

1 c. The Board and Utter stipulate and agree that Utter
2 permanently surrender, in lieu of revocation, his license to
3 practice chiropractic in the state of Oregon.

4 4.

5 This stipulation is intended to cover the acts and practices
6 denoted herein. This stipulation does not cover actions which are
7 not described herein. Dr. Utter expressly waives any objection as
8 to the form of the proceedings and service of documents.

9 IT IS SO STIPULATED this 2 day of ^{MA}April, 1991.

10 Original signature on file
11 at the OBCE office.

12 Jeffrey C. Utter, D.C.

13 SO STIPULATED this 30 day of April, 1991.

14 Original signature on file
15 at the OBCE office.

16 Christie Joachim,
17 Executive Director

9.

On or between July 1, 1988 and May 1, 1990, in an aggregate transaction involving claims for service to Utter committed a theft of United States currency, of a total value of Ten Thousand Dollars or more, which was the property of the SAIF Corporation. This theft was accomplished by submitting fraudulent claims to SAIF Corporation for the services allegedly rendered to Berl Davis.

10.

By engaging in this conduct, Utter violated ORS 684.100(1)(j) in that he obtained fees or payments from a third party payor through fraud or misrepresentation.

11.

On January 11, 1991, Utter entered a plea of "guilty" to a charge of Aggravated Theft in the First Degree in Marion County Circuit Court. The basis of this charge was the fraudulent billing in the case of

12.

The Board proposes to revoke Utter's license to practice chiropractic in Oregon and to assess the costs of this proceeding and a civil penalty of \$1000, pursuant to ORS 684.100(9)(d), (f) and (g).

13.

You are entitled to a hearing as provided by the Administrative Procedures Act (ORS ch 183). You may be represented by counsel at the hearing. If you desire a hearing, you must notify OBCE in writing that you request a hearing within 21 days of the date of the mailing or service of this Notice to you. If a request

1 presumed to be denied by the agency and evidence shall not be taken
2 on any issue not raised in the Notice and answer.

3 DATED this 15 day of April, 1991

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5 Christie Joachim
6 Christie Joachim, Executive Director
7 Board of Chiropractic Examiners
8 for the State of Oregon
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