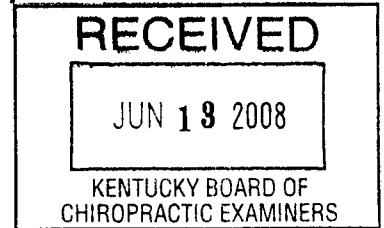


**COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS**

P.J. \$500. - CFE # 8125

**In Re: Brent Furnish, D.C.
License # 3677
1015 Dupont Road
Louisville, KY 40207**



AGREED ORDER

Parties

WHEREAS, the parties to this Agreed Order are the Kentucky Board of Chiropractic Examiners, hereinafter referred to as the "Board," and Brent Furnish, 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 advertised a free or discounted service in an advertisement in the November 8, 2007 issue of the Courier Journal, without including adequate notice of the seventy-two hour right of rescission required by KRS 312.019(9)(g) and 201 KAR 21:065, Section 1(2); and

WHEREAS, the Respondent Brent Furnish had no role in the placement of said advertisement; and

WHEREAS, the Respondent was unaware that the advertisement had been published without his permission; and

WHEREAS, Respondent has submitted a copy of a letter from The Courier Journal

confirming that it had been notified to cancel the advertisement on November 7, 2007, but that such cancellation was too late to prevent publication on November 8, 2007 since the applicable section of the newspaper had already been printed; and

WHEREAS, the Respondent failed to send a copy of the written advertisement to the Board simultaneous to publication of the advertisements as required by 201 KAR 21:065, Section 3; and

WHEREAS, although Respondent Brent Furnish, D.C. denies any wrongdoing, 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) Respondent shall carefully review the Agreed Order herein and enter into this Agreed Order knowingly, willingly and voluntarily and after having reviewed the due process rights afforded to the respondent under KRS 312 and the accompanying regulations;
- 2) Respondent accepts the reprimand of the Board for the above stated violation. Respondent agrees to act diligently in the future to insure that all advertising issued by respondent, or on the respondent' behalf, complies with KRS Chapter 312 and the accompanying administrative regulations;
- 3) The Respondent shall notify all consumers known to them who responded to the advertisement and advise those consumers of the complete notice of

right of rescission, as required by 201 KAR 21:080, Section 1 (3). A copy of the notification to all consumers who responded to the advertisement shall be mailed to the Board on or before June 20, 2008.

- 4) The Respondent Brent Furnish, 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."
- 5) The original, executed Agreed Order and fine must be received in the office of the Board, postmarked no later than June 20, 2008.
- 7) The Board shall make no referral of this matter for any criminal proceeding;
- 8) The Respondent, Brent Furnish, 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, Brent Furnish, D.C., has had the opportunity at all times to seek advice from competent counsel of choice. No coercion has been exerted upon either 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 Brent Furnish, D.C.

It may not be altered, amended or modified without the express written consent of all parties.

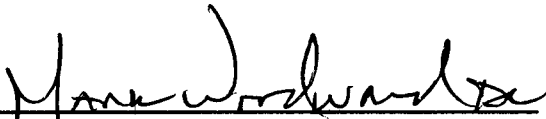
Have Seen, Understood and Approved:



Brent Furnish, D.C.

6/10/08

Date



Mark Woodward, D.C.
President
Kentucky Board of Chiropractic Examiners

06-16-08

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 18th day of June, 2008:


MICHAEL B. FURNISH, D.C.
1015 Dupont Rd
Louisville, KY 40207
Respondent

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

And a courtesy copy to:

HON. BENJAMIN L. GARDNER
2450 Meidinger Tower
462 S. Fourth Street
Louisville KY 40202
Counsel for Respondent

And the original shall be maintained by the Board


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