

1
2
3
4
5
6
7
8
9
10
11
12
13

BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON

6 In the Matter of)
7) Case # 2005-5010
8 Anthony J. Saboe, D.C.)
9)
10) **FINAL ORDER BY DEFAULT**
11 D.C. Applicant.) **CIVIL PENALTY; LICENSURE**
12) **REQUIREMENTS**
13 _____)

14 The Oregon Board of Chiropractic Examiners (hereafter "Board" or "OBCE") is the state
15 agency responsible for licensing, regulating and disciplining chiropractic physicians and certified
16 chiropractic assistants in the State of Oregon. Anthony J. Saboe (hereafter "Applicant"), is an
17 applicant to the Board to practice as a chiropractic physician in Oregon. He is currently
18 licensed in Oregon as a certified chiropractic assistant.

19 Findings of Fact

20 1.

21 On September 7, 2005, the OBCE received Applicant's application for a license
22 to practice as a chiropractic physician in Oregon. Applicant signed a statement on his doctor of
23 chiropractic application certifying that "all statements are true and correct..." The application
24 was forwarded to the Oregon Board of Chiropractic Examiners for review at their November 18,
25 2005 meeting.

26 2.

27 On the application in response to question 7 as to if he had been arrested or charged with
28 a misdemeanor or felony, applicant answered no. On question 8 when asked if he was convicted
29 of any misdemeanor or felony he also responded no.
30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

3.

A background check revealed that Applicant was arrested in 1977 for pointing a firearm at another. This arrest did not result in a conviction. Applicant was later arrested for and convicted of criminal trespass in 1980 and the background information reveals a criminal conviction on his record for a misdemeanor.

4.

On September 19, 2005, the OBCE received Applicant's application for a license to practice as a certified chiropractic assistant in Oregon. On the application in response to question 5 as to if he had been arrested or charged with a violation, misdemeanor or felony, applicant answered no. On question 7 when asked if he was convicted of any violation, misdemeanor or felony he also responded no. Applicant signed a statement on this application certifying that "all statements are true and correct..."

5.

When asked for further information by the Board, applicant provided an explanation of the criminal arrest and conviction information. Applicant stated in his letter of explanation that "these happened so long ago that he simply failed to remember either of them." He also stated if he had remembered, he would have thought they would have been expunged off his record.

On December 2, 2005, Applicant was served with the Proposed Notice of civil penalty and licensure requirements. In that notice, Applicant was advised of his right to a hearing and failure to request one would result in a default order being issued and based on the record of the Board. Applicant subsequently notified the Board by mail that he would not be requesting a contested case hearing or responding further.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Conclusions of Law

6.

The Board finds the facts as determined in the arrest record and misdemeanor conviction in addition to not being forthcoming with the information in the application to the State of Oregon, constitute grounds to deny the application for a license to practice as a chiropractic physician in Oregon under the provisions of:

ORS 684.100 (1)(d)

(1) The State Board of Chiropractic Examiners may refuse to grant a license to any applicant, or may discipline a person upon any of the following grounds:

(d) A conviction of a felony or misdemeanor involving moral turpitude. A copy of the record of conviction, certified to by the clerk of the court entering the conviction, is conclusive evidence of the conviction.

ORS 684.040 (2)(a)

(2) Each applicant shall furnish to the board:

(a) Evidence satisfactory to the board of the applicant's good moral character.

OAR 811-010-0085 (13)

(3) The Board may reject applications for good cause including evidence of unprofessional conduct.

ORDER

24 Provided Applicant successfully passes the Oregon Specifics Examinations and meets all
25 other licensure requirements provided by law or rule, the Board agrees and orders to allow
26 Applicant's application for a license to practice chiropractic in Oregon with the following
27 restrictions;

28 Applicant will be assessed a civil penalty in the sum of \$750 payable to the Board within
29 30 days after this order becomes final (\$250 for violations related to his CCA application and

1 \$500 for violations related to his DC application). In addition, prior to and as a condition of
2 licensure, Applicant must take and pass a nationwide FBI background check.

3 IT IS SO ORDERED that applicant pay the civil penalty in the sum of \$750 within 30
4 days of this order and apply and pass a nationwide FBI background check as a license restriction.

5
6 DATED this 23rd day of January 2006.

7
8 **BOARD OF CHIROPRACTIC EXAMINERS**
9 State of Oregon

10
11
12 **Original Signatures on file**
13 **By: at the OBCE Office**
14 **Dave Mc League, Executive Director**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

State of Oregon) Case # 2005-5010
County of Marion) Anthony Saboe, D.C.

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 Final Order by Default is true to the best of my knowledge as I verily believe.

