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CIRCUIT COURT
MULTNOMAH COUNTY

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FILED

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MULTNOMAH

STATE OF OREGON, acting by and through its
STATE BOARD OF CHIROPRACTIC
EXAMINERS,

Plaintiff,

v.

RANAN SHAHAR,

Defendant.

Case No. 0705-05848

GENERAL JUDGMENT

This matter came on for trial on March 11, 2008 at approximately 9:15AM. Plaintiff, through its attorney, Assistant Attorney General Daniel H. Rosenhouse appeared and presented evidence in support of plaintiff's claim. Defendant filed an Answer to Plaintiff's Complaint, but did not appear for trial. It appears to the Court, after hearing the evidence at trial, that plaintiff should have and recover judgment against defendant Ranan Shahar and the Court being fully advised in the premises,

NOW, THEREFORE, Judgment is hereby rendered in favor of plaintiff, State of Oregon, acting by and through its State Board of Chiropractic Examiners, and against the defendant Ranan Shahar as follows:

1. Defendant is permanently enjoined from engaging in the practice of chiropractic within the State of Oregon, including, but not limited to:
 - a. Palpating persons' spines, hips, cervical area or other parts of the human body;
 - b. Checking persons' passive range of motion (PROM) of their spines or cervical areas;
 - c. Checking persons' leg length, sometimes referred to as a Deerfield check;

- 1 d. Performing a cervical syndrome check;
- 2 e. Applying to persons chiropractic type activators;
- 3 f. Performing adjustments of the spine or other bones using chiropractic activators
- 4 or otherwise;
- 5 g. Applying an impulse type force, through an electrical device or otherwise, into or
- 6 onto or about a person's head, neck, spine, or any other area of the human body
- 7 2. Defendant is permanently enjoined from engaging, within the State of Oregon, in the
- 8 practice of, or any treatment using, the method known as AtlasPROfilax.
- 9 3. Plaintiff is awarded costs and disbursements in an amount to be determined through
- 10 ORCP 68 and a Supplemental Judgment.

11 DATED this 2nd day of ^{April}~~March~~, 2008.

13 Original Signatures are on file at OBCE office

14
15 Honorable Youlee Y. You
16 Circuit Court Judge

17 SUBMITTED BY:

18 Daniel H. Rosenhouse #77327
19 Assistant Attorney General
20 Department of Justice
21 1515 SW Fifth Ave., Suite 410
22 Portland, OR 97201
23 Telephone: (971) 673-1880
24 Facsimile: (971) 673-2196
25 dan.rosenhouse@doj.state.or.us
26



CERTIFIED TO BE A TRUE COPY
OF THE ORIGINAL.

DATED: APR 24 2008

Original Signatures are on file at OBCE office

CLERK OF THE COURT

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Ranan Shahar
New Dawn Clinic
1026 S. Robertson Blvd., Ste 300
Los Angeles, CA 90035-4480

Daniel H. Rosenhouse # 77327
Assistant Attorney General
Department of Justice
1515 SW Fifth Ave., Suite 410
Portland, OR 97201
Telephone: (971) 673-1880
Facsimile: (971) 673-2196
dan.rosenhouse@doj.state.or.us

**BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON**

In the Matter of)	
)	FINAL ORDER ON
Ranan Shahar)	DEFAULT
)	(Civil Penalty)
)	
Respondent.)	Case # 07-5006; 07-3001

The Board of Chiropractic Examiners (Board) is the state agency responsible for licensing, regulating and disciplining chiropractic physicians in the State of Oregon. Ranan Shahar (Respondent) is not licensed by the Board to practice as a chiropractic physician in the State of Oregon.

Findings of Facts

1.

In March or April 2006, Respondent attended an exposition, known as the "Body, Mind, Spirit Expo" at the Portland Convention Center in Portland, Oregon. While at the exposition, Respondent engaged in the practice of chiropractic as defined in ORS 684.010(2). More specifically, Respondent made himself available and did perform on human beings, with his hands and with hand tools, adjustments to the articulations of the bony framework of the human body; specifically, the top most vertebra of the spine also known as the "atlas." The Respondent called this treatment the "AtlasProFilax" and it was described as permanently correcting the position of the atlas using a Swiss technique, allowing the atlas to go back into its natural and correct position.

At the "Body, Mind, Spirit Expo" in 2006, Respondent was observed by a chiropractic physician taking a patient history, performing a number of range of motion and other orthopedic tests, palpating the neck and back, using an activator type machinery which consisted of a repeated thumping type action on the patient's body, and applying percussive treatments to patient's necks area and base of the spine.

2.

Respondent is not a licensed Chiropractor in the State of Oregon. Respondent holds no other health regulatory licenses or certificates in the State of Oregon.

3.

