

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

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<b>IN THE MATTER OF:</b>	)	<b>CASE NO. Ch 04-005</b>
	)	
<b>STUART J. HOVEN, D.C.,</b>	)	
	)	
<b>RESPONDENT.</b>	)	<b>STATEMENT OF CHARGES</b>
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**O THE ABOVE-NAMED RESPONDENT:**

Pursuant to Iowa Code chapters 17A, 147, 151, and 272C (2003) the Iowa Board of Chiropractic Examiners (Board) has jurisdiction of this matter.

Licenses issued by the Board are subject to the laws of the State of Iowa and the administrative rules promulgated by the Board.

Stuart J. Hoven, D.C., was originally licensed to practice chiropractic in the State of Iowa on August 24, 2001, and holds license number 022-06439. Respondent's license is current through June 30, 2006.

The Respondent's current address as reported to the Board and recorded in records maintained by the Board is 115 East Washington, Suite 5, Winterset, Iowa, 50273.

**COUNT I**

Respondent is charged with providing chiropractic care in violation of Iowa Code sections 151.9(2) and (8), 147.55(5) and (8), 272C.3(2), 272C.4(6), and 272C.10(2) and (8) (2003), and 645 IAC 45.2(2)(b), (c), and (d) for his acts of professional incompetence, including substantial deviation from the standard of learning or skill ordinarily possessed

and applied by other chiropractic physicians in the State of Iowa acting in the same or similar circumstances; failure to exercise in a substantial respect that degree of care which is ordinarily exercised by the average chiropractic physician; and/or willful or repeated departure from or the failure to conform to the minimal standard of acceptable and prevailing practice of chiropractic in the state of Iowa.

## **COUNT II**

Respondent is charged with violating Iowa Code sections 151.9(3) and (8), 147.55(3) and (8), and 272C.10(3) & (8) (2003) and the Board's administrative rules at 645 IAC 45.2(3), 45.2(28)(b) by engaging in unethical conduct, or in practice that is harmful or detrimental to the public.

## **CIRCUMSTANCES**

1. In July of 2003, Respondent provided chiropractic treatment to Patient #1. On one occasion during the administration of chiropractic treatment, Respondent made inappropriate contact of a sexual nature with Patient #1. Respondent also made inappropriate comments of a sexual nature to Patient #1. Respondent has admitted to inappropriately touching Patient #1.

2. In September through December of 2003, Respondent provided chiropractic treatment to Patient #2. On one occasion during the administration of chiropractic treatment, Respondent made inappropriate contact of a sexual nature with Patient #2. Respondent also made inappropriate comments of a sexual nature to Patient #1. Respondent has admitted on at least one occasion to making an inappropriate comment to Patient #2.

On October 13, 2004, the Iowa Board of Chiropractic Examiners found probable cause to file this Statement of Charges and to order a hearing set in this case.

**This Statement of Charges is approved by the board on October 29, 2004.**