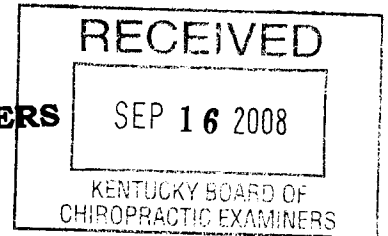


**COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS**



**IN RE: CHIROPRACTIC LICENSE # 4053
HELD BY Brian Jay Phillips, D.C.**

Brian Phillips, D.C.
5201 Dixie Hwy.
Louisville, KY 40216

*Pd. 1st Installment
10-1-08 \$1,666.67
OFFICIAL CHG 5000334667
BB+T
10-16-08 1,666.67*

AGREED ORDER

Parties

*Pd. REMAINING BAL.
\$ 1666.66 2-10-09
by CC JMC*

WHEREAS, the parties to the Agreed Order herein are the Kentucky Board of Chiropractic Examiners, hereinafter referred to as the "Board," and Brian Jay Phillips, 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 March 3, 2006 the Board mailed a letter to the Respondent notifying him that his application for renewal was deficient and that his license was classified as delinquent. The letter informed the Respondent that he would be required to pay five hundred dollars (\$500) and provide proof of twelve (12) hours of continuing education by April 17, 2006 or else his license would be revoked; and

WHEREAS, on or about April 17 a letter notifying the Respondent that his license was revoked was mailed and faxed to the Respondent at the address on file with the Board; and

WHEREAS, on or about July 6, 2006 the Board received the reinstatement fee and the Respondent's license was reinstated; and

WHEREAS, the Respondent practiced chiropractic in the Commonwealth of Kentucky without a license from June 19, 2006 through July 6, 2006 in violation of KRS 312.018 and 201 KAR 21:015, Section 1(5); 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, Brian Jay Phillips, 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 he will comply with KRS Chapter 312 and the accompanying administrative regulations;

3) The Respondent, Brian Jay Phillips, D.C., shall pay a fine to the board in the amount of five thousand dollars (\$5,000). This amount represents

a fine in the amount of \$5,000 per month for each month that the Respondent practiced without a license. Said fine shall be paid by either Visa or cashier's check, made payable to the "Kentucky Board of Chiropractic Examiners." The terms of payment of said fine shall be as follows: The first one thousand sixty-six dollar and sixty-six cent (\$1,666.66) installment shall be paid on or before September 15, 2008; the second one thousand sixty-six dollar and sixty-seven cent (\$1,666.67) installment shall be paid on or before October 15, 2008; and the final one thousand sixty-six dollar and sixty-seven cent (\$1,666.67) installment shall be paid on or before November 15, 2008; and

4) The original, executed Agreed Order and first fine installment must be received in the office of the board, *postmarked no later than September 15, 2008.*

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

6) 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

7) The Respondent, Brian Jay Phillips, 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, Brian Jay Phillips, 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 Settlement Agreement consists of four (4) pages and embodies the entire agreement between the Kentucky Board of Chiropractic Examiners and Brian Jay Phillips, D.C. It may not be altered, amended or modified without the express written consent of both parties.

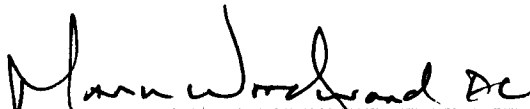
Have Seen, Understood and Approved:



Brian Jay Phillips, D.C.
License No. 4053
Respondent

8-28-08

Date



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

10-09-08

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 9th day of October, 2008:

Brian Jay Phillips, D.C.
5201 Dixie Hwy
Louisville, KY 40216
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