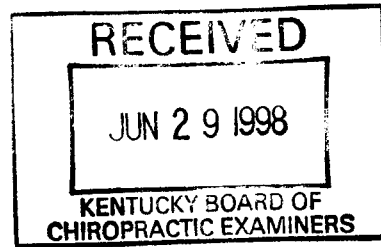


COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS



IN RE: CHIROPRACTIC LICENSE #1548 HELD BY:

BEAMAN N. DEARINGER, D.C.
107 N. Fifth St.
Bardstown, KY 40004

AGREED ORDER

Comes the Kentucky Board of Chiropractic Examiners, hereafter the "Board," and Beaman Dearing, D.C., hereafter the "Respondent," and the parties hereby agree as follows:

1. That on or about October 6, 1997, the Board received a complaint from Denise Carter alleging that during a chiropractic examination of Ms. Carter's shoulder, the Respondent rested his hand on Ms. Carter's breast;
2. That Respondent does not admit the allegations made by Ms. Carter but admits that if those allegations were proven at a hearing the Board would have a sufficient basis to take disciplinary action against him under authority of KRS 312.150 and KRS 312.163;
3. That rather than pursue a hearing on the allegations alleged in Ms. Carter's complaint, the parties have decided to resolve this matter by means of this Agreed Order.

WHEREFORE, IT IS HEREBY ORDERED, that:

- a. Respondent shall, in addition to this current year's continuing education requirements, complete an *additional* 4 hours of approved continuing education in practice boundary training and 12 hours in extremity and spinal

examination training. The Respondent shall be on probation until he tenders proof of completing the additional hours of continuing education, which must be completed no later than December 31, 1998. Respondent's probationary status will immediately terminate upon proof of successful completion of the additional 16 hours of continuing education;

- b. Respondent understands and agrees that the Board's Field Coordinator may make up to 5 unannounced inspections of Respondent's office within one year from the final entry of this Agreed Order. The Field Coordinator will inspect Respondent's office to ensure he is complying with the terms of this Agreed Order and all statutes and regulations which govern the practice of chiropractic;
- c. Respondent shall have an attendant present during all treatment of female patients for one year following final entry of this Agreed Order;
- d. Respondent shall pay a \$500 penalty made payable to the "Kentucky Board of Chiropractic Examiners." The penalty must be received in the Board's office, no later than July 20, 1998;
- e. Respondent 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;
- f. Respondent understands that by signing this Agreed Order, he has waived his right to a hearing on the allegations, including the right to be present with counsel, to subpoena witnesses and to confront those against him, and the

right to appeal the Board's decision as entered in the Agreed Order and the full panoply of rights of hearing and appeal as authorized by statute, regulation and court decision;

- g. This Agreed Order is subject to disclosure under the Kentucky Open Records Act;
- h. Respondent acknowledges he is ineligible for participation in any chiropractic preceptorship program for five years pursuant to 201 KAR 21:085, Section 2(7);
- i. Respondent agrees that his failure to comply with any of the terms of this Agreed Order may result in the Board setting this matter for hearing.

Lenita Reasor D.C.
LENITA REASOR, PRESIDENT
KENTUCKY BOARD OF
CHIROPRACTIC EXAMINERS

7-15-98
DATE

Beaman N. Dearing D.C.
BEAMAN N. DEARING, D.C.
RESPONDENT

6-25-98
DATE