICE

I, Dave McTeague, certify that on October 10, 2005, I served the foregoing Final Order of Default upon George Meredith, the party hereto, by mailing, certified mail, postage prepaid, a true, exact and full copy thereof to:

George Meredith
28244 SW Pueblo Terrace
Wilsonville, Oregon 97070

Original Signatures on file
at the OBCE Office

Dave McTeague
Executive Director
Oregon Board of Chiropractic Examiners