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KENTUCKY BOARD OF
CHIROPRACTIC EXAMINERS

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS

Pd. $1,500.-
CHK #2506

IN RE: ***CHIROPRACTIC LICENSE # 4740***
HELD BY Adrian D. Nohr D.C.
Administrative Case # 09-075

Adrian D. Nohr D.C.
1701 N Dixie Ave
Elizabethtown, KY 42701

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 Adrian D. Nohr 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, on or about September 10, 2009, a complaint was received in the Board office from Kelly Schaffrick stating that the Respondent improperly billed her insurance company for services that were not rendered; and

WHEREAS, on or about October 1, 2009, the Respondent filed a reply wherein he admitted to the factual allegations of billing errors contained in Ms. Schaffrick's complaint, but alleged that they were unintentional errors made

which have since been corrected. The response also stated that the Respondent resubmitted corrected bills adding a 98941 charge and deleting 98940 and 98943 codes. He also stated he did this for the convenience of Ms. Schaffrick to eliminate the 98943 deductible and receive a higher compensation for his adjustments; 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 him under KRS Chapter 312 and the accompanying regulations;

2) The Respondent, Adrian Nohr, D.C., accepts the reprimand of the Board for the violation of KRS 312.150(1)(f), (g), (2)(e) and 201 KAR 21:015(5). The Respondent agrees to act more diligently in the future to insure that he will comply with KRS Chapter 312 and the accompanying administrative regulations;

3) The Respondent, Adrian Nohr, D.C., shall pay a fine to the board in the amount of five hundred dollars ($500) for this instance of billing for services not provided. The Respondent shall pay a fine to the board in the amount of one thousand dollars ($1,000) for improper billing and coding. Said

fines shall be paid by Master Card, Visa or cashier's check made payable to the "Kentucky Board of Chiropractic Examiners." The total fine amount of one thousand five hundred dollars ($1,500) shall be paid on or before February 2, 2010; and

4) Within six (6) months of signature of the Agreed Order herein, Respondent Adrian Nohr, D.C. shall successfully complete (pass) the Ethics and Boundaries examination of the National Board of Chiropractic Examiners, with proof submitted to the Board; and

5) Within six (6) months of signature of the Agreed Order herein, the Respondent shall complete an additional six (6) hours of continuing education in Billing/Coding; and

6) The original, executed Agreed Order must be received in the office of the board, *postmarked within ten (10) days of receipt of the certified letter of settlement*;

7) 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

8) The Respondent, Adrian Nohr, D.C., agrees that his 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, Adrian D. Nohr 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.

Complete Agreement

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

Have Seen, Understood and Approved:

Adrian D. Nohr D.C.
License No. 4740
Respondent

01/20/2010
Date

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

01-22-10
Date

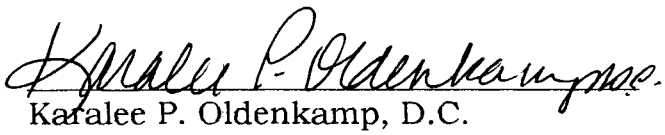
Certificate of Service

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 27th day of January, 2010:

Adrian D. Nohr D.C.
1701 N Dixie Ave
Elizabethtown, KY 42701
Respondent

HON. MICHAEL WEST
Office of the Attorney General
700 Capitol Ave., Ste. 118
Frankfort KY 40601
Board Counsel

And the original shall be maintained by the Board



Karalee P. Oldenkamp, D.C.
Executive Director
Kentucky Board of Chiropractic Examiners