BEFORE THE BOARD OF CHIROPRACTIC EXAMINERS
OF THE STATE OF IOWA

****

IN THE MATTER OF THE APPLICATION

FOR CHIROPRACTIC LICENSURE OF

MICHAEL LEE GETTING, APPLICANT

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PRELIMINARY NOTICE OF INTENT TO DENY LICENSURE

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TO: Michael Getting:

YOU ARE HEREBY NOTIFIED that pursuant to Iowa Code Section 147.4 (2003), the Board may refuse to grant a license to practice chiropractic upon any of the grounds for which a license may be revoked or suspended. On October 3, 2005, the Iowa Board of Chiropractic Examiners voted to issue this preliminary notice of intent to deny your application for an Iowa license to practice chiropractic. The intent to deny licensure is based upon the following:

STATUTORY VIOLATIONS

Iowa Code Sections 147.55(4), 151.9(4), and 272C.10(4) establish that habitual intoxication or addiction to the use of drugs is grounds for licensee discipline, and therefore for denial of an application to practice chiropractic.

FACTUAL CIRCUMSTANCES

1. On January 24, 2005, the Iowa Board of Chiropractic Examiners (Board) received an application for licensure from Michael Getting, D.C.

2. Dr. Getting answered "yes" to Question #10 of the application, which asked: "*Have you ever been convicted, found guilty of or entered a plea of guilty or no contest to a felony or misdemeanor crime (other than minor traffic violations with fines under $500)*"

3. On January 18, 1990, Dr. Getting was convicted in the Iowa District Court for Clay County of possession of a controlled substance (marijuana), a serious misdemeanor, in violation of Iowa Code Section 204.401(3).

4. On February 7, 1991, Dr. Getting was convicted in the Iowa District Court for Dickinson County of possession of a controlled substance (marijuana) a serious misdemeanor, in violation of Section 204.401(3).

5. On March 20, 1995, Dr. Getting was convicted in the Iowa District Court for Dickinson County of assault with intent to inflict a serious injury, an aggravated misdemeanor, in

violation of Iowa Code sections 708.1 and 708.2.

6. In April of 1997 Dr. Getting was convicted in the Iowa District Court for Story County of public intoxication, a simple misdemeanor, in violation of Section 17.19 of the Ames Municipal Code.

7. On January 2, 2003, Dr. Getting was convicted in the Iowa District Court for Scott County of possession of drug paraphernalia ("pot pipe"), a simple misdemeanor, in violation of Iowa Code section 124.414.

NOTICE OF APPEAL RIGHTS

Pursuant to the provisions of 645 IAC 11.32, you may appeal the Board's preliminary notice of intent to deny your application for a license by serving a notice of appeal and request for hearing on the Board's administrator not more than thirty days from the date of this notice. A photocopy of this rule is attached. If an appeal is not filed within this time period, this preliminary notice of intent to deny licensure will become final and will be a matter of public record.

This preliminary notice of intent to deny licensure is approved by the board on December 2, 2005.