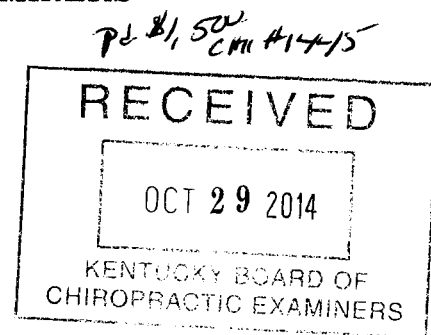


**COMMONWEALTH OF KENTUCKY  
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS**

**IN RE:           CHIROPRACTIC LICENSE # 3910  
                  HELD BY Russell I. Kester, D.C.  
                  Administrative Case #14-019**

Russell I. Kester, D.C.  
1933 Paris Karr Rd  
Keavy, KY 40737-2647



**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 Russell I. Kester 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 was charged with theft by unlawful taking over \$500 but less than \$10,000 on December 15, 2011; and

**WHEREAS**, the Respondent failed to report this charge on his license renewal applications in years 2012, 2013 and 2014 in violation of KRS 312.150 (1)(a); 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, Russell I. Kester, 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 compliance with KRS Chapter 312 and the accompanying administrative regulations;

3) The Respondent, Russell I. Kester, D.C., shall pay a fine to the Board in the amount of one thousand five hundred dollars (\$1500.00). Said fine shall be made payable to the "Kentucky Board of Chiropractic Examiners" and shall be paid in full within six (6) months of signature of order herein.

4) The original, executed Agreed Order must be received in the office of the Board, *postmarked no later than November 3, 2014*.

5) 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 1(7); and

6) The Respondent, Russell I. Kester, 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, Russell I. Kester, 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](http://www.kbce.ky.gov).

**Complete Agreement**

This Agreed Order consists of four (4) pages and embodies the entire agreement between the Kentucky Board of Chiropractic Examiners and Russell I. Kester, D.C.. It may not be altered, amended or modified without the express written consent of both parties.

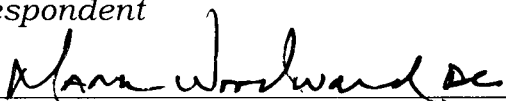
**Have Seen, Understood and Approved:**

  
\_\_\_\_\_

Russell I. Kester, D.C.  
License No. 3910  
Respondent

10-25-14  
\_\_\_\_\_

Date

  
\_\_\_\_\_

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

11-03-14  
\_\_\_\_\_

Date

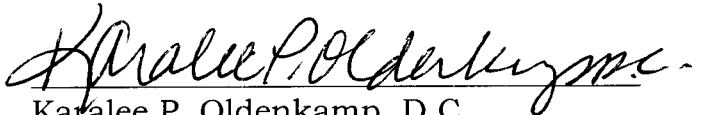
**Certificate of Service**

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 7<sup>th</sup>  
day of November, 2014:

Russell I. Kester, D.C.  
1933 Paris Karr Rd  
Keavy, KY 40737-2647  
*Respondent*

Hon. M. Keith Poynter  
209 South Green Street  
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