During April 2007, the Board received information that Respondent was scheduled to be present and provide services at the Body, Mind, Spirit Expo for April 14 and 15, 2007 at the

1 Portland Convention Center. On April 12, 2007, the Board sent a letter to Respondent requesting
2 that he cease and desist from providing the chiropractic services unlicensed and Respondent
3 received that letter. Notwithstanding receipt of the letter, Respondent appeared at the Body,
4 Mind, Spirit Expo on April 14 and April 15, 2007 and engaged in the practice of chiropractic on
5 both days. During this time frame, Respondent treated patients from 10 a.m. to 6 p.m. each day.
6 Respondent offered a "show special" treatment to patients for \$200. On April 14 and or April
7 15, 2007, Respondent was observed by Board staff and several chiropractic physicians taking a
8 patient history, performing a number of range of motion and other orthopedic tests, palpating the
9 neck and back, using an activator type machinery which consisted of a repeated thumping type
10 action on the patient's body, and applying percussive treatments to patients' neck area and base
11 of the spine.
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13 4.

14 On December 18, 2007, a Notice of Proposed Disciplinary Action was sent to Respondent
15 via certified mail. The notice was received by Respondent on December 26, 2007. In the Notice
16 of Proposed Disciplinary Action it indicated that failure to request a hearing in writing would
17 result in a default order being issued. Respondent failed to timely request a hearing within 30
18 days and is now in default.
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20 Conclusions of Law

21 5.

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23 The Board finds that conduct described above is a violation of ORS 684.020(1), ORS
24 684.100(1)(g) and (q), OAR 811-035-0015(14) in that Respondent practiced chiropractic without
25 a license and engaged in unprofessional conduct.
26

27 ORDER

28 6.

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30 Due to the aforementioned violations, the OBCE assesses against Respondent a civil
31 penalty in the sum of \$10,000 to the Board. This is pursuant to authority under ORS 684.100(9).
32 Payment of the civil penalty is due within 30 days of this order becoming final.
33
34

35 DATED this 8th day of April 2008.
36

37 BOARD OF CHIROPRACTIC EXAMINERS
38 State of Oregon

39
40 Original signatures on file
41 at the OBCE office.

42 By:

43 Dave McTeague, Executive Director
44

1 A party is entitled to judicial review of the Final Order. Judicial review is by the Oregon Court of Appeals pursuant
2 to the provisions of ORS 183.482. Judicial review may be obtained by filing a petition for review with the Office of
3 State Court Administrator, Supreme Court Building, Salem, Oregon 97310. ORS 183.482 requires that an appeal is
4 requested by filing a petition in the Court of Appeals within 60 days following the date the order upon which the
5 petition is based is served.

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4 State of Oregon) Case # 07-5006; 07-3001
5 County of Marion) Ranan Shahar
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8 I, Dave McTeague, being first duly sworn, state that I am the Executive Director of the
9 Oregon Board of Chiropractic Examiners, and as such, am authorized to verify pleadings in this
10 case: and that the foregoing Final Order by Default is true to the best of my knowledge as I
11 verily believe.

12 Original signatures on file
13 at the OBCE office.

14 [Signature]
15 Dave McTeague, Executive Director
16 Oregon Board of Chiropractic Examiners

17
18 SUBSCRIBED AND SWORN to before me

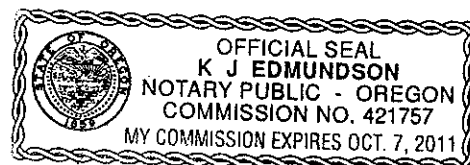
19 this 9th day of April, 2008

20 Original signature on file
21 at the OBCE office.

22 [Signature]
23 NOTARY PUBLIC FOR OREGON

My Commission Expires: 10/7/11

24 *****



1
2 **Certificate of Service**
3

4 I, Dave McTeague, certify that on April 9, 2008 I served the foregoing Final Order by
5 Default upon the party hereto by mailing, certified mail, postage prepaid, a true, exact and full
6 copy thereof to:

7
8 Ranan Shahar
9 New Dawn Clinic
10 1026 S Robertson Blvd Ste 300
11 Los Angeles CA 90035-1545

12 Original signature on file
13 at the OBCE office

14 Dave McTeague
15 Executive Director
16 Oregon Board of Chiropractic Examiners
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**BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON**

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In the Matter of)	
)	NOTICE OF PROPOSED
Ranan Shahar)	DISCIPLINARY ACTION
)	(Civil Penalty)
)	
Respondent.)	Case # 07-5006; 07-3001

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1.

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At the "Body, Mind, Spirit Expo" in 2006, Respondent was observed by a chiropractic physician taking a patient history, performing a number of range of motion and other orthopedic tests, palpating the neck and back, using an activator type machinery which consisted of a repeated thumping type action on the patient's body, and applying percussive treatments to patient's necks area and base of the spine.

