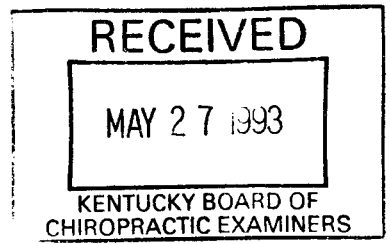




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Kentucky Board of Chiropractic Examiners

P.O. Box 183
Glasgow, KY 42142-0183

IN RE: THE LICENSE TO PRACTICE CHIROPRACTIC
HELD BY CLAYTON ELSWICK, D.C.

AGREED ORDER

Come the parties to this action, Clayton Elswick, D.C. and the Kentucky Board of Chiropractic Examiners, and hereby state as follows:

1. That Clayton Elswick, D.C. failed to include notice of the seventy-two (72) hour right of rescission required by 201 KAR 21:080, Section 2, in an advertisement or solicitation in which he advertised free or discounted services recently. A copy of said advertisement or solicitation is attached hereto. Clayton Elswick, D.C. admits that by omitting to include said notice of the seventy-two (72) hour right of rescission he violated 201 KAR 21:080, Section 2, and he acknowledges that he is thereby in violation of KRS 312.150(1)(g).

2. That the parties hereto agree to resolve the above-mentioned violations by having Clayton Elswick, D.C. accept a total fine of \$1,000 pursuant to KRS 312.163(2), \$500 of which fine is to be paid to the Board immediately upon the signing of this Agreed Order by Clayton Elswick, D.C. This Agreed Order

and said \$500 portion of such fine are to be submitted to the Board no later than February 19, 1993. The remaining \$500 portion of said fine is hereby probated for a period of one year, with the conditions of such probation to be that Clayton Elswick, D.C. shall not violate any portion of KRS 312 or the regulations promulgated pursuant thereto during said one-year period of probation.

3. That Clayton Elswick, D.C. shall send letters, by certified mail, return receipt requested, to each of the consumers who responded to the attached advertisement or solicitation, and he shall submit to the Board a list of the names of all such consumers and copies of the letters sent to them by him. Such letters shall advise each of said consumers that he failed to include the seventy-two (72) hour right of rescission in said advertisement or solicitation in violation of 201 KAR 21:080, Section 2.

4. That the failure of Clayton Elswick, D.C. to perform any of the obligations which he has agreed to herein shall constitute grounds for the revocation of his above-mentioned probation.

5. By entry of this Agreed Order, Clayton Elswick, D.C. waives the right to a due process hearing as to the violations admitted to herein by him and he acknowledges that he has freely and voluntarily waived his right to counsel.

WHEREFORE, it is so agreed effective this 29th day of
January, 1993.

Date Signed: 1-29-93 C. T. Woodward, D.C.
C. T. Woodward, D.C. BW
Executive Secretary

Date Signed: 5/4/93 Dr. Stephen P. Egan
Licensed Chiropractor