

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

**IN RE: CHIROPRACTIC LICENSE # 4806
 HELD BY Jeremiah J. Holmes, D.C.
 ADMINISTRATIVE CASE #12A-003**

Jeremiah J. Holmes, D.C.



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 Jeremiah J. Holmes 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 is the owner of ChiroOne of Meadowthorpe, located at _____ Kentucky; and

WHEREAS, the Respondent's employee, _____, on August 31, 2011 billed for non-diagnostic quality x-ray studies performed on _____ on that same date in violation of KRS 312.150 (1)(f) and KRS 312.150 (2)(c); and

WHEREAS, the Respondent's employee, _____, treated _____ on service dates 8/31/11 and 9/14/11, yet billed for services performed on _____ on those dates under provider _____ in violation of KRS 312.150 (1)(f) and KRS 312.150 (2)(d); and

WHEREAS, the parties mutually desire to settle the issue 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;

2) The Respondent, Jeremiah J. Holmes, 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;

3) The Respondent, Jeremiah J. Holmes, D.C., shall pay a fine to the Board in the amount of five hundred dollars (\$500.00) for violation of KRS 312.150 (1)(f) and KRS 312.150 (2)(c) and a fine in the amount of five hundred dollars (\$500.00) for violation of KRS 312.150 (1)(f) and KRS 312.150 (2)(d). The total fine in the amount of one thousand dollars (\$1000.00) shall be made payable to the "Kentucky Board of Chiropractic Examiners."

4) The original, executed Agreed Order and fine must be received in the office of the Board, *postmarked no later than July 31, 2012.*

5) The Respondent shall complete an additional twelve (12) hours of continuing education in Billing and/or Radiology to be completed within six (6) months of the signing of the Agreed Order herein which shall be in addition to the twelve (12) hours of continuing education required for license renewal;

6) The Respondent shall reimburse any payment made for the non-diagnostic quality radiology studies and forward proof of reimbursement to the board office by *July 31, 2012.*

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, Jeremiah J. Holmes, 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, Jeremiah J. Holmes, 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

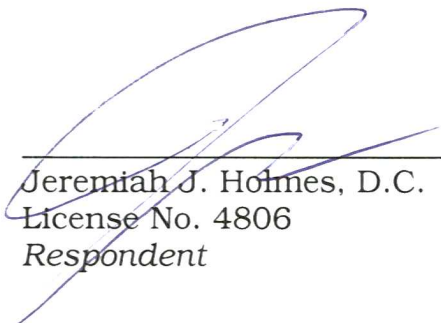
The Respondent acknowledges that, once adopted by the Board, this

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 Agreed Order consists of four (4) pages and embodies the entire agreement between the Kentucky Board of Chiropractic Examiners and Jeremiah J. Holmes, D.C.. It may not be altered, amended or modified without the express written consent of both parties.

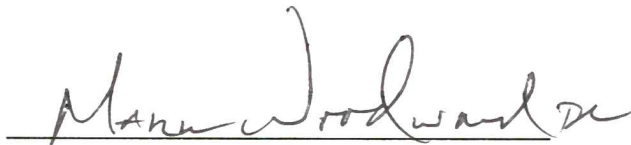
Have Seen, Understood and Approved:



Jeremiah J. Holmes, D.C.
License No. 4806
Respondent

7-7-2012

Date



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

07-16-12

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 18th day of July, 2012:

Jeremiah J. Holmes, D.C.

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