

3722

CK # 10711  
\$500  
Revised  
5-15-95

AUG 17

COMMONWEALTH OF KENTUCKY  
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS

KENTUCKY BOARD OF  
CHIROPRACTIC EXAMINERS

IN RE: THE LICENSE TO PRACTICE CHIROPRACTIC HELD BY DANIEL  
ROBINSON, D.C.

AGREED ORDER

Comes the Kentucky Board of Chiropractic Examiners,  
hereafter the "Board", by counsel, and Daniel Robinson,  
hereafter the "Respondent", and the parties hereby agree as  
follows:

1. That the Respondent authorized the attached advertisement to be published in the Jessamine Journal on or about September 29, 1994;
2. That Respondent admits the attached advertisement violates KRS Chapter 312 and the accompanying regulations in the following ways:
  - a. The advertisement offered a free consultation without including notice of the seventy-two (72) hour right of rescission required by KRS 312.019(9)(g) and 201 KAR 21:080, Section 2(1);
  - b. The advertisement was false, misleading, or deceptive, pursuant to KRS 312.019(9)(g), because it implied the Respondent could engage in the practice of chiropractic in Kentucky when, in fact, he could not because at the time of the advertisement he held a non-resident's license;
  - c. The advertisement was false, misleading, or deceptive, pursuant to KRS 312.019(9)(g), because

SEP 1 1994

it offered a service to the public which the Respondent could not honor.

3. That Respondent violated the above-mentioned statutes and regulations in the haste of responding to the needs of his recently deceased father-in-law's chiropractic practice.
4. That there was no reported consumer harm as a result of the advertisement;
5. That rather than pursue a hearing on this complaint, the parties have decided to resolve this matter by means of this Agreed Order.

WHEREFORE, IT IS HEREBY ORDERED, that:

- a. The Respondent accepts the reprimand of the Board for the above-stated violations. The Respondent agrees he will act more diligently in the future to insure that all advertising issued by him, or on his behalf, will comply with KRS Chapter 312 and the accompanying regulations;
- b. The Respondent will pay a \$500 fine to the Board. Said fine will be payable to the "Kentucky State Treasurer" on the date of Respondent's signing of the Agreed Order. The Agreed Order and accompanying payment must be mailed to the Board postmarked no later than ~~June 12, 1995~~ August 1<sup>st</sup> - 1995 (Change authorized by attorney Cheryl LaBorde) on 7-21-95  
D.V.A.
- c. The Board shall make no referral of this matter for any criminal proceeding;

- d. The Respondent enters into this Agreed Order knowingly, willingly and voluntarily and after having been advised of the due process rights afforded to him under KRS Chapter 312 and the accompanying regulations;
- e. The Respondent has waived his right to counsel and a hearing on this matter;
- f. This Agreed Order is subject to disclosure under the Kentucky Open Records Act.
- g. The Respondent acknowledges he is ineligible for participation in any chiropractic preceptorship program for five years pursuant to 201 KAR 21:085, Section 2(7).

G. Harold Byers

G. HAROLD BYERS, PRESIDENT  
KENTUCKY BOARD OF  
CHIROPRACTIC EXAMINERS

8-15-95

DATE

Cheryl Lalonde

CHERYL LALONDE  
ASSISTANT ATTORNEY GENERAL

8-25-95

DATE

Daniel W. Robinson

DANIEL ROBINSON  
RESPONDENT

7-25-95

DATE