

BEFORE THE  
BOARD OF CHIROPRACTIC EXAMINERS  
STATE OF OREGON

In the Matter of	)	
	)	Case # 2022-3011
	)	
	)	
Landyn Shanks,	)	NOTICE OF
D.C.,	)	PROPOSED DISCIPLINE
	)	
_____	)	

The Oregon Board of Chiropractic Examiners (OBCE or Board) is the state agency responsible for licensing, regulating, and disciplining chiropractic physicians in the State of Oregon. Landyn Shanks, D.C. (Licensee), is currently licensed by the Board to practice as a chiropractic physician in Oregon and is subject to the jurisdiction of the OBCE. The Board finds that Licensee should be disciplined based on the following:

1.

On or about April 4, 2022, the Board became aware that Licensee was having a sexual relationship with one of her female patients in her chiropractic practice.

Patient 1 began treatment for neck and hip issues in February 2021 and continued through March 2022. Patient 1 did not know Licensee prior to seeking chiropractic treatment from Licensee. Beginning in 2021, Patient 1 would treat on an as needed basis. By September 2021, she was being treated weekly for a total amount of 35 visits. Patient 1's two children also began to be treated by Licensee soon after Patient 1 began treatment.

Licensee and Patient 1 became friendly and started to form a personal relationship while Patient 1 was being treated. They would socialize together, share meals, and do

various outings together with their families. Licensee brought groceries to Patient 1 when she was unable to leave her home due to sickness.

Patient 1 stated that, in August of 2021, more than a friendship developed and it started to become romantic by September 2021. A six-month sexual relationship began, while they were spending personal time together, they were sharing wine and kissing one another on several occasions. They also exchanged text messages, some of them romantic and flirty in nature.

Licensee continued to treat Patient 1 during that time frame. In February 2022, Licensee claims to have terminated the doctor/patient relationship and terminated the sexual relationship and friendship at the same time. Chart notes confirm that Patient 1 was a patient of Licensee during the above time periods. The Board found no formal termination of the doctor/patient relationship in the patient charts.

2.

Patient 1 told the Board investigator that due to the personal relationship that became sexual in nature, she felt taken advantage of by Licensee as a patient. She said the relationship ended very badly and that she was very upset by the way it ended with Licensee and how it affected her children's chiropractic care as well as hers. She provided that she had a lot of hurt feelings about what happened to her.

3.

During a board interview, Licensee did not produce any written termination of the doctor/patient relationship with Patient 1. Licensee stated she had empathy for Patient 1 being a "struggling single mom." Licensee also said she, herself, was new to the area and didn't have a lot of friends. She admitted that they began socializing and going on

outings together while she was treating Patient 1. Licensee admitted to having a “best friend” and close relationship with Patient 1 and admitted that at some point it turned flirty and playful. In September 2021, Licensee admitted that Patient 1 began to look at her differently and she was aware that a line had been crossed.

In Licensee’s written response to the Board, Licensee stated she was aware that Patient 1 was in a vulnerable and emotional state while she was treating her. Licensee admitted that at the same time they were developing the friendship, which turned into a sexual relationship, that she continued to provide treatment to Patient 1 and her family. Licensee admitted that on six or seven occasions, she and Patient 1 would have wine and kiss one another.

In February 2022, Licensee told Patient 1 that she wasn’t going to pursue any sexual relationship with her, and she said Patient 1 did not take that well. Licensee stated, “I crossed a line that should not have been crossed and that’s why we are not friends any longer.” Any additional sexual interaction beyond kissing between Patient 1 and Licensee was denied by Licensee. Licensee denied that any inappropriate sexual contact occurred while Patient 1 was receiving treatment in her clinic.

The Board considers there to be a doctor-patient relationship between Patient 1 and Licensee, under OAR 818-010-0005(9), during all relevant times herein.

4.

The conduct of Licensee having an inappropriate sexual relationship with Patient 1 is unprofessional conduct and gross negligence. A chiropractic physician in the State of Oregon is expected to always maintain appropriate professional boundaries with patients. Chiropractic physicians are prohibited from engaging in sexual relations with a

patient unless a consensual sexual relationship existed between them before the commencement of the doctor-patient relationship. This type of conduct is contrary to the recognized standard of ethics of the profession and might constitute a danger to the health or safety of a patient or the public.

The Board finds that Licensee engaged in an inappropriate sexual relationship with Patient 1 following and during the time when Patient 1 was consulting with the Licensee for treatment and after the doctor-patient relationship was formed in violation of ORS 684.100(1)(f)(A), OAR 811-035-0015(1)(a)-(c).

The above conduct is in violation of ORS 684.100(1) (f) and (A), (C) and (q), ORS 670.280(3), and OAR 811-035-0015(1)(a)-(c)(d) – (e ), (A)-(B) and (6).

5.

