

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

**IN RE:           CHIROPRACTIC LICENSE # 4530 HELD BY JOSEPH SCURO,  
                  J.D., D.C.**

JOSEPH SCURO, J.D., D.C.  
214 Rolling Ridge Way  
Simpsonville KY 40067

**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 Joseph Scuro, J.D., 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**, by letter dated January 20, 2004, Dr. Charles Epstein alleged that the Respondent altered the hospital's results, a neurosurgeon's diagnosis and Dr. Epstein's diagnosis during peer review, in apparent violation of KRS 312.015(4) and KRS 312.150(1)(b), (f), and (2)(e); and

**WHEREAS**, the Respondent replied by letter dated April 23, 2004 that

he, "did not alter the hospital's, neurosurgeon's or doctor's findings to justify my recommendation"; and

**WHEREAS**, the Respondent stated in his response that all documents relating to this matter were destroyed after the review was completed and dictated; and

**WHEREAS**, the Respondent, Joseph Scuro, D.C., makes no admission of liability to the alleged violations; and

**WHEREAS**, the Respondent states his belief that following an administrative hearing he would be found not guilty of the alleged violations, however, it is the Respondent's stated wish to avoid expending the time and money necessary to defend himself against said allegations; 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 Respondent has carefully reviewed 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, Joseph Scuro, D.C., accepts the reprimand of the Board for the above-stated violations;

3) The Respondent shall cease and desist from the practice of peer review in the Commonwealth of Kentucky until such time as he has registered and is in compliance with KRS 312.200(3) and the appropriate statutes and administrative regulations;

4) The Respondent, Joseph Scuro, D.C., shall pay a fine to the board in the amount of five hundred dollars (\$500.00). Said fine shall be paid by certified check or money order payable to the "Kentucky Board of Chiropractic Examiners," and submitted simultaneously with the executed original Agreed Order. In lieu of a fine, the Respondent may choose a voluntary lifetime surrender of his Kentucky Chiropractic License (#4530). In the event the Respondent chooses this option, he must surrender his license to the Board simultaneously with the executed Agreed Order.

5) The original, executed Agreed Order and fine or license must be received in the office of the board, *postmarked no later than May 13, 2005*;

6) Any action taken in this matter shall be reported to Cin-Bad, the national databank of the Federation of Chiropractic Licensing Boards;

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

8) The Respondent, Joseph Scuro, D.C., agrees that his 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, Joseph Scuro, 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 is fully aware of his rights to contest the Board's denial of his application for renewal in a formal hearing. These rights include: representation by an attorney at the Respondent's own expense, the right to confront and cross-examine witnesses called to testify against the Respondent, the right to present evidence on the Respondent's own behalf, the right to testify on his own behalf, the right to receive written findings of fact and conclusions of law supporting the decision on the merits of the accusation and the right to obtain judicial review of the Board's decision. All of these rights are being voluntarily waived by the Respondent in exchange for the Board's acceptance of 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.

