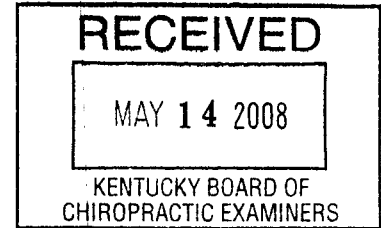


**COMMONWEALTH OF KENTUCKY  
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS**

**IN RE:           CHIROPRACTIC LICENSE # 4592  
                  HELD BY Phillip B. Yuhas, D.C.**

Phillip B. Yuhas, D.C.  
1000 E. John Rowan Blvd., Ste. 105  
Bardstown, KY 40004



*pd. \$250.-  
CHK # 2700*

**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 Phillip B. Yuhas, 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 January 29, 2007 the Board received a letter of complaint from Tim Ostrom of Lear Corporation questioning the ability of the Respondent to recommend time off from work for their employee, Michael Underwood. The complainant believed that Dr. Yuhas based his decision upon a conversation he had with Mr. Underwood’s mother rather than personal, professional observation and treatment; and

**WHEREAS**, on or about July 11, 2007 Dr. Yuhas responded to the complaint stating that Mr. Underwood had been a patient of his in excess of

five (5) years. He further stated that Mr. Underwood came to his office complaining of an injury to his mid-back and right shoulder in late November 2006. Mr. Underwood did not return for additional care and Dr. Yuhas subsequently learned that he was incarcerated. Mr. Underwood's family members indicated that he was still suffering back and shoulder pain but Dr. Yuhas did not see the patient again while he was in jail; 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 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, Phillip B. Yuhas D.C., accepts the reprimand of the Board for the violation of KRS 312.150(1)(g), (2)(a), and 201 KAR 21:015, Section 1(2), (5) and 201 KAR 21:100;
- 3) The Respondent shall attend twelve (12) hours of continuing education courses on the subject of record keeping. In recognition of the Respondent's attendance at the "Records Documentation in Daily Practice & Auto Collision Patients" seminar on January 26 and 27, 2008, the Board considers this requirement satisfied;

4) The Respondent shall attend twelve (12) hours of continuing education courses on the subject of ethics and boundaries in addition to the continuing education requirements for license renewal set forth in 201 KAR 21:041, Section 3. Said coursework shall be completed within six (6) months of execution of this Agreed Order herein with proof submitted to the Board office for approval;

5) The Respondent, Phillip B. Yuhas, D.C., shall pay a fine to the board in the amount of two hundred fifty dollars (\$250.00). Said fine shall be made payable to the "Kentucky Board of Chiropractic Examiners."

6) The original, executed Agreed Order and fine must be received in the office of the board, *postmarked no later than May 13, 2008.*

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

8) The Respondent acknowledges that he is ineligible for participation in any chiropractic preceptorship program for three (3) years pursuant to 201 KAR 21:085, Section 2(7); and

9) The Respondent, Phillip B. Yuhas, 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, Phillip B. Yuhas, 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.

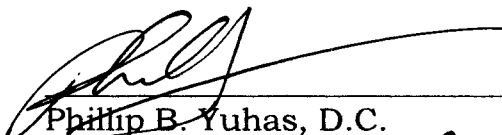
**Publication of Settlement Agreement**

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).

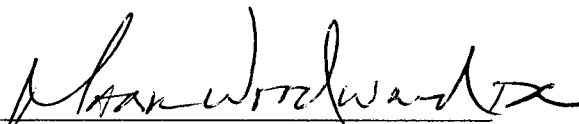
**Complete Agreement**

This Settlement Agreement consists of four (4) pages and embodies the entire agreement between the Kentucky Board of Chiropractic Examiners and Phillip B. Yuhas, D.C. It may not be altered, amended or modified without the express written consent of both parties.

**Have Seen, Understood and Approved:**

  
\_\_\_\_\_  
Phillip B. Yuhas, D.C.  
License No. 5094  
Respondent *underlines*

*5/13/08*  
\_\_\_\_\_  
Date

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

*05/16/08*  
\_\_\_\_\_  
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 16<sup>th</sup> day of May, 2008:

Phillip B. Yuhas, D.C.  
1000 E. John Rowan Blvd., Ste. 106  
Bardstown, KY 40004  
*Respondent*

HON. DIANE SCHULER FLEMING . . . .  
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