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KENTUCKY BOARD OF  
CHIROPRACTIC EXAMINERS

COMMONWEALTH OF KENTUCKY  
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS  
BOARD ACTION NO. 11-009  
ADMINISTRATIVE ACTION NO. 11-KBCE-0198

KENTUCKY BOARD OF  
CHIROPRACTIC EXAMINERS

COMPLAINANT

v.

DAVID MEGRONIGLE, D.C.  
License # 5004

RESPONDENT

*Pd. \$15,000 -  
3-21-2012  
CASH - CHIC FRO  
Republic Bank  
#30334300*

**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 David Megronigle, 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, on or about June 24, 2011, the Board filed an administrative complaint against the Respondent;

WHEREAS, in that complaint, the Board charged the Respondent with violations of KRS 312.150(1)(f), KRS 312.150(1)(g), KRS 312.150(1)(e), KRS 312.150(1)(e), and three counts of violating 201 KAR 21:015(1)(1);

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 him under KRS Chapter 312 and the accompanying regulations; and
- 2) The Respondent does not admit that he violated the above-referenced statutory and regulatory provisions. However, the Respondent acknowledges that, if this action were to go to hearing, the Board may prove violation of those provisions by a preponderance of the evidence;
- 3) Within six (6) months of the entry of the Agreed Order herein, as signified by the date of the Chairman's signature, Respondent shall successfully complete and achieve a passing score on the Ethics and Boundaries examination of the National Board of Chiropractic Examiners, with proof submitted to the Board; and
- 4) Within six (6) months of the entry of the Agreed Order herein, as signified by the date of the Chairman's signature, Respondent shall complete the Jurisprudence Course offered by the Board; and
- 5) **Fine:** Within one (1) year of the entry of the Agreed Order herein, as signified by the date of the Chairman's signature, the Respondent shall pay a fine to the Board in the amount of fifteen thousand dollars (\$15,000.) The payment of this fine shall be made by certified check or money order made payable Kentucky Board of Chiropractic Examiners and shall be received at the Board Office according to the following schedule of three separate payments: five

thousand dollars (\$5,000) to be received prior to April 1, 2012, five thousand dollars (\$5,000) to be received prior to August 1, 2012, and five thousand dollars (\$5,000) to be received prior to December 1, 2012; and

6) The Respondent agreed that he shall offer his full cooperation in all Board investigations or inspections; and

7) **Probated Suspension:** The Respondent shall be suspended for a period of four (4) months. This suspension shall be probated for a period of fifteen (15) months from the date of this Agreed Order as signified by the date of the Chairman's signature. The Respondent shall serve the suspension if and only if he violates KRS 312 within the probationary period and is convicted by the Board for that violation pursuant to the processes for disciplinary action resolution delineated in 201 KAR 21:051; and

8) The Respondent agrees that his failure to comply with any of the terms and conditions of this Agreed Order, including but not limited to failure to comply with the schedule for payment of the fine, shall be considered an independent violation of KRS 312.150 and he shall be subject to discipline under that provision for such a failure. In addition, if the Respondent fails to comply with any of the terms and conditions of this Agreed Order the charges that constitute the basis for this action may be reinstated. In the event that the Board determines that probable cause for such a failure exists, the Respondent shall be entitled to an administrative hearing held pursuant to KRS 13B on that issue.

#### ***Voluntary Waiver of Rights***

The Respondent, David Megronicle, 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. The

Respondent waives his right to appeal to the Circuit Court from this final order of the Board.

*Release of Liability*

In consideration of execution of this Settlement Agreement, the Respondent and the Respondent's executors, administrators, successors and assigns, hereby release and forever discharge the Commonwealth of Kentucky, the Kentucky Board of Chiropractic Examiners, and the Kentucky Attorney General and each of their members, agents, and employees in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, in law or equity, that the Respondent ever had, now has, may have or claim to have against any or all of the persons or entities named in this paragraph arising out of or by reason of this investigation, this disciplinary action, this Settlement Agreement, or its administration.

*Acceptance by the Board*

The Respondent understands that the Board is free to accept or reject this Settlement Agreement, and if rejected by the Board, a formal disciplinary hearing on the accusation against the Respondent may be rescheduled thereafter. Upon execution hereof, the Respondent hereby agrees to refrain from rescinding this offer until such time as the Board has had an opportunity to accept or reject it at the next scheduled meeting.

If the Settlement Agreement is not accepted by the Board, it shall be regarded as null and void. Admissions by the Respondent in the Settlement Agreement will not be regarded as evidence against the Respondent at the subsequent disciplinary hearing. The Respondent will be free to defend, and no inferences against the Respondent will be made from the Respondent's willingness to have entered into this agreement.

The Settlement Agreement will not be submitted for Board consideration until after it has been agreed to and executed by the Respondent. The Settlement Agreement shall not become effective until it has been approved by a majority of the Board and endorsed by a representative member of the Board.

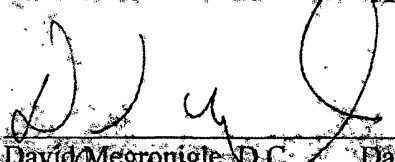
***Publication of Settlement Agreement***


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 state or federal law. This Agreed Order may at any time be published on the Board's website, [www.kbce.ky.gov](http://www.kbce.ky.gov).

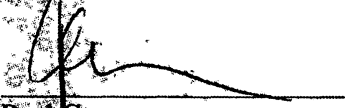
***Complete Agreement***

This Settlement Agreement consists of six (6) pages, inclusive of the certificate of service and embodies the entire agreement between the Kentucky Board of Chiropractic Examiners and David Megronigle, D.C.. It may not be altered, amended or modified without the expressed written consent of both parties.

***Have Seen, Understood and Approved:***

  
\_\_\_\_\_  
David Megronigle, D.C.      Date 11/30/11  
License No. 5004  
Respondent

  
\_\_\_\_\_  
MARK WOODWARD, D.C. Date 12/22/11  
Chairman  
Kentucky Board of Chiropractic Examiners

  
\_\_\_\_\_  
Paul Croce      Date 11/30/11  
Counsel for the Respondent

**Certificate of Service**

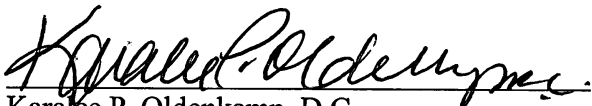
I hereby certify that a true and correct copy of the foregoing **Agreed Order** was mailed via U.S. mail, postage pre-paid to the following this 7<sup>th</sup> day of December, 2011:

Paul Croce  
Smedal Harralson & Croce  
600 West Main Street Suite 100  
Louisville, KY 40202

Office of the Kentucky Attorney General  
Administrative Hearings Division  
1024 Capitol Center Drive, Ste. 200  
Frankfort, KY 40601  
*Hearing Officer*

Mr. 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.  
Executive Director  
Kentucky Board of Chiropractic Examiners