

**BEFORE THE BOARD OF CHIROPRACTIC EXAMINERS OF THE STATE OF IOWA**

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**IN THE MATTER OF NOTICE OF HEARING AGAINST**

**STEVEN S. LARSON, DC, RESPONDENT**

**File No. 06-029**

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**NOTICE OF HEARING**

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**COMES NOW** the Iowa Board of Chiropractic Examiners on October 31, 2006, and files this Notice of Hearing pursuant to Iowa Code Section 17A.12(2). Respondent was issued Iowa chiropractic license no. 06419 on May 25, 2001. Respondent's license is active and will next expire on June 30, 2008.

**A. TIME, PLACE AND NATURE OF HEARING**

1. Hearing. A disciplinary contested case hearing shall be held on January 10, 2007, before the Iowa Board of Chiropractic Examiners. The hearing shall begin at 9:00 a.m. in the 5<sup>th</sup> Floor conference room at the Iowa Board of Chiropractic Examiners office at Lucas State Office Building, Des Moines, Iowa.

2. Answer. Within twenty (20) days of the date you are served this Notice of Hearing you are required by 645 Iowa Administrative Code 11.12 to file an Answer. In that Answer, you should also state whether you will require a continuance of the date and time of the hearing.

3. Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on prehearing matters, and be present to assist and advise the board at hearing.

4. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 645 Iowa Administrative Code Chapter 11. At hearing, you will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. You may appear personally or be represented by counsel at your own expense. If you need to request an alternative time or date for hearing, you must review the requirements in 645 Iowa Administrative Code 11.18. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

5. Prosecution. The office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address: Theresa O'Connell Weeg, Assistant Attorney General, Iowa Attorney General's Office, 2nd Floor, Hoover State Office Building, Des Moines, Iowa 50319.

6. Communications. You may not contact board members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You may contact Board Administrator Ella Mae Baird at 515.281.5234, or Assistant Attorney General Theresa O'Connell Weeg at 515.281.6858.

## **B. LEGAL AUTHORITY AND JURISDICTION**

7. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 17A, 147, 151, and 272C (2005).

8. Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code Chapters 17A, 147, 151, and 272C (2005) and 645 Iowa Administrative Code Chapter 45.

9. Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code Section 17A.12(3) and 645 Iowa Administrative Code 11.21.

### **C. SECTIONS OF STATUTES AND RULES INVOLVED**

#### **COUNT I**

10. Respondent is charged pursuant to 645 IAC 45.2(30) with violation of the terms of an impaired practitioner recovery contract with the impaired practitioner review committee (IPRC).

#### **COUNT II**

11. Respondent is charged pursuant to Iowa Code sections 147.55(4) and 272C.10(4) (2005) and 645 IAC section 45.2(6) with habitual intoxication.

#### **COUNT III**

12. Respondent is charged pursuant to Iowa Code sections 147.55(2) and 272C.10(2) and 645 IAC section 45.2(2)(e) with professional incompetency due to inability to practice with reasonable skill and safety by reason of excessive use of alcohol.

### **D. STATEMENT OF MATTERS ASSERTED**

13. A short and plain Statement of the Matters Asserted was reviewed and approved by the Board at the time this Notice of Hearing was filed. A Statement of the

Matters Asserted shall be furnished to Respondent as an attachment to this Notice. However, this short and plain statement of the matters asserted is not a public record.

#### **E. SETTLEMENT**

14. Settlement. This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 645 Iowa Administrative Code Chapter 12. If you are interested in pursuing settlement of this matter, please contact Board Administrator Ella Mae Baird at 515.281.5234.

#### **F. PROBABLE CAUSE FINDING**

15. On this 27th day of September, 2006, the Iowa Board of Chiropractic Examiners found probable cause to file this Notice of Hearing.

**This notice of hearing is approved by the board on October 31, 2006.**