

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS
BOARD COMPLAINT NO. 2021-KBCE-00020

KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS,

PETITIONER

V.

JOHN N. STEFANOPOULOS, D.C.
LICENSE NO. 249417

RESPONDENT

AGREED ORDER

This matter having come before the Kentucky Board of Chiropractic Examiners (the "Board") based upon information received by the Board, Respondent John N. Stefanopoulos ("Respondent") and the Board hereby agree to resolve this matter under the following terms:

1. The Board received an email from Respondent on June 4, 2021, wherein Respondent self-reported to the Board that he had been arrested in July 2020 in Owensboro, Kentucky for multiple criminal violations involving the use of controlled substances. Respondent apologized for his tardiness in reporting the violation to the Board. Respondent included his Uniform Citation with the email.
2. Respondent was charged with the following: Indecent Exposure, First Degree, First Offense; Burglary, Second Degree; Criminal Mischief, First Degree; Public Intoxication, Controlled Substance; Resisting Arrest; and Menacing. Respondent's Uniform Citation alleges that Respondent had been in an acute state of intoxication, during which he had damaged property, broken into a house, and resisted apprehension.
3. The Board initiated its own complaint against Respondent on the basis of the above and notified Respondent of the complaint by letter dated June 7, 2021. The Board suspended Respondent's license on an emergency basis and notified Respondent of the suspension by letter dated June 8, 2021.
4. Respondent submitted an email to the Board in response to the complaint on June 16, 2021. He stated that he assumed full responsibility for his actions, and that he knowingly ingested the controlled substances. He also stated that he met the owners of the home that he had trespassed upon, and that he had apologized profusely to them. He also stated that he has never been a habitual drug user, and that he has been sober since the date of his arrest.
5. On September 7, 2021, Respondent notified the Board by email that all charges against him had been dismissed, except for an amended charge of misdemeanor Criminal Trespassing.

6. Throughout this process, Respondent has been cooperative with the Board and forthcoming in providing updates of the status of his criminal action to the Board.
7. The Board is authorized under KRS 312.150 to take disciplinary action against licensees. Sufficient evidence exists in this matter for the Board to take disciplinary action under KRS 312.150.
8. Respondent has at all times relevant to these proceedings had the opportunity to seek advice from competent legal counsel of his choice. Respondent has not been coerced in any respect to enter into this Agreed Order, nor have any promises been made other than those reflected in this Agreed Order.
9. Respondent freely and voluntarily enters into this Agreed Order for the purposes of resolution of the issues presented herein, and has executed this Agreed Order only after a careful reading and understanding of all of its terms.
10. Respondent recognizes that if this matter was to go to an Administrative Hearing, there may exist sufficient evidence to sustain a disciplinary action against him. Respondent nevertheless desires to settle this matter in an expeditious manner without resorting to an administrative hearing, and in doing so he does not admit to, and expressly denies any wrongdoing or liability.

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements set forth herein, the adequacy and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

11. Respondent shall execute and return a copy of this Agreed Order to the Board within thirty (30) days of receipt of the Agreed Order or it shall be null and void, and the Board may institute further disciplinary action;
12. Respondent's license shall be suspended for a period of one (1) year from the execution of the Agreed Order. The suspension shall be probated for one (1) year, on condition of no further criminal violations, no further violations of KRS Chapter 312, and no further violations of the Board's regulations.
13. Upon execution of this Agreed Order, the Board shall dismiss Complaint No. 2021-KBCE-00020 and shall not seek any additional disciplinary action against the Respondent based on the factual allegations in this Agreed Order.
14. Any violation by the Respondent of the terms of this Agreed Order shall be grounds for further action by the Board, including but not limited to the reopening of any complaint against Respondent.
15. All Parties and their undersigned representatives warrant and represent that they have the requisite power and authority to enter into this Agreed Order and to effectuate the purposes

herein, and that this Agreed Order shall be legally binding and enforceable against each Party in accordance with terms of the Agreed Order.

16. This Agreed Order shall be governed in all respects by the laws of the Commonwealth of Kentucky. Any disputes arising under this Agreed Order shall be resolved in the Circuit Court of Franklin County, Kentucky; the Parties consent and agree to the *in personam* jurisdiction of such Court.
17. This Agreed Order may not be modified except by a written agreement executed by all Parties.

