

OBCE Public Protection Update

Final and Proposed actions June 10, 2003 to October 14, 2003

Final Actions

Tracy Nobiletti, Certified Chiropractic Assistant, Condition on License. Under the provisions of ORS 684.100 (1)(d) and ORS 670.280, licensee must disclose conviction history to any and all prospective chiropractic employers. (8/4/2003)

Kevin Phillips DC, Letter of Concern, for unlicensed practice of chiropractic prior to becoming licensed. Violations of ORS 684.020, ORS 684.100 (1)(g), ORS 684.100 (1)(q) and OAR 811-035-0015 (14). (8/13/2003)

James Dicey III DC, new Stipulated Final Order, **new** five-year probation & conditions on license, On April 10, 2002, Licensee signed the previous Stipulated Final Order requiring Licensee enter into treatment specializing in professional impairment (related to boundaries and substance abuse), that Licensee submit to random urine or blood specimens for a period of seven years, and as a condition of a five-year probation have a chaperone when treating female patients. In random samples taken from Licensee pursuant to the Stipulated Order, Licensee tested positive for Alcohol on April 3, 2003 and positive for Cocaine on April 18, 2003. In an interview with the Oregon Board of Chiropractic Examiners, Licensee admitted to use of cocaine on one occasion and alcohol on other occasions. Violations of OAR 811-035-0015 (23) for disobeying a Board Order. All requirements of the previous Stipulated Final Order begin anew as of 9/2/2003. Frequency of random urine or blood specimen testing increased to 36 per year. Licensee agrees not to use any alcohol or drugs other than as follows: a) as legally prescribed to Licensee and then only after a copy of the applicable prescription is delivered to and received by the Board; b) legal non-prescription medication as directed; or c) as legally administered to Licensee in a medical emergency. (9/2/2003)

Ross Fitzgerald, Certified Chiropractic Assistant, Condition on License. Under the provisions of ORS 684.100 (1)(d) and ORS 670.280, licensee must disclose conviction history to any and all prospective chiropractic employers. (10/4/2003)

Miki Cornilles, Certified Chiropractic Assistant, Condition on License. Under the provisions of ORS 684.100 (1)(d) and ORS 670.280, licensee must disclose conviction history to any and all prospective chiropractic employers. (10/16/2003)

New Actions

Case # 2003-5008, Proposed Suspension of License for failure to pay State of Oregon taxes. Violations of ORS 305.385(4)(c). This statute requires the OBCE to begin proceedings for suspension upon request from the Oregon Department of Revenue. (8/5/2003)

Case # 2003-3006, Proposed Suspension of License for failure to release records and failure to cooperate with an investigation by the OBCE. Violations of OAR 811-035-0015 (19), OAR 811-035-0015 (19), OAR 811-015-0006 (1) and ORS 684.100 (1)(t). (8/7/2003)

Case # 2003-5003, Proposed Denial of Certified Chiropractic Assistant application for alleged misrepresentations on application and for unprofessional conduct related to revocation of applicant's Oregon chiropractic license in 1990. (9/4/2003)

Case # 2003-5013, Proposed Denial of Application for license to practice chiropractic for violations of ORS 684.100 (1)(d), ORS 684.040 (2)(a), OAR 811-010-0055 (3), and OAR 811-035-0015. Applicant has a conviction in another state which resulted in the surrender of his chiropractic license. (10-6-2003)

Dismissed Complaints

During this reporting period the OBCE made a determination of no statutory violation (N.S.V.) on four cases, insufficient evidence (I.E.) on twenty cases, case closed on three cases.



In all orders, the Board proposes to recover costs associated with the disciplinary proceeding as allowed by ORS 684.100(9)(g). Names of doctors receiving proposed orders of discipline are not published until final action is taken with the exception of proposed orders involving sexual misconduct. This report covers the June 10, 2003 to October 14, 2003 period.