

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS

IN RE:

CHIROPRACTIC LICENSE #3817 HELD BY BRETT G. STALLINGS

BRETT G. STALLINGS, D.C.

AGREED ORDER

Comes the Kentucky Board of Chiropractic Examiners, hereinafter the "Board", and _____, and Brett G. Stallings, D.C., hereinafter the "Respondents", and the parties hereby agree as follows:

1. Throughout 2002, the Board investigated several instances where the Board alleges the Respondents held themselves out in a manner that may be false, misleading, or deceptive, in violation of KRS 312.019 and 201 KAR 21:065, Section 1;

2. The Board investigated the matter and found that the Respondents had: (1) advertised as Frederica Medical Center; (2) answered the business phone as "Healthcare Center"; (3) advertised using the words "medical rehab";

3. Respondents admit that misleading advertising was disseminated by mistake pursuant to the unsuccessful effort to recruit a medical physician into their healthcare practice. The Stallings deny any intent to mislead or deceive, but acknowledge the Board has grounds to discipline them if the allegations are proven after a hearing. Therefore, rather than pursue a hearing, the parties have decided to resolve this matter by means of this Agreed Order.

WHEREFORE, IT IS HEREBY ORDERED that:

1. Respondents shall pay a \$1500 penalty to the Board on or before August 4, 2003.
2. Respondents shall discontinue all advertising that may be false, misleading, or deceptive;
3. Respondents shall answer the phone "Stallings Chiropractic Center";
4. Respondents shall remove "Frederica Medical Center" advertisements from the yellow pages or any other medium for advertisements;
5. Respondents shall remove or cover their sign referring to "medical rehab";
6. Respondents enter 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;
7. Respondents understand that by signing this Agreed Order, they have waived their right to a hearing on the allegations, including the right to be present with counsel, to subpoena witnesses and to confront those against them, and the right to appeal the Board's decision as entered in the Agreed Order and the full panoply of rights of hearing and appeal as authorized by statute, regulation and court decision;
8. This Agreed Order is subject to disclosure under the Kentucky Open Records Act;
9. Respondents acknowledge they are ineligible for participation in any chiropractic preceptorship program pursuant to 201 KAR 21:085;


10. Respondents agree that their failure to comply with any of the terms of this Agreed Order may result in the Board setting the allegation and their refusal to comply with this Agreed Order for a hearing.



Lenita Reasor, President
Kentucky Board of Chiropractic Examiners

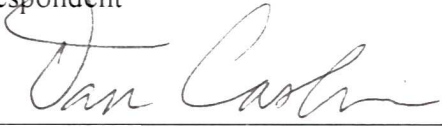
9-12-03
Date

Respondent



Brett G. Stallings
Respondent

7-30-3
Date



Daniel Caslin
Counsel for Respondents

8-1-03
Date