

**Oregon Board of Chiropractic Examiners**  
**Public Protection Update**  
**Current Proposed and Final Actions**  
Updated August 3, 2009

Below are the current proposed board disciplinary actions. These are public documents. Following those are the most current Final Actions. Previous Public Protection Reports may be found in our Public Protection section. All final public board orders (disciplinary or otherwise) may be found in our Licensee Lookup and accessed either by search for a specific chiropractic physician, or search by year. Orders for chiropractic assistants are found in the search by year only. Board actions that do not result in discipline or other board orders are not public documents (ORS 676.175).

**Current Proposed Actions**

**Shane McLaughlin DC.** Case # 2009-2002. Proposed 90 day suspension, two year probation (with file reviews), \$5,000 civil penalty, and 12 hours of additional board approved continuing education on documentation and chart notes. On July 16, 2009, the Board considered and adopted the Peer Review Committee report finding Licensee in violation of ORS 684.100(1)((g)(A) and (B) and OAR 811-015-0005(1), 811-015-0010(1), and 811-035-0015(5)(7) and (12), and violating Oregon Chiropractic Practice and Utilization Guidelines for providing care without clinical justification, charting and billing for services not rendered. (7/24/2009) ([link to order here](#))

**Daniel Miller DC.** Case # 2009-1006. Proposed Letter of Reprimand, two years probation (with file reviews), \$3,000 civil penalty, and 12 additional hours of board approved continuing education on documentation and chart notes. On July 16, 2009, the Board considered and adopted the report of the Peer Review Committee finding Licensee in violation of ORS 684.100(1)((g)(A) and (B) and OAR 811-010-0110(7), OAR 811-015-0005(1), 811-015-0010(1) and (4), 811-030-0030, 811-035-0005(1) and 811-035-0015, and violating Oregon Chiropractic Practice and Utilization Guidelines for providing care without clinical justification and chart notes that were incomplete and failed to meet the minimum standards. (7/24/2009) ([link to order here](#))

**Mark Walsh DC.** Proposed suspension of license for failure to make any payments toward his \$20,000 Civil Penalty as agreed to in a Stipulated Final Order signed August 15, 2006. Violations of ORS 684.100(1)((g)(A) and OAR 811-035-0015(23). (7/23/2009) ([link to order here](#))

**David Bohrer DC.** Case 2009 - 5010. Proposed revocation for alleged violations for practicing while suspended in violation of the Consent Order dated April 19, 2009. As of July 30, 2009 Licensee has entered into an in-patient treatment program for substance abuse. The Board will review this Notice and current suspension following the outcome of his evaluation and treatment.) (7/21/2009) ([link to order here](#))

**Kris McCutcheon.** Case # 2009-3017. Unlicensed practice of chiropractic (Alphabiotic and the Crane Condyle Lift). Violations of ORS 684.015 and OAR 811-010-0120. The OBCE referred this case to Klamath County authorities for possible criminal prosecution under provisions of ORS 684.190. (7/16/2009) ([link to order here](#))

**Tuan Ahn Tran.** Case 2007-3006, 2007-1012, 2007-2006. Proposed \$226,500 Civil Penalty for extensive unlicensed practice, and ownership of Chiropractic Clinics at two locations; forging another doctor's signature on chart notes, HCFA and insurance forms, making false referrals for x-rays; and not identifying one clinic as a chiropractic clinic. Violations of ORS 684.015 and OAR 811-010-0120, ORS 676.110 and OAR 811-015-0045, ORS 684.100 (1)(a) fraud or misrepresentation, (c) the impersonation

of another practitioner of like or different name, and OAR 811-035-0015(12) perpetrating fraud upon patients or third party payors relating to the practice of chiropractic. Amended Proposed Order adds two additional complaint numbers. Hearing has been requested and scheduled. (12/1/2008, 6/11/2009) ([link to order here](#))

### **Recent Final Actions** *(orders can be viewed through OBCE's Licensee Lookup)*

**Terra Schueneman, CA.** Conditions on Chiropractic Assistant license to inform current and prospective chiropractic employers that on April 29, 2005 she was convicted of Fleeing or Attempting to Elude Police with Vehicle and Misdemeanor Driving and sentenced to two years probation. (7/24/2009)

**Christian Schuster DC.** Case 2006-1032 (and ten other complaints). Final Order. The Final Order imposes a three year suspension (90 day suspension to be served beginning August 1, 2009, the remainder is stayed pending a probationary period and final order compliance); \$20,000 civil penalty, a two-year mentoring program with file reviews, 20 hour additional continuing education in record keeping and \$44,321 cost recovery. If Licensee fails to abide by the terms of the probation set by the Board the remaining balance of the suspension may be imposed immediately.

The OBCE has issued the Final Order which adopts the Administrative Law Judge's findings for violations for ignoring and delaying release of record requests, failure to provide requested patients records to patients, insurance companies and attorneys; failure to keep current records on numerous patients; failure to adequately chart the patient's examination or subjective complaints, diagnoses or treatment plan; and all of the above causing harm to patients. The OBCE made additional findings regarding the harm done to patients and others, and noted Licensee's previous disciplinary history. Violations of ORS 684.100(1)(g)(A), ORS 684.100(1) (r) and OAR 811-015-0005(1), 811-015-0006(1), and OAR 811-035-0015. (7/16/2009)

**Andrew Cha DC.** Final Order by Default. The Final Order imposes a three-year probation which includes a Plan of Supervision with a Mentor, PIP treatment limitations, file reviews, 12 additional CE hours in record keeping and 4 in x-ray, and \$2,000 civil penalty. Multiple violations related to:

1. ORS 684.100(1)(g)(A), OAR 811-010-0110(7), OAR 811-035-0005 and OAR 811-035-0015 (allowing a Chiropractic Assistant to perform the history taking for his patients in order to save time).

