

4889

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

IN RE: CHIROPRACTIC LICENSE # 4888 HELD BY BRANDON T. CROUCH, D.C.
AND CHIROPRACTIC LICENSE #4889 HELD BY CHANTELLE L. CROUCH, D.C.

BRANDON T. CROUCH, D.C.
CHANTELLE L. CROUCH, D.C.
260 A Horace Johnson Road
Alvaton KY 42122

AGREED ORDER

Parties

WHEREAS, the parties to the Agreed Order herein are the Kentucky Board of Chiropractic Examiners, hereinafter referred to as the "Board," and Brandon T. Crouch, D.C., and Chantelle L. Crouch, D.C., hereinafter referred to as the "Respondents."

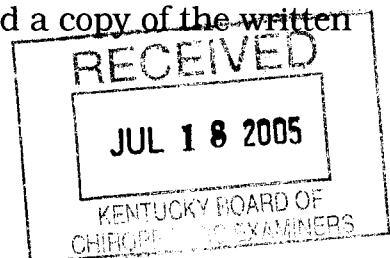
Jurisdiction

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

History

WHEREAS, the Respondents advertised a free or discounted service in a recent edition of "Clipper Magazine" without including adequate notice of the seventy-two (72) hour right of rescission required by KRS 312.019(9)(g) and 201 KAR 21:080, Section 2(1); and

WHEREAS, the Respondents failed to send a copy of the written



advertisement to the Board simultaneous to publication of the advertisement as required by 201 KAR 21:065, Section 3; 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 Respondents 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 them under KRS Chapter 312 and the accompanying regulations;

2) The Respondents, Brandon T. Crouch, D.C., and Chantelle L. Crouch, D.C., accept the reprimand of the Board for the above-stated violations. The Respondents agree they will act more diligently in the future to insure that all advertising issued by them, or on their behalf, complies with KRS Chapter 312 and the accompanying administrative regulations;

3) The Respondents shall notify all consumers known to them who responded to the advertisement and advise those consumers of the complete notice of right of rescission, as required by 201 KAR 21:080, Section 1(3). A copy of the notification to all consumers who responded to the advertisement shall be mailed to the board *on or before July 8, 2005*;

4) The Respondents, Brandon T. Crouch, D.C. and Chantelle L. Crouch, D.C., shall pay a fine to the board in the amount of one hundred

dollars (\$100.00). Said fine shall be made payable to the "Kentucky State Treasurer."

5) The original, executed Agreed Order and fine must be received in the office of the board, *postmarked no later than July 8, 2005*;

6) The board shall make no referral of this matter for any criminal proceeding;

7) The Respondents acknowledge that they are ineligible for participation in any chiropractic preceptorship program for five (5) years pursuant to 201 KAR 21:085, Section 2(7); and

8) The Respondents, Brandon T. Crouch, D.C., and Chantelle L. Crouch, D.C., agrees that their 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 Respondents, Brandon T. Crouch, D.C., and Chantelle L. Crouch, D.C., have had the opportunity at all times to seek advice from competent counsel of choice. No coercion has been exerted upon the Respondents, nor have any promises been made other than those reflected in this Agreed Order.

Publication of Settlement Agreement

The Respondents acknowledge 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.


Complete Agreement

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

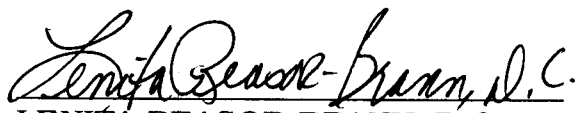
Have Seen, Understood and Approved:


BRANDON T. CROUCH, D.C.
License No. 4888
Respondent

7/7/05
Date


CHANTELLE L. CROUCH, D.C.
License No. 4889
Respondent

7/7/05
Date


LENITA REASOR-BRANN, D.C.
President
Kentucky Board of Chiropractic
Examiners

7-13-05
Date