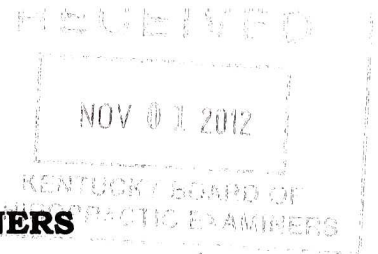


COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS



**IN RE: CHIROPRACTIC LICENSE # 5213
HELD BY Chandra Lee Cunningham, D.C.
ADMINISTRATIVE CASE #12-025**

Chandra Lee Cunningham, D.C.
7072 Bronner Circle
Louisville, KY 40218

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 Chandra Lee Cunningham 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 was the treating chiropractor at Maysville Family Chiropractic, located at 1335 Southgate Plaza in Maysville, Kentucky; and

WHEREAS, the patient M.H. was treated at Maysville Family Chiropractic on 10/20/2011 and a one view x-ray of the thoracic spine was taken and read by Chandra Cunningham, D.C.; and

WHEREAS, the diagnosis code of 737.34 for thoracogenic scoliosis was reported to Anthem on the 1500 Health Insurance Claim Form on 10/20/2011; and

WHEREAS, the diagnosis of thoracogenic scoliosis requires that two views of the thoracic spine be taken according to the textbook Essentials of Skeletal Radiology by Terry R. Yokum and Lindsay J. Rowe; and

WHEREAS, the diagnosis of thoracogenic scoliosis was incorrect; and

WHEREAS, the Respondent reported an incorrect diagnosis to the patient's insurance carrier in violation of 201 KAR 21:015 Section 1(2); 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, Chandra Lee Cunningham, D.C., accepts the reprimand of the Board for the above-stated violation. The Respondent agrees to act more diligently in the future to comply with KRS Chapter 312 and the accompanying administrative regulations;

3) The Respondent shall complete six (6) hours of continuing

education in radiology approved by the board, in addition to the required twelve (12) hours of education for license renewal, with proof of successful completion submitted to the Board such that it is received within six months of her signature on this Agreed Order;

4) The Respondent, Chandra Lee Cunningham, D.C., shall pay a fine to the Board in the amount of five hundred dollars (\$500.00). Said fine shall be made by check or money order made payable to the "Kentucky Board of Chiropractic Examiners."

5) The original, executed Agreed Order and fine must be received in the office of the Board, *postmarked no later than September 30, 2012.*

6) The Respondent acknowledges that she 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, Chandra Lee Cunningham, 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, Chandra Lee Cunningham, 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.

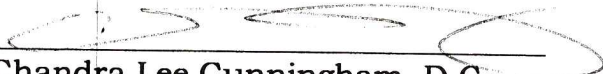
Publication of Settlement Agreement

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 Chandra Lee Cunningham, D.C.. It may not be altered, amended or modified without the express written consent of both parties.

Have Seen, Understood and Approved:


Chandra Lee Cunningham, D.C.
License No. 5213
Respondent

November 1, 2012
Date


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

11/05/12
Date