

3869

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS

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

AGREED ORDER

Come the parties to this action, the Kentucky Board of Chiropractic Examiners, hereinafter the Board, and Mark Miller, D.C., hereinafter the Respondent, and hereby agree, as follows:

1. That it has come to the attention of the Board that the Respondent authored articles in the newspaper that could be construed by potential patients that he could and would provide treatment for meningitis and infectious diseases; and

2. That such advertisements are misleading, in violation of 201 KAR 21:065, Section 1, in that chiropractic training does not address the treatment of such diseases, and that any attempt by Respondent to so treat such diseases would be a violation of KRS 312.017(1)(a).

In lieu of a formal Complaint being issued and a formal hearing being held, and after discussion of the above-stated violation(s) which Respondent admits having committed, as follows:

1. Respondent is hereby fined \$500, which he shall tender to the Board as of the date of his signing this Agreed Order;

2. Respondent shall write a letter which he shall cause to be published immediately in the newspaper(s) in which he placed the above-mentioned advertisements, which letter shall consist of a retraction of his above-mentioned claims made in said advertisements and shall indicate clearly that Respondent does not treat meningitis and infectious diseases; and Respondent shall submit said letter to Frank G. Hideg, D.C., a member of this Board, for Dr. Hideg's approval of same, before said letter is submitted to said newspaper(s) for publication;

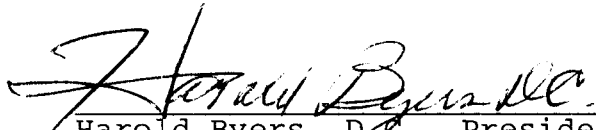
3. Respondent is hereby placed on probation for a period of one year from the date hereof;

4. During said one-year period of probation, the violation by Respondent of any Kentucky law or regulation, pertaining to chiropractic, or the failure to timely perform any of the terms of this Agreed Order, shall constitute grounds for the revocation of his said probation, the issuance of a Complaint against him and the holding of a formal hearing to determine whether his license to practice chiropractic should be revoked or suspended and whether any other penalties which the Board is empowered to impose should be levied against him;

5. This Agreed Order is subject to the provisions of the Kentucky Open Records Act provided for in Chapter 61 of the Kentucky Revised Statutes;

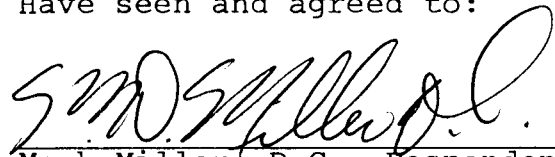
6. The Respondent acknowledges that he has been advised of his right to be represented by counsel, and that he has voluntarily waived that right; and

7. The Respondent acknowledges that he enters into this Agreed Order knowingly, freely and voluntarily and that by doing so he waives any and all rights granted to him for a full due process hearing under Chapter 312 of the Kentucky Revised Statutes.

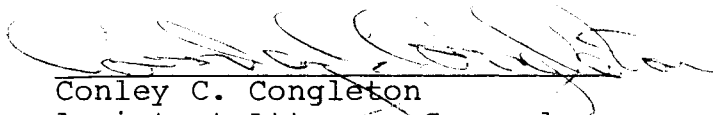

Harold Byers, D.C., President
Kentucky Board of
Chiropractic Examiners

2/28/91
Date

Have seen and agreed to:


Mark Miller, D.C., Respondent

02/11/91
Date


Conley C. Congleton
Assistant Attorney General
Capitol Building
Frankfort, Kentucky 40601-3494

Counsel for Kentucky Board
of Chiropractic Examiners

3-5-91
Date