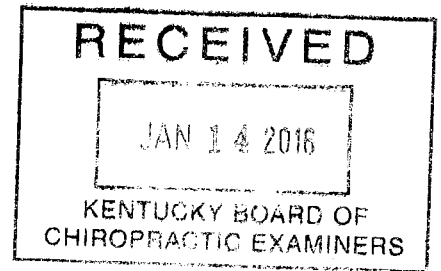


**COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS**

**IN RE: **CHIROPRACTIC LICENSE # 5425
 HELD BY Mark Alan Miller, D.C.
 Administrative Case #15-017****

Mark Alan Miller, D.C.
157 Brome Drive
Nicholasville, KY 40356



*PL \$500 -
CH 6717*

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 Mark Alan Miller 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 used and advertised the facility name *True Health Solutions* in violation of KRS 312.145(3); and

WHEREAS, the Respondent used the term “Clinic Director” without having registered his facility as a clinic as required by 201 KAR 21:060 Section 2(5); and

WHEREAS, the Respondent advertised a free or discounted service in Facebook posts on his *True Health Solutions* page on April 13, April 14 and

May 7, without including adequate notice of the seventy-two (72) hour right of rescission required by KRS 312.019(9)(g) and 201 KAR 21:065, Section 2(1); and

WHEREAS, the Respondent advertised that he “specializes in Thyroid problems” in a Facebook post on his True Health Solutions page on April 13, in violation of KRS 312.021 (1); and

WHEREAS, the parties mutually desire to settle the issues 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, Mark Alan Miller, 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 he complies with KRS Chapter 312 and the accompanying administrative regulations;

3) The Respondent, Mark Alan Miller, D.C., shall pay a fine to the board in the amount of five hundred dollars (\$500.00). Said fine shall be made payable to the “Kentucky Board of Chiropractic Examiners.”

4) The original, executed Agreed Order and fine must be received in

the office of the board, *postmarked no later than January 15, 2016.*

5) The Respondent, Mark Alan Miller, D.C., shall change his facility name to come into compliance with KRS 312.145(3) and update the name in all locations including but not limited to advertising in print and online, letterhead, signage, and intake and daily note forms; and

6) Within thirty (30) days of signature of Agreed Order herein, Mark Alan Miller, D.C. shall remove or correct all Facebook posts and online advertising which are in violation; and

7) 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

8) The Respondent, Mark Alan Miller, D.C., agrees that the failure to comply with any of the terms and conditions of this Agreed Order shall constitute a violation of KRS 312 and 201 KAR 21:015 Section 3(2) and may result in the board setting the matter for an administrative hearing in accord with KRS Chapter 13B.

Voluntary Waiver of Rights

The Respondent, Mark Alan Miller, 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 Mark Alan Miller, D.C.. It may not be altered, amended or modified without the express written consent of both parties.

Have Seen, Understood and Approved:



Mark Alan Miller, D.C.
License No. 5425
Respondent

Date 1.12.16



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

Date 02-10-16

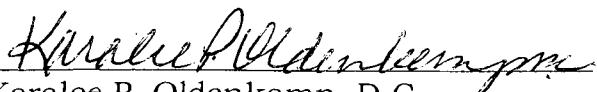
Certificate of Service

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 16th day of January, 2016:

Mark Alan Miller, D.C.
157 Brome Drive
Nicholasville, KY 40356
Respondent

M. Keith Poynter
209 S Green St.
Glasgow, KY 42141
Board Counsel

And the original shall be maintained by the Board


Karalee P. Oldenkamp, D.C.
Executive Director
Kentucky Board of Chiropractic Examiners