2.

Respondent is not a licensed Chiropractor in the State of Oregon. Respondent holds no other health regulatory licenses or certificates in the State of Oregon.

3.

During April 2007, the Board received information that Respondent was scheduled to be present and provide services at the Body, Mind, Spirit Expo for April 14 and 15, 2007 at the Portland Convention Center. On April 12, 2007, the Board sent a letter to Respondent requesting

1 that he cease and desist from providing the chiropractic services unlicensed and Respondent
2 received that letter. Notwithstanding receipt of the letter, Respondent appeared at the Body,
3 Mind, Spirit Expo on April 14 and April 15, 2007 and engaged in the practice of chiropractic on
4 both days. During this time frame, Respondent treated patients from 10 a.m. to 6 p.m. each day.
5 Respondent offered a "show special" treatment to patients for \$200. On April 14 and or April
6 15, 2007, Respondent was observed by Board staff and several chiropractic physicians taking a
7 patient history, performing a number of range of motion and other orthopedic tests, palpating the
8 neck and back, using an activator type machinery which consisted of a repeated thumping type
9 action on the patient's body, and applying percussive treatments to patients' neck area and base
10 of the spine.

11
12 4.
13

14 The Board finds that conduct described above is a violation of ORS 684.020(1), ORS
15 684.100(1)(g) and (q), OAR 811-035-0015(14) in that Respondent practiced chiropractic without
16 a license and engaged in unprofessional conduct.
17

18
19 5.
20

21 Due to the aforementioned violations, the OBCE proposes to require Respondent to pay a
22 civil penalty in the sum of \$10,000 to the Board. This is pursuant to authority under ORS
23 684.100(9). Payment of the civil penalty is due within 30 days of this order becoming final.
24

25 6.
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27 Respondent shall pay costs of this disciplinary proceeding, including investigative costs
28 and attorney fees pursuant to ORS 684.100(9)(g).
29

30 7.
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32 Respondent has the right, if Respondent requests, to have a formal contested case hearing
33 before the Office of Administrative Hearings to contest the matter set out above. At the hearing,
34 Respondent may be represented by an attorney and subpoena and cross-examine witnesses. That
35 request for hearing must be made in writing to the OBCE, must be received by the OBCE within
36 30 days from the mailing of this notice (or if not mailed, the date of personal service), and must
37 be accompanied by a written answer to the charges contained in this notice.
38

39 8.
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41 The answer shall be made in writing to the OBCE and shall include an admission or
42 denial of each factual matter alleged in this notice, and a short plain statement of each relevant
43 affirmative defense Respondent may have. Except for good cause, factual matters alleged in this

1 notice and not denied in the answer will be considered a waiver of such defense; new matters
2 alleged in this answer (affirmative defenses) shall be presumed to be denied by the agency and
3 evidence shall not be taken on any issue not raised in the notice and answer.
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7 If Respondent requests a hearing, before commencement of that hearing, Respondent will
8 be given information on the procedures, rights of representation and other rights of the parties
9 relating to the conduct of the hearing as required under ORS 183.413-415.
10

11 10.
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13 If Respondent fails to request a hearing within 30 days, or fails to appear as scheduled at
14 the hearing, the OBCE may issue a final order by default and impose the above sanctions against
15 Respondent. Upon default order of the Board or failure to appear, the contents of the Board's file
16 regarding the subject of this Notice automatically become part of the evidentiary record of this
17 disciplinary action upon default for the purpose of proving a prima facie case.
18

19 DATED this 18th day of December 2007.
20

21 BOARD OF CHIROPRACTIC EXAMINERS
22 State of Oregon

23 **Original signature on file at OBCE**
24

25 By: 
26


27 Dave McTeague, Executive Director
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2 State of Oregon) Case # 07-5006; 07-3001

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

10 Original signature on file at OBCE

11 
12 Dave McTeague, Executive Director
13 Oregon Board of Chiropractic Examiners
14

15
16 SUBSCRIBED AND SWORN to before me

17 this 19 day of December, 2007

18 Original signature on file at OBCE

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20 NOTARY PUBLIC FOR OREGON

21 My Commission Expires: 11-5-08
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Certificate of Service

I, Dave McTeague, certify that on December 18, 2007, I served the foregoing Notice of Proposed Civil Penalty upon the party hereto by mailing, certified mail, postage prepaid, a true, exact and full copy thereof to:

Ranan Shahar
New Dawn Clinic
1026 S Robertson Blvd Ste 300
Los Angeles CA 90035-1545

Original signature on file at OBCE

Dave McTeague
Executive Director
Oregon Board of Chiropractic Examiners