

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

**IN RE:           CHIROPRACTIC LICENSE # 2170  
                  HELD BY Edward W. Herrmann, D.C.**

# 08-015

Dr. Edward W. Herrmann, D.C.  
6801 Dixie Highway, Room 202  
Louisville, KY 40258

**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 Dr. Edward W. Herrmann, 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 May 20, 2008, the Board received a complaint from Ms. Lynn O'Hara wherein she alleged inappropriate sexual contact;

**WHEREAS**, on or about September 5, 2008, the Board received a complaint from Ms. Dixie Gowers wherein she alleged inappropriate sexual contact;

**WHEREAS**, on or about July 14, 2008, the Board received a complaint from Ms. Amanda May wherein she alleged inappropriate sexual contact;

**WHEREAS**, on or about July 24, 1992, the Board received a complaint

from Ms. Beverly Bissig wherein she alleged inappropriate sexual contact;

**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;
- 2) The Respondent, Dr. Edward Herrmann, D.C., acknowledges that the Board has grounds to file allegations of violations of KRS 312.150(1)(b), KRS 312.150(1)(f), KRS 312.150(1)(g), KRS 312.150(2)(h), and KRS 312.150(5). While the Respondent does not admit the underlying substance of the allegations, the Respondent admits that, if a hearing is held in this matter, the Board may prevail. In the interest of settling this case in an expeditious manner, the Respondent agrees to the following terms set forth in the subsequent paragraphs;
- 3) The Respondent, Dr. Edward Herrmann, D.C., hereby agrees that, effective on February 16, 2009, his license shall be revoked pursuant to this Agreed Order;
- 4) At all times between January 23, 2009 and February 16, 2009 when the Respondent has physical contact with a patient or the Respondent is in the same physical location as a patient, the Respondent shall

make certain that an assistant is present.

5) The Respondent shall, prior to making an application for licensure with this Board pursuant to KRS 312.085 or KRS 312.175, successfully complete the Ethics and Boundaries examination of the National Board of Chiropractic Examiners, with proof submitted to the Board;

6) The Respondent shall, prior to making an application for licensure with this Board pursuant to KRS 312.085 or KRS 312.175, successfully complete the National Board of Chiropractic Examiners Special Purpose Examination for Chiropractors, with proof submitted to the Board;

7) The Respondent shall, prior to making an application for licensure with this Board pursuant to KRS 312.085 or KRS 312.175, successfully complete twelve hours of continuing education related to record keeping, with proof submitted to the Board;

8) The Respondent shall, prior to making an application for licensure with this Board pursuant to KRS 312.085 or KRS 312.175, obtain a psychological evaluation at Respondent's expense from a psychologist who is certified and in good standing with the Kentucky Board of Examiners of Psychology and approved by the Kentucky Board of Chiropractic Examiners. Prior to examination, the psychologist shall be made fully aware of the factual allegations underlying this complaint and that the evaluation is for the purpose of identifying risks related to the Respondent's fitness to practice. The psychologist shall forward a copy of the complete psychological report to the Kentucky Board of Chiropractic Examiners;

9) The Respondent acknowledges that fulfillment of the above

conditions are a necessary condition for licensure in the future. However, the fulfillment of the above conditions may not be sufficient to achieve licensure. The Respondent acknowledges that the Board will consider the underlying complaints and the psychological report in assessing the Respondent's character and fitness to practice should he choose to make application for licensure. Respondent acknowledges that the Board has discretion regarding the issuance of a license in the future.

***Voluntary Waiver of Rights***

The Respondent, Dr. Edward Herrmann, 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](http://www.kbce.ky.gov).

***Complete Agreement***

This Settlement Agreement consists of six pages and embodies the entire agreement between the Kentucky Board of Chiropractic Examiners and Dr. Edward Herrmann, D.C. It may not be altered, amended or modified without the express written consent of both parties.

**Have Seen, Understood and Approved:**

Edward Herrmann D.C.

EDWARD HERRMANN, D.C.  
License No. 2170  
Respondent

1-9-09

Date

VJ Tackett

VICTOR TACKETT, JR., Esq.  
Counsel for the Respondent

1-9-09

Date

Mark Woodward DC

MARK WOODWARD, D.C.  
President  
Kentucky Board of Chiropractic  
Examiners

01/23/09

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 26<sup>th</sup> day of January, 2009:

Hon. Victor Tackett, Esq.  
Suite 210, Dixie Manor Office Building  
6801 Dixie Highway  
Louisville, KY 40258

And a courtesy copy to:

Hon. Michael West, Esq.  
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 Oldenkamp, D.C.  
Executive Director  
Kentucky Board of Chiropractic Examiners