

BEFORE THE BOARD OF CHIROPRACTIC EXAMINERS
OF THE STATE OF OREGON

1
2
3 In the Matter of)
4 DAVID PLATT; D.C.)
5)
6)

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

7 This contested case was heard by the entire Board of Chiropractic
8 Examiners (Board) on May 16, 1991. Licensee was represented by
9 Brian Barnes, Attorney at Law, and the Board was not represented by
10 an attorney. The Board, has considered the evidence and exhibits
11 and makes the following disposition of this contested case:

12 EVIDENTIARY RULING

13 At the time of the hearing, attorney Brian Barnes, offered lists of
14 exhibits Resp.A through Resp.H, Resp.1 and Resp.2, and a Memorandum
15 of Facts and Law in addition to the testimony of licensee, David
16 Platt. At the time of the hearing the Presiding Officer ruled that
17 the evidence, with the exception of Resp.1 and Resp.2, would be
18 made a part of the record. Resp.1 and Resp.2 were not accepted into
19 the record.

20 FINDINGS OF FACT

21 The Board mailed a notice of the requirements of ORS 684.092
22 which stated that the annual registration fee was due on August 1,
23 1990, to the licensee on May 31, 1990. The licensee, David Platt,
24 paid his license renewal fee on July 23, 1990. The Board received
25 proof that licensee David Platt completed his continuing education
26 requirements on October 12, 1990. The Board received the written
27 application of licensee and payment of the additional one-half of
28 the annual registration fee on October 19, 1990. The license of

1 David Platt expired on August 31, 1990, and was not renewed until
2 October 19, 1990. Licensee David Platt submitted bills to SAIF,
3 a workers' compensation insurance company, for chiropractic
4 services rendered to patients Paul Wuerth on September 4, 1990,
5 September 18, 1990, and October 9, 1990; Loren Dixon on September
6 4, 1990; Mark Fleming on September 11, 1990; Karry Thomas on
7 October 2, 1990; Wade Jorgenson on September 11, 1990; Randall
8 Stuart on September 4, 1990 and September 11, 1990; and Dan Gist on
9 September 28, 1990. At the time that the chiropractic services to
10 the above-listed patients were rendered the license of David Platt
11 was expired.

12 ULTIMATE FINDINGS OF FACT

13 David Platt practiced chiropractic during the time when his license
14 had expired.

15 CONCLUSION OF LAW

16 David Platt violated the provisions of ORS 684.015(1)(a).

17 ORDER

18 Licensee David Platt is ordered to pay a fine of \$200 and a letter
19 of reprimand shall be placed in his permanent license file.

20
21 Dated 6-5, 1991.

22 Original signatures on file
23 at the OBCE office.

24 Christie Joachim,
25 Executive Director

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