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

6 In the Matter of)
7) FINAL DEFAULT ORDER
8 Matthew Singler, D.C.)
9)
10)
11)
12 Licensee.) Case # 2014-3005
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15 The Board of Chiropractic Examiners (Board) is the state agency responsible for
16 licensing, regulating and disciplining chiropractic physicians in the State of Oregon. Matthew
17 Singler, D.C. (Licensee), is licensed by the Board to practice as a chiropractic physician in the
18 State of Oregon.
19

20 Findings of Fact

21 1.

22 The Oregon Board of Chiropractic Examiners received a complaint regarding chart notes
23 done by Licensee at the New Health Chiropractic Clinic not meeting the minimal standards of
24 record keeping of a chiropractor licensed in Oregon. Specifically, it was alleged that the
25 handwritten exam findings versus the typewritten notes were inconsistent. There were also issues
26 raised regarding the quality of diagnostic imaging studies. The Board received records from
27 Patient 1 and Patient 2 for review.
28

29 2.

30 Of the two patient records reviewed, the Board found the following:
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32 a. Chart notes do not meet minimal standards. Chart notes do not adequately describe the
33 patient encounter. Review of Patient 1 shows that the notes lack subjective findings. There may
34 have been subjective findings in some chart notes but there is boiler plate or standard language
35 such as "condition improving" which provides no information about the patient's ongoing
36 progress or condition. The assessment portion of the notes for this patient only includes
37 diagnosis codes and no clinical impression from Licensee, especially when reevaluation was
38 performed. For example, on August 15, 2013, Licensee did not include his clinical impressions
39 in the notes. Licensee did not document which side the symptoms were observed on the patient's
40 body or if the symptoms are bilateral in his objective findings. There is no use of objective
41 outcome markers such as a pain scale, or activities of daily living. Midway through this patient's
42 treatment, Licensee switched his medical record software. The updated records did contain more
43 information, however, it is either not organized correctly or is clearly inaccurate. For example,

1 on October 28, 2013, Licensee indicated the visit was to maintain her state of wellness and
2 included procedures performed in the objective portion of the note, but does not indicate the
3 duration of the procedures performed in the notes. Licensee's use of the terms Grade 1 MVA or
4 Grade 2 MVA are not meaningful in the notes and are not explained.

5
6 This is in violation of ORS 684.100(1)(f)(A) and OAR 811-015-0005(1)(a) and (b), OAR
7 811-015-0010(1)(2)(3) and (4).

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9 b. As to Patient 2, similar things were found by the Board. Poor use of the subjective
10 findings area of the notes by Licensee occurred. For example on September 12, 2013, Licensee
11 performed a re-examination that included no indication of any subjective complaints or reports of
12 activities of daily living beyond "condition improving." The assessment portion of the notes for
13 this patient only includes diagnosis codes but no clinical impression from Licensee. On days
14 when therapeutic exercise was documented, generic terms were used to indicate that Licensee
15 performed one-on-one therapeutic exercise training, without indicating the amount of time spent
16 doing them, what was specifically done, or if home instructions that were given by Licensee.
17 Mechanical traction was never documented to indicate what region of the body it was performed
18 on. Patient 2 stated he made the doctor aware of a prior back and right knee and hip complaint,
19 however, the records treat these complaints as if they are related to the current accident. Imaging
20 studies of the neck and low back are billed as being performed on the initial visit, however, only
21 findings on the cervical study are documented.

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23 This is a violation of 684.100(1)(f)(A) and OAR 811-015-0005(1)(a) and (b), OAR 811-
24 015-0010(1)(2)(3) and (4).

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26 c. The Board found a pattern of using non-specific language that was repeated verbatim
27 throughout these patient charts. The records are below the minimal standards for notes in
28 Oregon of a chiropractic physician. The notes do not demonstrate the appropriate clinical
29 judgment since they lack specific clinical impressions throughout. The information is not
30 organized correctly in the notes to enable another chiropractor to resume care of the patients.

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32 d. On August 20, 2014, the Board proposed discipline to Licensee via certified mail.
33 Licensee acknowledged receipt of notice and was aware that the Board cited that the record of
34 the file would be used as prima facie evidence of a violation in case of default. Licensee
35 communicated with the Board by sending in compliance with the continuing education and a
36 \$1000 civil penalty payment on November 7, 2014. Licensee did not request a hearing in this
37 matter and has fulfilled the requests of the Board regarding payment of civil penalty and CE
38 credits.

39
40 Conclusions of Law

41 3.

42 The Board finds violations of ORS 684.100(1)(f)(A) and OAR 811-015-0005(1)(a) and
43 (b), OAR 811-015-0010(1)(2)(3) and (4).

1
2 Order of the Board

3 4.

4 The OBCE orders the following:

- 5
6 A. To issue a civil penalty in the sum of \$1,000. Licensee has paid the fine as of the date of
7 this order.
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9 B. Licensee is on probation for a one year probation period.
10
11 C. Licensee is required to take 12 hours of continuing education; 4 hours in electronic
12 medical records and 8 hours in billing/coding and recordkeeping. This is in addition to
13 the required CE for licensure. Licensee has fulfilled the requirements of the continuing
14 education.
15
16 D. Licensee will also be required to provide the Board with two files in the next year for
17 Board review and agrees to allow the Board representative or agent access to patient files
18 upon request.
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20
21 DATED this 5th day of December, 2014.
22

23 BOARD OF CHIROPRACTIC EXAMINERS
24 State of Oregon
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26
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28 By:

29 Cassandra C. Skinner, J.D., Executive Director
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39 Appeal Rights:

40 You are entitled to judicial review of this order in accordance with ORS Chapter 183.480.
41 You may request judicial review by filing a petition in the Court of Appeals in Salem, Oregon
42 within 60 days from the date of this order.
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State of OREGON)
County of Marion) Case # 2014-3005

I, Cassandra C. Skinner, being first duly sworn, state that I am the Executive Director of the Board of Chiropractic Examiners of the State of Oregon, and as such, am authorized to verify pleadings in this case: and that the foregoing Notice is true to the best of my knowledge as I verily believe.



Cassandra C. Skinner, J.D.
EXECUTIVE DIRECTOR
OREGON BOARD OF CHIROPRACTIC EXAMINERS

SUBSCRIBED AND SWORN to before me
this 5th day of December, 2014.

NOTARY PUBLIC FOR OREGON
My Commission Expires: 10/7/2015



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Certificate of Service

I, Cassandra C. Skinner, certify that on the 5th day of December, 2014, I served the foregoing Final Default Order upon the party hereto by mailing, certified mail, postage prepaid, a true, exact and full copy thereof to:

Matthew Singler, D.C.
New Health Chiropractic
PO Box 8
15480 SE 82nd Drive Suite B
Clackamas OR 97015

Lori H. Lindley
Department of Justice
General Counsel
1162 Court St. NE
Salem, OR 97301-4096

Cassandra C. Skinner, J.D.
Executive Director
Oregon Board of Chiropractic Examiners