For this conduct referenced above, the Board proposes the following:

1. Licensee's license to practice chiropractic shall be suspended for ninety days from this order becoming final and Licensee shall not provide any chiropractic treatment during that time period.
2. If Licensee leaves the state of Oregon during that time period, the time is tolled until returning to Oregon.
3. Licensee is required to successfully take and unconditionally pass all aspects of the ProbE within three months this order becomes final.
4. Licensee is required to cover the expense of the tests and to provide proof of successful completion and unconditional passing to the Board in writing.
5. Licensee will not be released from the suspension until verification is provided to the Board for the test.

6. Licensee is responsible to prominently post in the clinic a suspension notice as required by OAR 811-015-0080.
7. Licensee is assessed a \$2,500 civil penalty to be paid to the Board within 6 months of the order becoming final.
8. Licensee is required to make an appearance before the Board for a personal interview prior to release from suspension.

Pursuant to ORS 293.231, the Board will refer the amounts owed to collection if it has received no payment on the account for more than 90 days. Thereafter, the Board will consider assignment to the Oregon Department of Revenue or a private collection agency for collection. Final fees may include additional percentages of any increase in the amount you owe due to the accrual of interest on the unpaid principal amount.

6.

The Board proposes to assess against Licensee all of the Board's costs of this disciplinary process and action, including but not limited to all legal costs from the Department of Justice, all hearing costs from the Office of Administrative hearings, all costs associated with any expert or witness, and all administrative costs specific to this proceeding, in an amount not to exceed \$75,000, pursuant to ORS 684.100(9)(g), in addition to any interest accrued at the legal rate allowed and any and all costs related to collections.

7.

#### NOTICE OF HEARING RIGHTS

Licensee has the right, if Licensee requests, to have a formal contested case hearing before the OBCE or the Administrative Law Judge to contest the matter set out

above. At the hearing, Licensee may be represented by an attorney and subpoena and cross-examine witnesses. That request for hearing must be made in writing to the OBCE, must be received by the OBCE within 30 days from the 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.

8.

The answer shall be made in writing to the OBCE 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 Licensee may have. Except for good cause, factual matters alleged in this notice and not denied in the answer will be considered a waiver of such defense; new matters alleged in this 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.

9.

If Licensee requests a hearing, before commencement of that hearing, Licensee will be given information on the procedures, rights of representation and other rights of the parties relating to the conduct of the hearing as required under ORS 183.413-415.

10.

If Licensee fails to request a hearing within 30 days, or fails to appear as scheduled at the hearing, the OBCE may issue a final order by default and impose the above sanctions against Licensee. Upon default order of the Board or failure to appear, the contents of the Board's file regarding the subject of this automatically become part of

the evidentiary record of this disciplinary action upon default for the purpose of proving a prima facie case.

11.

NOTICE TO ACTIVE DUTY SERVICEMEMBERS:

Active duty service members have a right to stay these proceedings under the federal Service Members Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 800-452-7500 or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

DATED this 1st day of December, 2022.

BOARD OF CHIROPRACTIC EXAMINERS  
State of Oregon

Signatures on file with the OBCE office

By: \_\_\_\_\_  
Cassandra C. McLeod-Skinner, J.D.,  
Executive Director

CERTIFICATE OF SERVICE

I, Cassandra C. McLeod-Skinner, certify that on December 1, 2022, I served the foregoing Notice of Proposed Discipline upon Licensee, the party hereto, by mailing, postage prepaid, and by email to Licensee, a true, exact and full copy thereof to:

Landyn Shanks

Signatures on file with the OBCE office

Signatures on file with the OBCE office

\_\_\_\_\_  
Cassandra C. McLeod-Skinner, JD  
Executive Director  
Oregon Board of Chiropractic Examiners



BEFORE THE  
BOARD OF CHIROPRACTIC EXAMINERS  
STATE OF OREGON

In the Matter of	)	
	)	Case # 2022-3011
	)	
	)	
Landyn Shanks,            D.C.,	)	FINAL DEFAULT ORDER
	)	
	)	
_____	)	

The Oregon Board of Chiropractic Examiners (Board) is the state agency responsible for licensing, regulating, and disciplining chiropractic physicians in the State of Oregon. Landyn Shank, D.C. (Licensee), is currently licensed by the Board to practice as a chiropractic physician in Oregon and is subject to the jurisdiction of the OBCE.

Findings of Fact

1.

On or about April 4, 2022, the Board became aware that Licensee was having a sexual relationship with one of her female patients in her chiropractic practice.

Patient 1 began treatment for neck and back issues in February 2021 and continued through March 2022. Patient 1 did not know Licensee prior to seeking chiropractic treatment from Licensee. Beginning in 2021, Patient 1 would treat on an as needed basis. By September 2021, she was being treated weekly for a total amount of 35 visits. Patient 1's two children also began to be treated by Licensee soon after Patient 1 began treatment.

