BEFORE THE BOARD OF CHIROPRACTIC
OF THE STATE OF IOWA

IN THE MATTER OF	)	CASE NO. 10-023
	)	
Daniel Duffy	)	**SETTLEMENT AGREEMENT**
License No. A06101	)	**AND FINAL ORDER**
RESPONDENT.	)	
	)	

COME NOW the Iowa Board of Chiropractic (Board) and Daniel Duffy (Respondent), on September 7, 2011, pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), and enter into this Settlement Agreement and Final Order to resolve the contested case currently on file.

1. Respondent was issued Iowa license A06101 on February 24, 1998. Respondent's license is current and will next expire on June 30, 2012.

2. A Statement of Charges was filed against Respondent on September 2, 2010, and is awaiting hearing.

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

4. Respondent admits the charges and allegations as set forth in the Notice of Hearing and Statement of Charges.

5. Respondent is hereby CITED for committing unethical conduct or practice harmful or detrimental to the public and WARNED that his failure to comply with the laws governing the practice of chiropractic in Iowa could result in further discipline against his Iowa chiropractic license, including suspension or revocation.

6. Respondent agrees that his license to practice chiropractic shall be revoked, effective September 1, 2011.

7. Respondent may apply to the Board for reinstatement of his Iowa chiropractic license after five years. The Board, however, shall not consider reinstatement until the following conditions are met:

a. Respondent shall submit to a Board-approved comprehensive evaluation by Gary Schoener, Licensed Psychologist, Walk In Counseling Center, 2421 Chicago Ave. S., Minneapolis, MN 55404, Work: 612/870-0565 or an alternative evaluator pre-approved by the Board. Respondent must sign all necessary releases for the Board to release information to the evaluator and the evaluator to share information with the Board and provide the Board with a written evaluation report and recommendations for treatment. Following the evaluation, Respondent must fully comply with any treatment recommendations made as a result of the evaluations and the evaluator must submit a report to the Board which indicates it is safe for Respondent to return to the practice of chiropractic.

b. Respondent shall provide the Board verification of completion of twenty (20) hours of continuing education meeting the standards set forth in 645 Iowa Administrative Code chapter 44 in ethics and professional boundaries. These hours shall not count toward Respondent's continuing education renewal or reinstatement requirements. Respondent is responsible for all costs associated with the continuing education.

c. Respondent shall be assessed a civil penalty in the amount of $1000. The civil penalty shall be made payable to the Treasurer of Iowa,

mailed to the administrator of the Board, and deposited into the State General Fund.

d. Respondent shall successfully complete the National board of Chiropractic Examiner's Ethics and Boundaries Examination (E&B). The Board shall have prior approval of the content of the exam. Respondent is responsible for all costs associated with completing the exam.

The reinstatement proceedings shall be governed by the provisions of Iowa Administrative Code rule 645-11.31. Reinstatement is at the sole discretion of the Board.

8. 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. This Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

9. By entering into this Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to the terms of this Settlement Agreement.

10. This Settlement Agreement and Final Order is voluntarily submitted by Respondent to the Board for consideration.

11. Respondent agrees that the State's counsel may present this Settlement Agreement and Final Order to the Board *ex parte*.

12. Respondent understands that this Order is a public record and is, therefore, subject to inspection and copying by members of the public.

13. This Order shall be part of 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.

14. This Settlement Agreement and Final Order is subject to approval of the Board. If the Board fails to approve this Settlement Agreement and Final Order, it shall be of no force or effect to either party.

15. The Board's approval of this Settlement Agreement and Final Order shall constitute a **FINAL ORDER** of The Board.

This Settlement Agreement and Final Order is approved by the Board September 7, 2011.