

4946

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

**IN RE: CHIROPRACTIC LICENSE # 4946 HELD BY ANDREW J. FARRIS,  
D.C.**

ANDREW J. FARRIS, D.C.  
16 Starnes Dr.  
Lebanon VA 24266

**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 Andrew J. Farris, D.C., hereinafter referred to as the "Respondent."

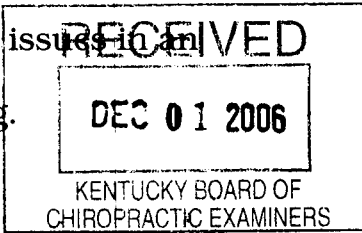
***Jurisdiction***

**WHEREAS**, the Board has jurisdiction over this matter pursuant to KRS Chapter 312 and the related administrative regulations.

***History***

**WHEREAS**, on or about August 29, 2006 the Respondent contacted the Board via telephone self-reporting a substance abuse problem and discontinuation of his chiropractic practice in Kentucky; 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, Andrew J. Farris, D.C., admits that the Board has grounds to file allegations of violations of KRS 312.150(1)(e) and 201 KAR 21:015, Section 1(9);

3) The Respondent shall serve a two (2) year **PROBATION** to begin immediately upon the Respondent's signing of the Agreed Order herein;

4) During the probationary period, the Respondent shall continue to receive monthly alcohol and drug counseling from Mr. Michael Spare. Said counselor shall submit quarterly reports to the Board regarding the Respondent's progress in treatment beginning. The reports shall be submitted on January 31, 2007, April 30, 2007, July 31, 2007, October 31, 2007, January 31, 2008, April 30, 2008, July 31, 2008 and October 31, 2008;

5) The final report from Mr. Spare shall contain a statement of Mr. Spare's professional opinion regarding the safety of Mr. Farris to practice chiropractic in the Commonwealth of Kentucky;

6) In the event the Respondent discontinues receiving counseling services from Mr. Spare, he will have twenty (20) days to notify the board of the

name of his new counselor. Said new counselor shall be a Certified Alcohol and Drug counselor in good standing in Kentucky and shall have practiced for at least five (5) years. The Board respectfully requests that Mr. Spare notify the Board of any discontinuation of services as well;

7) During the first year of the probationary period, the Respondent shall submit to monthly drug screening. Drug screening shall begin in the month of December 2006 and shall be completed by the 15<sup>th</sup> day of each month. Said results shall be forwarded to the board office postmarked no later than three (3) days after receipt;

8) Failure to submit a report shall result in a breach of the Agreed Order herein and shall result in the Board setting this matter for an administrative hearing to determine whether or not further disciplinary action shall be taken against the Respondent's license;

9) In the event the Respondent fails a drug screening by reported detection of illegal substances, his license will immediately be placed upon suspension for thirty (30) days or until receipt of a clean drug screening report, whichever is longer;

10) During the second year of probation, the Respondent, Andrew J. Farris, D.C., shall submit to quarterly drug screening. Drug screening shall occur during the months of January, April, July and October, 2008 and shall be completed by the 15<sup>th</sup> day of each month. Said results shall be forwarded to the board office postmarked no later than three (3) days after receipt;

11) The requirements set forth in paragraphs 8 and 9 above shall

apply to the second year of probation as well;

12) In the event the Respondent returns to the Commonwealth of Kentucky and begins to practice chiropractic, he shall notify the Board within ten (10) days of his return to the state;

13) The original, executed Agreed Order must be received in the office of the board, *postmarked no later than November 30, 2006*;

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

15) The Respondent, Andrew J. Farris, 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***

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 allegations of violations of law in a formal administrative 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.

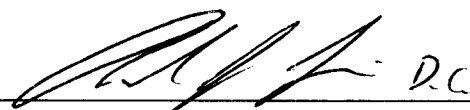
**Publication of Settlement Agreement**

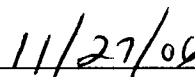
The Respondent acknowledges that, once adopted by the Board, this Agreed Order may be considered a public document, available for inspection at any time by any member of the public under the Kentucky Open Records Act, and may be reportable under federal law.

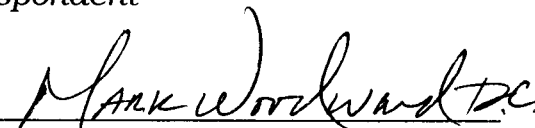
**Complete Agreement**

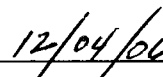
This Settlement Agreement consists of six (6) pages and embodies the entire agreement between the Kentucky Board of Chiropractic Examiners and Andrew J. Farris, D.C. It may not be altered, amended or modified without the express written consent of both parties.

**Have Seen, Understood and Approved:**

  
\_\_\_\_\_  
ANDREW J. FARRIS, D.C.  
License No. 4946  
Respondent

  
\_\_\_\_\_  
Date

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

  
\_\_\_\_\_  
Date

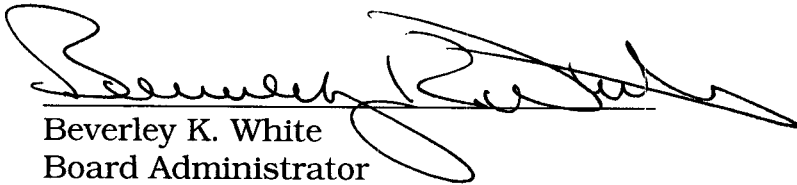
**Certificate of Service**

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 8<sup>th</sup> day of December, 2006:

ANDREW J. FARRIS, D.C.  
16 Starnes Dr.  
Lebanon VA 24266  
*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

  
Beverley K. White  
Board Administrator  
Kentucky Board of Chiropractic Examiners