

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

**IN RE: CHIROPRACTIC LICENSE # 4740
 HELD BY Adrian D. Nohr, D.C.
 ADMINISTRATIVE CASE # 14-004**

*Pd. \$1,000.-
1-8-15
bn*

Adrian D. Nohr, D.C.
1506 North Dixie Highway
Elizabethtown, KY 42701

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 Adrian D. Nohr 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 signed a Facility Registration Form on September 19, 2014, stating he acknowledged KRS312.145(3) and that the facility in which he had ownership or practiced was in compliance.; and

WHEREAS, the Respondent included a photo of his signage with the Facility Registration Form signed on September 19, 2014, in compliance with the Letter to Licensees dated May 10, 2013, showing he acknowledged KRS

312.145(3) and 201 KAR 21:065 Section 2(1) regarding professional advertising of his business; and

WHEREAS, during a field visit on January 29, 2014, the Field Coordinator took photos of Dr. Nohr's signage, including additional signage which had not been submitted with the Facility Registration Form, which was not in compliance with KRS 312.145(3) and 201 KAR 21:065 Section 2(1) in violation of KRS 312.150 (1)(a)(f)(g) and 201 KAR 21:015 Section 1 (5) and (6); and

WHEREAS, the Respondent was mailed letter from the Board on February 24, 2014 advising him of this situation and asking for a response to be submitted in writing to the Board for review at the March 14, 2014 meeting; and

WHEREAS, the Respondent did not submit a response to the Board; and

WHEREAS, the Field Coordinator did a follow-up site visit on March 13, 2014 and Respondent's signage had not been corrected; 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, Adrian D. Nohr, 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 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, Adrian D. Nohr, 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." The fine must be received in the office of the Board *no later than December 31, 2014*.

4) The original, executed Agreed Order must be received in the office of the Board, *no later than November 7, 2014*.

5) 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

6) The Respondent, Adrian D. Nohr, 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, Adrian D. Nohr, 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 Adrian D. Nohr, D.C.. It may not be altered, amended or modified without the express written consent of both parties.

Have Seen, Understood and Approved:



Adrian D. Nohr, D.C.
License No. 4740
Respondent

11/07/14

Date



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

11-18-14

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 21st day of November, 2014:

Adrian D. Nohr, D.C.
1506 North Dixie Highway
Elizabethtown, KY 42701
Respondent

HON. M. KEITH POYNTER
209 S. Green St.
Glasgow, KY 42141
Board Counsel

And the original shall be maintained by the Board.


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