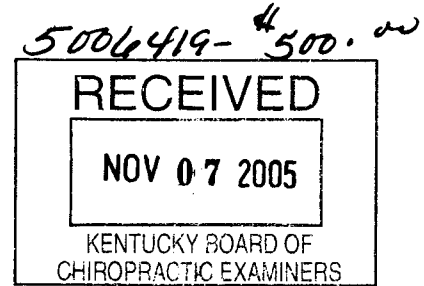


4456

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

**IN RE: CHIROPRACTIC LICENSE # 4456 HELD BY  
MATTHEW C. WALLIS, D.C.**

MATTHEW C. WALLIS, D.C.  
2920 Lone Oak Road  
Paducah KY 42003



**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 Matthew C. Wallis, 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 August 6, 2004 the Board received a letter of complaint from Dr. Michael D. Nemastil against the Respondent questioning his treatment of patient T.A.G. (137 chiropractic visits from 9/17/03 through 9/28/04), and his billing practices; and

**WHEREAS**, the case was referred to the Kentucky Board of Chiropractic

Examiners, Peer Review Committee; and

**WHEREAS**, per letter dated April 27, 2005, the Peer Review Committee found that the clinical documentation to substantiate billing for services performed from 9/17/03 through 7/26/04 was not adequate as it did not follow an established format, nor did it meet minimum reporting standards; and

**WHEREAS**, the aforementioned letter from the Peer Review Committee found that documentation for dates of service 7/28/04 through 9/23/04 does meet minimum recording standards; and

**WHEREAS**, on or about May 27, 2005 the Respondent filed a response to the Peer Review Committee's findings with the Board; 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 him under KRS Chapter 312 and the accompanying regulations;

2) The Respondent, Matthew C. Wallis, D.C., admits violating 201 KAR 21:100, Section 1(1) and (2);

3) The Respondent, Matthew C. Wallis, D.C., shall be placed on **PROBATION** for a period of one (1) year from the date of signing of this Agreed Order. Said probationary period is renewable upon expiration, at the Board's discretion, for up to one (1) additional year;

4) During said probationary period the Respondent agrees to complete twelve (12) hours of professional education in record-keeping, in addition to the annual educational requirements set forth in KRS 312.175(1);

5) The Respondent, Matthew C. Wallis, D.C., agrees to submit to a possible audit of his records to ensure proper billing procedures, during the probationary period;

6) The Respondent shall pay a fine to the Board in the amount of five hundred dollars (\$500.00) made by certified check or money order payable to the "Kentucky State Treasurer," and must be received with the executed Agreed Order;

7) The original, executed Agreed Order must be received in the office of the board, *postmarked no later than October 31, 2005*;

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

9) The Respondent acknowledges that he is ineligible for participation in any chiropractic preceptorship program for five (5) years pursuant to 201 KAR 21:085, Section 2(7); and

10) The Respondent, Matthew C. Wallis, D.C., agrees that his 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***

No coercion has been exerted upon the Respondent, nor have any promises been made other than those reflected in this Agreed Order.

The Respondent is fully aware of his rights to a formal hearing. These rights include: representation by an attorney at the Respondent's own expense, the right to confront and cross-examine witnesses called to testify against the Respondent, the right to present evidence on the Respondent's own behalf, the right to testify on his own behalf, the right to receive written findings of fact and conclusions of law supporting the decision on the merits of the accusation and the right to obtain judicial review of the Board's decision. All of these rights are being voluntarily waived by the Respondent in exchange for the Board's acceptance of this Agreed Order.

### ***Publication of Settlement Agreement***

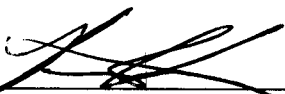
The Respondent acknowledges that, once adopted by the Board, this Agreed Order may be considered a public document, available for inspection at any time by any member of the public under the Kentucky Open Records Act, and may be reportable under federal law.

### ***Complete Agreement***

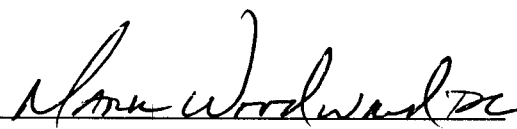
This Settlement Agreement consists of five (5) pages and embodies the entire agreement between the Kentucky Board of Chiropractic Examiners and

Matthew C. Wallis, D.C., and resolves all issues relative to the complaint filed with the Board in August of 2004. It may not be altered, amended or modified without the express written consent of both parties.

**Have Seen, Understood and Approved:**

  
\_\_\_\_\_  
MATTHEW C. WALLIS, D.C.  
License No. 4456  
*Respondent*

*11-3-05*  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
MARK R. WOODWARD, D.C.  
*President*  
*Kentucky Board of Chiropractic*  
*Examiners*

*11-17-05*  
\_\_\_\_\_  
Date

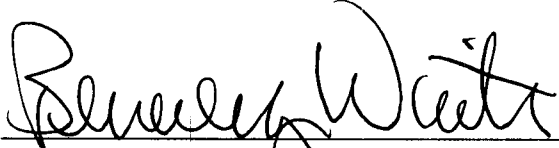
**Certificate of Service**

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 17<sup>th</sup> day of November, 2005:

MATTHEW C. WALLIS, D.C.  
2920 Lone Oak Rd.  
Paducah KY 42003  
*Respondent*

HON. DIANE SCHULER FLEMING  
Office of the Attorney General  
700 Capitol Ave., Ste. 118  
Frankfort KY 40601  
*Board Counsel*

And the original shall be maintained by the Board

  
\_\_\_\_\_  
Beverley K. White  
Board Administrator  
Kentucky Board of Chiropractic Examiners