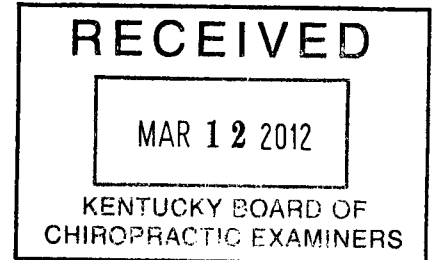


**COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS**

*Pd. \$1,000 -
CHK # 2777*

**IN RE: CHIROPRACTIC LICENSE # 4994
HELD BY Anthony Joseph Scatena, D.C.**

Anthony Joseph Scatena, D.C.
1019 Majestic Dr Ste 160
Lexington, KY 40513



AGREED ORDER

*Pd \$4,000 - 8-13-12
CHK # 2800*

Parties

WHEREAS, the parties to the Agreed Order herein are the Kentucky Board of Chiropractic Examiners, hereinafter referred to as the "Board," and Anthony Joseph Scatena D.C., hereinafter referred to as the "Respondent."

Jurisdiction

WHEREAS, the Board has jurisdiction over this matter pursuant to KRS Chapter 312 and the related administrative regulations.

History

WHEREAS, the Respondent used the title "Clinic Director" using the term clinic, although not registered with the board as required by 201 KAR 21:060 Section 2 (5); and

WHEREAS, the Respondent used this title on materials submitted to the Board pursuant to the investigation of case number 11-024; and

WHEREAS, the Respondent understands and acknowledges that this Agreed Order shall not constitute settlement of case number 11-024 but only

the separate and distinct violation that arose during that case's investigation;
and

WHEREAS, the Board acknowledges that complaint 11-024 shall be dismissed for lack of violation; and

WHEREAS, the Respondent had previously entered into an Agreed Order in November 2010 and in February 2011, for the same violation; and

WHEREAS, the Respondent had previously entered into an Agreed Order in February 2008, for advertising violations; and

WHEREAS, the parties mutually desire to settle the issues in an expeditious manner, without the need for a formal hearing.

Terms of Agreement

THEREFORE, it is hereby agreed between the undersigned parties that this matter shall be settled and resolved upon the following terms:

1) The Respondent shall carefully review the Agreed Order herein and enters into this Agreed Order knowingly, willingly and voluntarily and after having reviewed the due process rights afforded to the respondent under KRS Chapter 312 and the accompanying regulations; and

2) The Respondent, Anthony Joseph Scatena, D.C., accepts the reprimand of the Board for the above-stated violations. The Respondent agrees to act more diligently in the future to insure he complies with KRS Chapter 312 and the accompanying administrative regulations; and

3) Within six (6) months of signature of Agreed Order herein, Anthony Joseph Scatena, D.C. shall successfully complete (pass) the Ethics and

Boundaries examination of the National Board of Chiropractic Examiners, with proof submitted to the Board; and

4) On or before March 1, 2013, the Respondent shall complete the two (2) hour Kentucky Jurisprudence course; and

5) The Respondent, Anthony Joseph Scatena, D.C., shall pay a fine to the board in the amount of five thousand dollars (\$5,000.00). Said fine shall be made in the form of a check made payable to the "Kentucky Board of Chiropractic Examiners" pursuant to the following schedule;

- a. A \$1,000 initial payment received pursuant to subsection 6;
and
- b. A \$4,000 payment received by the Board on or before
September 7, 2012.

6) The original, executed Agreed Order and initial fine payment shall be received in the office of the board, *postmarked no later than March 9, 2012*; and

7) The Respondent acknowledges that he is ineligible for participation in any chiropractic preceptorship program for two (2) years pursuant to 201 KAR 21:085, Section 2(7); and

8) The Respondent, Anthony Joseph Scatena, D.C., agrees that the failure to comply with any of the terms and conditions of this Agreed Order may result in the board setting the matter for an administrative hearing in accord with KRS Chapter 13B.

Voluntary Waiver of Rights

The Respondent, Anthony Joseph Scatena, D.C., has had the opportunity at all times to seek advice from competent counsel of choice. No coercion has been exerted upon the Respondent, nor have any promises been made other than those reflected in this Agreed Order.

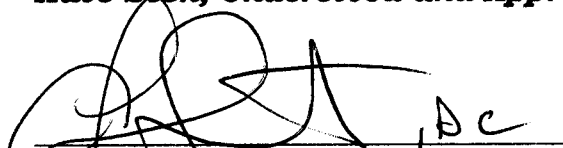
Publication of Settlement Agreement

The Respondent acknowledges that, once adopted by the Board, this Agreed Order may be considered a public document, available for inspection at any time by any member of the public under the Kentucky Open Records Act, and may be reportable under federal law. This Agreed Order may at any time be published on the Board's website, www.kbce.ky.gov.


Complete Agreement

This Settlement Agreement consists of four (4) pages and embodies the entire agreement between the Kentucky Board of Chiropractic Examiners and Anthony Joseph Scatena, D.C.. It may not be altered, amended or modified without the express written consent of both parties.

Have Seen, Understood and Approved:


Anthony Joseph Scatena, D.C.
License No. 4994
Respondent

3/7/2012
Date


MARK WOODWARD, D.C. 03/13/12
Date

Certificate of Service

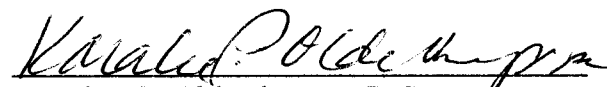
I hereby certify that a true and correct copy of the foregoing **Agreed Order** was mailed via U.S. mail, postage pre-paid to the following this 16th day of March, 2012:

Anthony Joseph Scatena, D.C.
1019 Majestic Dr Ste 160
Lexington, KY 40513
Respondent

Randall S. Strause
Hectus & Strause PLLC
804 Stone Creek Parkway, Suite 1
Louisville, KY 40223
Counsel for Respondent

HON. MICHAEL WEST
Office of the Attorney General
700 Capitol Ave., Ste. 118
Frankfort KY 40601
Board Counsel

And the original shall be maintained by the Board


Karalee P. Oldenkamp, D.C.
Board Administrator
Kentucky Board of Chiropractic Examiners