RELEASE OF LIABILITY

18. In consideration of execution of this Agreed Order, the Respondent, together with any of his executors, administrators, agents, successors and assigns, do hereby release and forever discharge the Complainants, Commonwealth of Kentucky, the Board of Chiropractic Examiners, the Department of Professional Licensing, and each of their members, agents, and employees in both their individual and representative capacities, of and from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known or unknown, in law or equity, which Respondent ever had, now has, may have or claim to have against any or all of the entities or persons named in this paragraph arising out of or by reason of this investigation, this settlement, or its administration.

ACCEPTANCE BY THE BOARD

19. Respondent acknowledges that this Agreed Order, after his execution of same, shall be presented to the Board with a recommendation for approval from the Board's Counsel and Case Manager at the next regularly scheduled meeting of the Board following receipt of the executed Agreed Order. The Agreed Order shall not become effective until it has been approved by the Board and endorsed by the Chair of the Board. Respondent understands the Board is under no obligation to accept or reject this Agreed Order, and hereby waives any right he may have had to challenge, based upon the presentation of this Agreed Order to the Board, the impartiality of the Board to hear an administrative action if this Agreed Order is rejected. If this Agreed Order is rejected by the Board, it shall be regarded as null and void, and of no effect. No statement or term contained in this Agreed Order will be regarded as evidence in any subsequent disciplinary hearing, nor shall any inference be taken from Respondent's willingness to enter into this Agreed Order.

OPEN RECORDS

20. Respondent acknowledges this Agreed Order is subject to disclosure under the Kentucky Open Records Act, may be reportable under Federal law, and may be shared with any professional organization or licensing board as the Board deems appropriate, in its discretion.

COMPLETE AGREEMENT

21. This Agreed Order embodies the entire agreement between the Board and Respondent. It may not be altered, amended, or modified without the express written agreement of both parties. The effective date of this Agreed Order shall be the date of its acceptance by the Board, as signified by the signature of the Board Chair.

FINAL ORDER

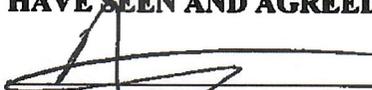
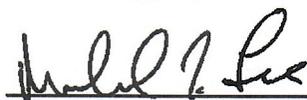
Pursuant to KRS 13B.110(5), after having reviewed the administrative record, the Board adopts and incorporates by reference the statements made above as Findings of Fact for purposes of this Final Order;

IT IS HEREBY ORDERED THAT:

22. Respondent's license shall be suspended for a period of one (1) year from the execution of the Agreed Order. The suspension shall be probated for one (1) year, on condition of no further criminal violations, no further violations of KRS Chapter 312, and no further violations of the Board's regulations.
23. Upon execution of this Agreed Order, the Board shall dismiss Complaint No. 2021-KBCE-00020 and shall not seek any additional disciplinary action against the Respondent based on the factual allegations in this Agreed Order.

THIS IS A FINAL AND APPEALABLE ORDER. A party may institute an appeal of this Final Order by filing a Petition in the appropriate court within thirty (30) days after the Final Order is mailed or delivered by personal service.

HAVE SEEN AND AGREED:

 John N. Stefanopoulos, D.C., Respondent	2/21/22 Date
 Michael T. Lee, Counsel for Respondent	2/21/22 Date
 Jeff Smith, D.C., President, Kentucky Board of Chiropractic Examiners	3/15/22 Date
 August Lincoln Pozgay, Board Counsel	3/15/22 Date

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served on the following by certified First-Class United States mail, this ___¹⁶___ of ___March_____, 2022:

John N. Stefanopoulos, D.C.



Michael T. Lee
McCarroll, Nunley, Hartz & Lee, Attorneys at Law
922 Triplett Street, Suite 4
P.O. Box 925
Owensboro, KY 42302-0925

And was filed at:

Kentucky Board of Chiropractic Examiners
P.O. Box 1360
Frankfort, Kentucky 40602

A handwritten signature in black ink that reads "Jasha Stewart".

Board Administrator
Kentucky Board of Chiropractic Examiners