

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

**IN RE: CHIROPRACTIC LICENSE # 5044 HELD BY Robert Scott  
Kimberlain, D.C.**

Robert Scott Kimberlain, 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 Robert Scott Kimberlain, 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 pled guilty to a misdemeanor of trafficking marijuana under eight ounces on August 1, 2008 in Jefferson County in violation of Kentucky Administrative Regulation 201 KAR 21:015 Section 1(9); 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, Robert Scott Kimberlain, D.C., accepts the reprimand of the Board for the above-stated violation and admits the violation. The Respondent agrees to act more diligently in the future to insure that all advertising issued by the respondent, or on the respondent's behalf, complies with KRS Chapter 312 and the accompanying administrative regulations;

3) The Respondent, Robert Scott Kimberlain, D.C., shall pay a fine to the board in the amount of one thousand dollars (\$1000.00). Said fine 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 October 8, 2008*.

5) The Respondent shall provide proof of attendance at the Kentucky Jurisprudence course prior to 2009 license renewal;

6) The Respondent agrees to be placed on **PROBATION** for a period of two (2) years beginning the date of signature of the Agreed Order herein. The Respondent agrees that further violations, arrests or convictions including drug use or trafficking shall result in the automatic **SUSPENSION** of his license No. 5044 pending an administrative hearing on the charges; and

7) The Respondent shall submit to the Board proof of successful

completion of the Ten Broeck Chemical Dependency Intensive Outpatient Services program; and

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

9) 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

10) The Respondent, Robert Scott Kimberlain, 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, Robert Scott Kimberlain, 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.

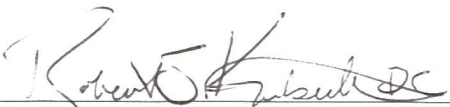
***Publication of Settlement Agreement***

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 Robert Scott Kimberlain, D.C.. It may not be altered, amended or modified without the express written consent of both parties.

**Have Seen, Understood and Approved:**

  
\_\_\_\_\_  
Robert Scott Kimberlain, D.C.  
License No. 5044  
*Respondent*

  
\_\_\_\_\_  
Date

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

  
\_\_\_\_\_  
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 9<sup>th</sup> day of October, 2008:

Robert Scott Kimberlain, D.C.

*Respondent*

HON. RYAN HALLORAN  
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.  
Board Administrator  
Kentucky Board of Chiropractic Examiners