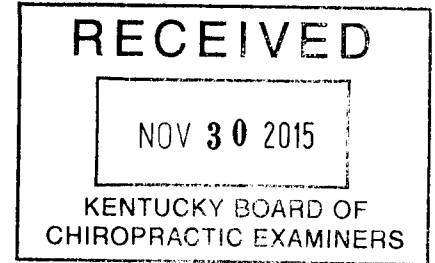


**COMMONWEALTH OF KENTUCKY  
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS**

**IN RE:           CHIROPRACTIC LICENSE # 5168  
                  HELD BY Kevin J. Dickhaut, D.C.  
                  Administrative Case #15-006**

Kevin J. Dickhaut, D.C.  
2408 Sir Barton Way #275  
Lexington, KY 40509



*Pl 1500: CHIC 11/14*

**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 Kevin J. Dickhaut 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 is licensed by the Kentucky Board of Chiropractic Examiners; and

**WHEREAS**, the Respondent owned and operated a practice at 5751 Preston Hwy, #108, Louisville, Kentucky; and

**WHEREAS**, the Respondent was notified of administrative case 15-006 regarding his license on March 25, 2015, and responded to the board on April 15, 2015; and

**WHEREAS**, the Respondent filed an Address/Name Change Form and Facility Registration Form on 3/30/15 changing his facility from 5751 Preston Hwy, #108, Louisville, to Lexington Disc & Wellness Institute of Aubrey Chiropractic, 2408 Sir Barton Way, #275, Lexington and ; and

**WHEREAS**, the Respondent was notified on July 17, 2015, after the Board had reviewed the complaint and his response at its June 5, 2015 meeting, that he still needed to submit documentation to the Board; and

**WHEREAS**, the Respondent filed a response to the Board's request for additional documentation on July 27, 2015, stating "I have enclosed the forms that I use for patients under the age of 18." The enclosed forms were intake forms, not Activities of Daily Living and Treatment Assessment forms, which had been the subject of the complaint in violation of 201 KAR 21:015 Section 3 (1)(a).

**WHEREAS**, the forms also had the header "Apex Chiropractic & Rehabilitation" in violation of KRS 312.145 (3) and KRS 312.150 (1)(f)(g) since the Respondent had already notified the Board office that he was no longer at this facility, yet responded that these were the forms he was using.

**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, Kevin J. Dickhaut, 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 he complies with KRS Chapter 312 and the accompanying administrative regulations;

3) The Respondent, Kevin J. Dickhaut, 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."

4) The original, executed Agreed Order and fine must be received in the office of the board, *postmarked no later than November 25, 2015.*

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 2(7); and

6) The Respondent, Kevin J. Dickhaut, D.C., agrees that the failure to comply with any of the terms and conditions of this Agreed Order shall be considered a violation of 201 KAR 21:015 Section 3(2), and may result in the board setting the matter for an administrative hearing in accord with KRS Chapter 13B.

### ***Voluntary Waiver of Rights***

The Respondent, Kevin J. Dickhaut, 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.

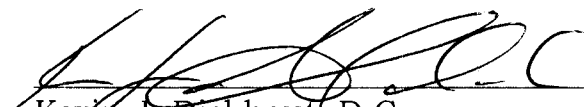
**Publication of Settlement Agreement**

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).

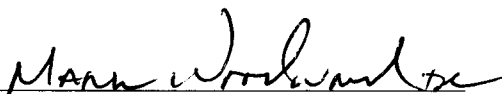
**Complete Agreement**

This Settlement Agreement consists of four (4) pages and embodies the entire agreement between the Kentucky Board of Chiropractic Examiners and Kevin J. Dickhaut, D.C.. It may not be altered, amended or modified without the express written consent of both parties.

**Have Seen, Understood and Approved:**

  
Kevin J. Dickhaut, D.C.  
License No. 5168  
Respondent

11/27/15  
Date

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

12-03-15  
Date

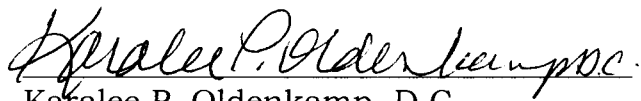
### Certificate of Service

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, 2015:

Kevin J. Dickhaut, D.C.  
2408 Sir Barton Way #275  
Lexington, KY 40509  
*Respondent*

Hon. M. Keith Poynter  
209 South Green St.  
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