

BEFORE THE  
BOARD OF CHIROPRACTIC EXAMINERS  
STATE OF OREGON

In the Matter of

Jenna Rachel Sanders, applicant CCA

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Case # 2010-5008

FINAL ORDER BY DEFAULT

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. Jenna Rachel Sanders (hereafter "CCA applicant"), applied for a license as a certified chiropractic assistant in Oregon.

Findings of Fact

1.

On May 27, 2010, the OBCE received CCA's application for a certificate to practice as a certified chiropractic assistant in Oregon. On question four of the application where Applicant was asked if she had ever been disciplined for any professional license, Applicant responded yes. In the attached explanation for that response, Applicant provided a handwritten statement that she had agreed to surrender her license for having a dual relationship with an ongoing client while she was a Licensed Professional Therapist in October 2008. She had also received payment for services she had not provided to another client.

2.

On August 4, 2010, the Board sent the Proposed Notice of Denial of Chiropractic Assistant Certificate to Applicant. That notice told Applicant that she had to request a hearing within 30 days. It also indicated that the board's record herein would be used as prima facie evidence in a default order. Applicant failed to timely request a hearing.

Conclusions of Law

3.

The Board finds that the acts and conduct of applicant in her application and responses to such, are cause to refuse to grant a certificate to Applicant. The Board may deny a certificate for cause, which includes unprofessional or dishonorable conduct, and for suspension or revocation of another license or certificate by another pursuant to **OAR 811-010-0110(14)(a) and (15)(x)**. The Board finds that surrender of a license for LPCT is akin to a license or certificate and especially with a dual relationship alleged warrants denial of the certificate. In the alternative the

Board finds that the conduct as a LPCT was in violation of professional conduct in violation of OAR 811-010-0110(15). The Board has authority to make these decisions under ORS 684.155.

ORDER


IT IS HEREBY ORDERED that the Applicant Jenna Rachel Sanders is found to be in default and the certificate application is denied as a chiropractic assistant to practice in the State of Oregon pursuant to ORS 684.155(c) in this matter.

DATED this 8<sup>th</sup> day of September 2010.

**BOARD OF CHIROPRACTIC EXAMINERS**  
State of Oregon

Original signature on file at OBCE

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 in the Court of Appeals in Salem, Oregon within 60 days from the date of this order.

**Certificate of Service**

I, Dave McTeague, certify that on September 9, 2010 I served the foregoing Notice of Proposed Denial upon the party hereto by mailing, regular mail, postage prepaid, a true, exact and full copy thereof to:

Jenna Sanders  
5585 Stockton Avenue S.  
Salem, Oregon 97306


Original signature on file at OBCE

Dave McTeague  
Executive Director  
Oregon Board of Chiropractic Examiners

State of Oregon ) Case # 2010-5008  
County of Marion ) Jenna Rachel Sanders

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 Denial is true to the best of my knowledge as I verily believe.

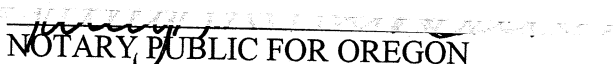
Original signature on file at OBCE

  
Dave McTeague, Executive Director  
Oregon Board of Chiropractic Examiners



SUBSCRIBED AND SWORN to before me  
this 9<sup>th</sup> day of September, 2010

Original signature on file at OBCE

  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: Dec. 8<sup>th</sup>, 2013

BEFORE THE  
BOARD OF CHIROPRACTIC EXAMINERS  
STATE OF OREGON

In the Matter of

Jenna Rachel Sanders, applicant CCA

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Case # 2010-5008

**NOTICE OF PROPOSED  
DENIAL OF CERTIFICATE**

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. Jenna Rachel Sanders (hereafter "CCA 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:

1.

On May 27, 2010, the OBCE received CCA's application for a certificate to practice as a certified chiropractic assistant in Oregon. On question four of the application where Applicant was asked if she had ever been disciplined for any professional license, Applicant responded yes. In the attached explanation for that response, Applicant provided a handwritten statement that she had agreed to surrender her license for having a dual relationship with an ongoing client while she was a Licensed Professional Therapist in October 2008. She had also received payment for services she had not provided to another client.

2.

The Board finds that the acts and conduct of applicant in her application and responses to such, are cause to refuse to grant a certificate to Applicant. The Board may deny a certificate for cause, which includes unprofessional or dishonorable conduct, and for suspension or revocation of another license or certificate by another pursuant to **OAR 811-010-0110(14)(a) and (15)(x)**. The Board finds that surrender of a license for LPCT is akin to a license or certificate and especially with a dual relationship alleged warrants denial of the certificate. In the alternative the Board finds that the conduct as a LPCT was in violation of professional conduct in violation of **OAR 811-010-0110(15)**.

3.

**NOTICE OF RIGHT TO A HEARING**

Applicant has the right, if applicant requests, to a hearing as provided by the Administrative procedures Act (ORS Chapter 183) before the Office of Administrative Hearings to contest the matter set out above. At the hearing, applicant may be represented by an attorney, and may subpoena and cross-examine witnesses. A request for hearing must be made in writing to the Board, and must be received by the Board within 60 days from the date of mailing of this notice (or if not mailed, the date of personal service), and must be accompanied by a written answer to the charges contained in this Notice. Upon receipt of a request for hearing, the Board will notify applicant of the time and place of the hearing. If a hearing is requested, applicant will be given, prior to the commencement of the hearing, information on the procedures, right of representation, and other rights of parties relating to the conduct of the hearing as required by ORS 183.413(2).

4.

Applicant's answer shall be made in writing to the Board and shall include an admission or denial of each factual matter alleged in this Notice, and a short plain statement of each relevant affirmative defense applicant may have. Except for good cause, factual matters alleged in this notice and not denied in the answer shall be presumed admitted; failure to raise a particular defense in the answer will be considered a waiver of such defense; and new matters alleged in the answer (affirmative defenses) shall be presumed to be denied by the agency, and evidence shall not be taken on any issue not raised in the Notice and answer.

5.

If applicant fails to request a hearing within 60 days, or fails to appear as scheduled at the hearing, the Board may issue a final order by default and impose the above sanctions against applicant. Upon default order of the Board or failure to appear, the contents of the Board's file regarding the subject of this case automatically becomes part of the evidentiary record of this Disciplinary action for the purpose of proving a prima facie case. ORS 183.415(6).

DATED August 5, 2010

**BOARD OF CHIROPRACTIC EXAMINERS**  
State of Oregon

By: 

*Original signature on file at OBCE*  
Dave McTeague, Executive Director  
Oregon Board of Chiropractic Examiners

**Certificate of Service**

I, Dave McTeague, certify that on August 5, 2010 I served the foregoing Notice of Proposed Denial upon the party hereto by mailing, regular mail, postage prepaid, a true, exact and full copy thereof to:

Jenna Sanders  
5585 Stockton Avenue S.  
Salem, Oregon 97306

*Original signature on file at OBCE*

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Dave McTeague  
Executive Director  
Oregon Board of Chiropractic Examiners