2, 3 & 6. ORS 684.100(1)(g)(A), OAR 811-015-0005, OAR 811-035-0005 and OAR 811-035-0015 (altering chart notes).

4. ORS 684.100(1)(g)(A), OAR 811-015-0005(1)(a), OAR 811-15-0010(1), OAR 811-035-0005 and 811-035-0015(19) and (2), (No patient history evident in the patient file, without which Licensee is not able to fully assess a patient's condition and would not be able to charge E/M code 99203 requiring a detailed history).

5. ORS 684.100(1)(g)(A), OAR 811-035-0005(1), 811-035-0015(2), (5), (7) and (12). (The charge for an E/M 99214 was not supported for exam).

7. ORS 684.100(1)(g)(B), OAR 811-015-0010(1)-(4), OAR 811-035-0005, OAR 811-035-0015(2), (5), (7), and (12) and 811-030-0030(d). (lack of clinical justification for a MRI).

8. ORS 684.100(1)(g)(A), OAR 811-015-0005 and 811-030-0030(2)(m) ( inaccurate and erroneous x-ray report findings).

9. ORS 684.100(1)(g)(A), OAR 811-030-0020 (2) and 811-030-0030 (2)(b), (d) and (i), OAR 811-035-0005 and OAR 811-035-0015(2), (7) and (12) (x-ray violations).

10. ORS 684.100(1)(g)(A), OAR 811-035-0005 and OAR 811-035-0015 (Lack of clinical justification for full spine film series and altered chart notes).

11. ORS 684.100(1)(g)(A) and OAR 811-015-0010 (4) (Exam notes confusing and of minimal value, no standardized method for monitoring treatment efficacy, many dates of service had reports where the subjective reports said the same exact thing, on each visit).

12. ORS 684.100(1)(g) and OAR 811-015-0005(1)(b) (chart notes lacked clinic name, address, doctor's name and author of the record were not indicated as required).

13. Peer Review found violations of ORS 684.100(1)(g)(A) and (B) and OAR 811-010-0110(7), OAR 811-015-0005(1), 811-015-0010(1) and (4), 811-030-0020(2), 811-030-0030(2) 811-035-0005(1) and 811-035-0015(2), (5), (7), (12) and (19), and violating Oregon Chiropractic Practice and Utilization Guidelines for providing excessive and possibly unnecessary care. (7/17/2009)

**Leaun Fuchs DC.** Final Order by Default. \$550 civil penalty for failure to complete the 20 hour CE requirement during licensure year, signing a false affidavit.. Violations of OAR 811-015-0025 and ORS 684.092, OAR 811-035-0015(16). (7/16/2009)

**Jason Lutz CA.** Revocation of chiropractic assistant certificate for boundary violations involving a patient and a massage client and failure to cooperate with the investigation Violations of OAR 811-010-0110(14)(a) OAR 811-035-0015(1)(a) and (c) and ORS 684.100(1)(g)(A), (1)(d) and OAR 811-035-0015(20). (6/2/2009)

**Tatyana Starostenko CA.** Conditions on Chiropractic Assistant license to inform current and prospective chiropractic employers of her Theft 3 - C Misdemeanor charge. (6/3/2009)

**David Bohrer DC.** Consent Order. License Suspension pending completion of evaluation and treatment at a Board approved facility to address substance abuse and dependency issues. Violations of ORS 684.100(1)(f) and OAR 811-035-0015(13). The Board may reinstate Licensee's license once treatment has been completed and ongoing monitoring is in place. (4/19/2009)

**Thomas Miller DC.** \$1500 civil penalty and 12 hours additional continuing education hours in x-ray technique. Violations of ORS 684.100(1)(g)(A), OAR 811-030-0020(2) and (7) for failure to use appropriate x-ray shields and lack of collimation or appropriately placed filters. Violation of ORS 684.100(1)(g)(A), and OAR 811-015-0000(2) for failure to make sure the patient was informed about fees and billing procedures prior to any charges being incurred. (2/25/2009)

**Jonathan Hansel DC ND.** Temporary suspension of chiropractic license (Interim Stipulated Order) for habitual or excessive use of controlled substances, intoxicants or drugs in violation of ORS 684.100(1)(f) pending further investigation and evaluation. This follows similar action by the Naturopathic Board. (1/26/2009)

**Mark Schroering DC.** Stipulated Final Order. \$500 civil penalty, file reviews for two years, and 12 hours additional continuing education hours on billing, coding and record keeping. Alleged violations of ORS 684.100(1)(A) and OAR 811-015-0005(1) for not keeping accurate records on all patients, including but not limited to legible notes, and updated treatment plans; ORS 684.100(1)(A), (1)(n) and OAR 811-015-0015(10) for therapies performed by an unlicensed person. (1/14/2009)