

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS

3717
Nov 3 0 02 AM '95

IN RE: THE LICENSE TO PRACTICE CHIROPRACTIC HELD BY
VAUGHN MILLER, D.C.

AGREED ORDER

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

RECEIVED
NOV 7 1995
KENTUCKY BOARD OF
CHIROPRACTIC EXAMINERS

FD 8942
500

1. That Respondent has advertised free or discounted services 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);
2. That Respondent's advertisements claimed he was involved in chiropractic research and treated over 200 patients per day. Respondent could not substantiate these claims and admitted failing to adequately proof the advertisements which made the claims. The advertisements, therefore, were misleading in violation of 201 KAR 21:065.
3. That Respondent admits he failed to send a copy of the written advertisement to the Board simultaneous to publication of the advertisement as required by 201 KAR 21:065, Section 3;
4. 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 made 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 November 17, 1995;
- 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 reviewed 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 D.C.
G. HAROLD BYERS, PRESIDENT
KENTUCKY BOARD OF
CHIROPRACTIC EXAMINERS

10-26-95
DATE

Cheryl Lalonde
CHERYL LALONDE
ASSISTANT ATTORNEY GENERAL

11-6-95
DATE

Vaughn Miller D.C.
VAUGHN MILLER
RESPONDENT

10/20/95
DATE