Licensee and Patient 1 became friendly and started to form a personal relationship while Patient 1 was being treated. They would socialize together, share meals, and do various outings together with their families. They also exchanged text messages, some of

them romantic and flirty in nature. Licensee brought groceries to Patient 1 when she was unable to leave her home due to sickness.

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3.

During a board interview, Licensee did not produce any written termination of the doctor/patient relationship with Patient 1. Licensee stated she had empathy for Patient 1 being a "struggling single mom." Licensee also said she, herself, was new to the area and didn't have a lot of friends. She admitted that they began socializing and going on

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In Licensee’s written response to the Board, Licensee stated she was aware that Patient 1 was in a vulnerable and emotional state while she was treating her. Licensee admitted that at the same time they were developing the friendship, which turned into a sexual relationship, that she continued to provide treatment to Patient 1 and her family. Licensee admitted that on six or seven occasions, she and Patient 1 would have wine and kiss one another.

In February 2022, Licensee told Patient 1 that she wasn’t going to pursue any sexual relationship with her, and she said Patient 1 did not take that well. Licensee stated, “I crossed a line that should not have been crossed and that’s why we are not friends any longer.” Any additional sexual interaction beyond kissing between Patient 1 and Licensee was denied by Licensee. Licensee denied that any inappropriate sexual contact occurred while Patient 1 was receiving treatment in her clinic.

The Board considers there to be a doctor-patient relationship with Patient 1 and Licensee, under OAR 818-010-0005(9), during all relevant times herein.

4.

On December 1, 2022, the Board sent Licensee the Notice of Proposed Discipline via certified mail. That notice explained the time required to request a hearing. The notice also explained, for purposes of default, that the board’s records would be used as

prima facie evidence for purposes of default. Licensee did not request a hearing in a timely manner and is in default.

#### Conclusions of Law

##### 5.

The conduct of Licensee having an inappropriate sexual relationship with Patient 1 is unprofessional conduct and gross negligence. A chiropractic physician in the State of Oregon is expected to always maintain appropriate professional boundaries with patients. Chiropractic physicians are prohibited from engaging in sexual relations with a patient unless a consensual sexual relationship existed between them before the commencement of the doctor-patient relationship. The type of conduct engaged in here is contrary to the recognized standard of ethics of the profession and might constitute a danger to the health or safety of a patient or the public.

The Board finds that the Licensee engaged in an inappropriate sexual relationship with Patient 1 following and during the time when Patient 1 was consulting with the Licensee for treatment and after the doctor-patient relationship was formed, in violation of ORS 684.100(1)(f)(A), OAR 811-035-0015(1)(a)-(c).

The above conduct is in violation of ORS 684.100(1) (f) and (A), (C) and (q), ORS 670.280(3), and OAR 811-035-0015(1)(a)-(c)(d) – (e ), (A)-(B) and (6).

##### 6.

#### ORDER

For this conduct referenced above, the Board orders the following:

1. Licensee's license to practice chiropractic shall be suspended for ninety days from this order becoming final and Licensee shall not provide any chiropractic treatment during that time period.
2. If Licensee leaves the state of Oregon during that time period, the time is tolled until returning to Oregon.
3. Licensee is required to successfully take and unconditionally pass all aspects of the ProbE within three months this order becomes final.
4. Licensee is required to cover the expense of the tests and to provide proof of successful completion and unconditional passing to the Board in writing.
5. Licensee will not be released from the suspension until verification is provided to the Board for the test.
6. Licensee is responsible to prominently post in the clinic a suspension notice as required by OAR 811-015-0080.
7. Licensee is assessed a \$2,500 civil penalty to be paid to the Board within 6 months of the order becoming final.
8. Licensee is required to make an appearance before the Board for a personal interview prior to release from suspension.

Pursuant to ORS 293.231 the Board will refer the amounts owed to collection if it has received no payment on the account for more than 90 days. Thereafter, the Board will consider assignment to the Oregon Department of Revenue or a private collection agency for collection. Final fees may include additional percentages of

any increase in the amount you owe due to the accrual of interest on the unpaid principal amount.

DATED this 4th day of January, 2023.

**BOARD OF CHIROPRACTIC EXAMINERS**  
State of Oregon

Signatures on file with the OBCE office

By: \_\_\_\_\_  
Cassandra C. McLeod-Skinner, J.D.  
Executive Director

**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, Cassandra C. McLeod-Skinner, certify that on January 4 , 2023, I served the foregoing Final Default Order upon Licensee, the party hereto, by mailing, postage prepaid, and by email to Licensee, a true, exact and full copy thereof to:

Landyn Shanks

Signatures on file with the OBCE office

Signatures on file with the OBCE office

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Cassandra C. McLeod-Skinner, JD  
Executive Director  
Oregon Board of Chiropractic Examiners