Original Signatures on file
at the OBCE Office

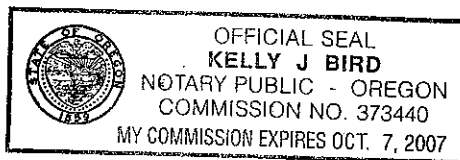
Dave McTeague, Executive Director
Oregon Board of Chiropractic Examiners

SUBSCRIBED AND SWORN to before me

this 23rd day of January, 2006

Original Signatures on file
at the OBCE Office

NOTARY PUBLIC FOR OREGON
My Commission Expires: 10/7/2007



1
2 **Certificate of Service**
3

4 I, Dave McTeague, certify that on January 23, 2006, I served the foregoing Final Order
5 by Default upon the party hereto by mailing, certified mail, postage prepaid, a true, exact and
6 full copy thereof to:
7

8 Anthony Saboe
9 915 SE 19th Ave.
10 Albany, Oregon 97321
11

12 **Original Signatures on file**
13 **at the OBCE Office**
14

15 _____
16 Dave McTeague
17 Executive Director
18 Oregon Board of Chiropractic Examiners
19
20
21
22
23
24

1
2
3
4
5
6
7
8
9
10
11
12
13

BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON

6 In the Matter of)
7) Case # 2005-5010
8 Anthony J. Saboe, D.C.)
9)
10) **NOTICE OF PROPOSED**
11 D.C. Applicant.) **CIVIL PENALTY; LICENSURE**
12) **REQUIREMENTS**
13 _____)

14 The Oregon Board of Chiropractic Examiners (hereafter "Board" or "OBCE") is the state
15 agency responsible for licensing, regulating and disciplining chiropractic physicians and certified
16 chiropractic assistants in the State of Oregon. Anthony J. Saboe (hereafter "Applicant"), is an
17 applicant to the Board to practice as a chiropractic physician in Oregon. He is currently
18 licensed in Oregon as a certified chiropractic assistant.

19 1.

20 On September 7, 2005, the OBCE received Applicant's application for a license
21 to practice as a chiropractic physician in Oregon. Applicant signed a statement on his doctor of
22 chiropractic application certifying that "all statements are true and correct..." The application
23 was forwarded to the Oregon Board of Chiropractic Examiners for review at their November 18,
24 2005 meeting.

25 2.

26 On the application in response to question 7 as to if he had been arrested or charged with
27 a misdemeanor or felony, applicant answered no. On question 8 when asked if he was convicted
28 of any misdemeanor or felony he also responded no.

29 3.

30 A background check revealed that Applicant was arrested in 1977 for pointing a firearm
31 at another. This arrest did not result in a conviction. Applicant was later arrested for and

1 convicted of criminal trespass in 1980 and the background information reveals a criminal
2 conviction on his record for a misdemeanor.

3
4 4.

5 On September 19, 2005, the OBCE received Applicant's application for a license to
6 practice as a certified chiropractic assistant in Oregon. On the application in response to question
7 5 as to if he had been arrested or charged with a violation, misdemeanor or felony, applicant
8 answered no. On question 7 when asked if he was convicted of any violation, misdemeanor or
9 felony he also responded no. Applicant signed a statement on this application certifying that "all
10 statements are true and correct..."

11 5.

12 When asked for further information by the Board, applicant provided an explanation of
13 the criminal arrest and conviction information. Applicant stated in his letter of explanation that
14 "these happened so long ago that he simply failed to remember either of them." He also stated if
15 he had remembered, he would have thought they would have been expunged off his record.

16 6.

17 The Board finds the facts as determined in the arrest record and misdemeanor conviction
18 in addition to not being forthcoming with the information in the application to the State of
19 Oregon, constitute grounds to deny the application for a license to practice as a chiropractic
20 physician in Oregon under the provisions of:

21 **ORS 684.100 (1)(d)**

22 (1) The State Board of Chiropractic Examiners may refuse to grant a license to
23 any applicant, or may discipline a person upon any of the following grounds:

24
25 (d) A conviction of a felony or misdemeanor involving moral turpitude. A copy of
26 the record of conviction, certified to by the clerk of the court entering the
27 conviction, is conclusive evidence of the conviction.

1 State of Oregon) Case # 2004-2002
2 County of Marion) Anthony Saboe, D.C.
3
4

5 I, Dave McTeague, being first duly sworn, state that I am the Executive Director of the
6 Oregon Board of Chiropractic Examiners, and as such, am authorized to verify pleadings in this
7 case: and that the foregoing Notice of Proposed Civil Penalty & Licensure Requirements is true
8 to the best of my knowledge as I verily believe.

9
10 Original Signatures on file
11 at the OBCE Office
12 _____
13 Dave McTeague, Executive Director
Oregon Board of Chiropractic Examiners

Notarized this day December 5,
2005. My commission expires
October 7, 2007.

Original Signatures on file
at the OBCE Office
JJ

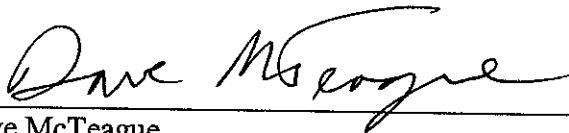


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

Certificate of Service

I, Dave McTeague, certify that on December 2, 2005, I served the foregoing Notice of Proposed Civil Penalty & Licensure Requirements upon the party hereto by mailing, certified mail, postage prepaid, a true, exact and full copy thereof to:

Anthony Saboe
915 SE 19th Ave.
Albany, Oregon 97321



Dave McTeague
Executive Director
Oregon Board of Chiropractic Examiners