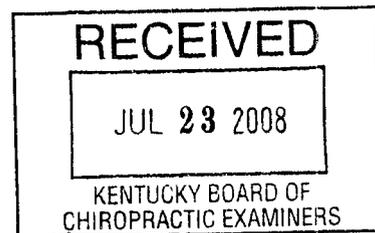


COMMONWEALTH OF KENTUCKY  
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS

**IN RE: CHIROPRACTIC LICENSE # 4001  
HELD BY Gerald B. Koziej, D.C.**

Gerald B. Koziej, D.C.  
211 Iola Road  
Louisville KY 40207



pd \$1,000 of \$3,000 CK# 574034  
pd \$1,000 CK# 574132  
pd \$1,000

**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 Gerald B. Koziej, 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 March 1, 2006 a letter was faxed to the Respondent by the Board's staff stating that the Respondent was missing twelve (12) hours of continuing education and his renewal application could not be processed; and

**WHEREAS**, on or about March 3, 2006 the Board mailed a letter to the Respondent notifying him that his application for renewal was deficient and that his license was classified as delinquent. The letter informed the Respondent that he would be required to pay five hundred dollars (\$500) and

provide proof of twelve (12) hours of continuing education by April 17, 2006 or else his license would be revoked; and

**WHEREAS**, on or about April 13, 2006 Board staff called the Respondent and left a message requesting payment of the late fee and proof of attendance of twelve (12) hours of continuing education; and

**WHEREAS**, on or about April 17 a letter notifying the Respondent that his license was revoked was mailed and faxed to the Respondent at the address on file with the Board; and

**WHEREAS**, on or about June 12, 2006 the Board received proof from the Respondent that he had attended twelve (12) hours of continuing education as required by law for renewal of his license; and

**WHEREAS**, on or about June 22, 2006 the Board's staff called the Respondent and informed him that his license was revoked and requested that he cease and desist from the practice of chiropractic in the Commonwealth of Kentucky until such time as he paid the reinstatement fee and his license was reinstated; and

**WHEREAS**, on or about July 5, 2006 the Board received the reinstatement fee and the Respondent's license was reinstated; and

**WHEREAS**, the Respondent practiced chiropractic in the Commonwealth of Kentucky without a license from April 18, 2006 through July 5, 2006 in violation of KRS 312.018 and 201 KAR 21:015, Section 1(5); 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, Gerald B. Koziej, 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 that he will comply with KRS Chapter 312 and the accompanying administrative regulations;

3) The Respondent, Gerald B. Koziej, D.C., shall pay a fine to the board in the amount of three thousand dollars (\$3,000). This amount represents a fine in the amount of \$1,000 per month for each month that the Respondent practiced without a license. Said fine shall be paid by either Visa or cashier's check made payable to the "Kentucky Board of Chiropractic Examiners." The terms of payment of said fine shall be as follows: The first one thousand dollar (\$1,000) installment shall be paid on or before August 31, 2008; the second one thousand dollar (\$1,000) installment shall be paid on or before September 30, 2008; and the final one thousand dollar (\$1,000) installment shall be paid on or before October 31, 2008; and

4) 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;*

5) The board shall make no referral of this matter for any criminal proceeding;

6) 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

7) The Respondent, Gerald B. Koziej, 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, Gerald B. Koziej, 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.

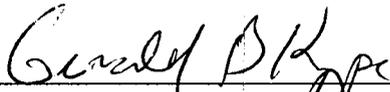
### ***Publication of Settlement Agreement***

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).

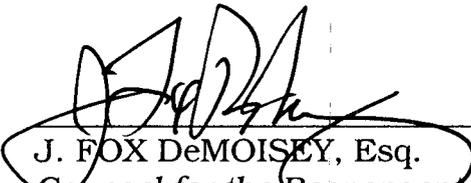
**Complete Agreement**

This Settlement Agreement consists of five (5) pages and embodies the entire agreement between the Kentucky Board of Chiropractic Examiners and Gerald B. Koziej, D.C. It may not be altered, amended or modified without the express written consent of both parties.

**Have Seen, Understood and Approved:**

  
\_\_\_\_\_  
GERALD B. KOZIEJ, D.C.  
License No. 4001  
Respondent

7-22-08  
Date

  
\_\_\_\_\_  
J. FOX DeMOISEY, Esq.  
Counsel for the Respondent

7/22/08  
Date

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

07-28-08  
Date

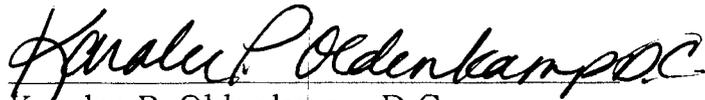
**Certificate of Service**

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 29<sup>th</sup> day of July, 2008:

GERALD B. KOZIEJ, D.C.  
211 Iola Rd  
Louisville, KY 40207  
*Respondent*

HON. DIANE SCHULER FLEMING  
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.  
Board Administrator  
Kentucky Board of Chiropractic Examiners