# BEFORE THE BOARD OF CHIROPRACTIC OF THE STATE OF IOWA

IN THE MATTER OF	) CASE NO. 09-005
Bradley Kristiansen License No. 04485 RESPONDENT.	) COMBINED NOTICE OF HEARING ) SETTLEMENT AGREEMENT, AND ) FINAL ORDER

COMES NOW the Iowa Board of Chiropractic (Board) and Bradley Kristiansen (Respondent), enter into this Combined Notice of Hearing, Settlement Agreement, and Final Order (Order) pursuant to Iowa Code sections 17A.10(2), 272C.3(4), and 645 Iowa Administrative Code (IAC) rule 12.1.

#### NOTICE OF HEARING

- A hearing on this matter will not be held as the Board and Respondent have entered into the following combined Notice of Hearing, Settlement Agreement and Final Order.
- 2. Respondent was issued Iowa license 04485 on July 29, 1975. Respondent's license is current and will next expire on June 30, 2010. Respondent's address as reported to the Board is 4005 Wilson Ave. SW, Cedar Rapids, IA 52404.

#### LEGAL AUTHORITY AND JURSDICTION

3. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 151, and 272C.

## SECTIONS OF STATUTES AND RULES INVOLVED

#### COUNT I

4. Respondent is charged with representing himself as a chiropractic physician when his license was on inactive status in violation of Iowa Code section 147.55(9) and

#### COUNT II

5. Respondent is charged with practicing with an inactive license in violation of Iowa Code sections 147.10(2) and 147.55(9) and 645 IAC 41.8(8) and 45.2(12).

### **FACTUAL CIRCUMSTANCES**

- 6. Respondent's license to practice chiropractic became inactive on June 30, 2008.
  - 7. Respondent reactivated his license on March 12, 2009.
- 8. Respondent continued to practice chiropractic while his license was inactive and continued to bill for his services.
- 9. Respondent did not notify his patients or staff that his license was inactive.

#### SETTLEMENT AGREEMENT AND FINAL ORDER

- 10. Respondent admits the allegations contained in Counts I and II and agrees to enter into this Settlement Agreement to resolve this matter without proceeding to hearing.
- 11. Respondent is hereby CITED for failing to timely renew his chiropractic license and for continuing to practice chiropractic without an active license.

  Respondent is hereby WARNED that his failure in the future to comply with the laws governing the practice of chiropractic in lowa could result in further discipline against his lowa chiropractic license, including suspension or revocation.
- 12. Respondent agrees that in the future he will timely renew his chiropractic license as required by law.

- 13. Respondent shall be assessed a civil penalty in the amount of \$1,000. The civil penalty shall be paid within thirty days from the date this agreement is accepted by the Board.
- 14. This Combined Notice of Hearing, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
- 15. By entering into this Combined Notice of Hearing, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested hearing on the allegations contained in the Statement of Matters Asserted, and waives any objections to the terms of the Settlement Agreement.
- 16. This Combined Notice of Hearing, Settlement Agreement and Final Order is voluntarily submitted by Respondent to the Board for consideration.
- 17. Respondent acknowledges that he has a right to be represented by counsel in this matter.
- 18. Respondent agrees that the State's counsel may present this Combined Notice of Hearing, Settlement Agreement and Final Order to the Board *ex parte*.
- 19. This Combined Notice of Hearing, Settlement Agreement and Final Order must be approved by the Board. If the Board fails to approve this Combined Notice of Hearing, Settlement Agreement and Final Order it shall be of no force or effect to either party.
- 20. Respondent understands that this Order is a public record and is therefore, subject to inspection and copying by members of the public.
- 21. This Order shall be part of the Respondent's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary

action to be imposed in the event of future violations.

- 22. Any failure by Respondent to comply with the terms and conditions of this Order may subject Respondent to further licensee disciplinary action by the Board.
- 23. The Board's approval of this Combined Notice of Hearing, Settlement Agreement and Final Order shall constitute a **FINAL ORDER** of the Board.

This combined notice of hearing, settlement agreement, and final order is approved by the board on January 13, 2010.