

DIVISION 35
CODE OF ETHICS

811-035-0036

Non-Disciplinary Administrative Citations for Minor Violations

(1) The Board may issue a Notice of Civil Penalty Citation for violations of the Oregon Administrative Rules that the Board deems minor in degree. Such Notices shall include an explanation of, and opportunity for, hearing rights in accordance with the Oregon Administrative Procedures Act. The Notices shall be considered a Final Order on Default, with appeal rights, if the licensee fails to request a hearing within the required time. The Board delegates its authority to issue said Notices to the Board's Executive Director and staff. Minor violations include, but are not limited to:

- (a) Failing to maintain current email, business, and mailing addresses with the Board;
- (b) Failing to pay any fines or fees owed to the Board;
- (c) Failing to comply with continuing education requirements;
- (d) Failing to attend the Introduction to the Board meeting when required by the Board;
- (e) Failing to notify the Board within 10 days when licensee is convicted of a misdemeanor or felony, or who is arrested for a felony crime;
- (f) Failing to release patient records upon written request within 30 days;
- (g) Failing to provide notice when leaving, selling, or retiring from the chiropractic office where the chiropractic physician has provided chiropractic services no later than 30 days prior to the last date the chiropractic physician worked at that location.

(2) Instances in which the Board issues a Notice and Final Order that assesses a civil penalty under this rule are not considered part of a licensee's disciplinary history, and therefore will not be considered in the event a licensee commits a violation that is of the type generally considered part of a licensee's disciplinary history. Violations listed above are considered non-disciplinary by the Board and will not be reported to the National Practitioners Data Bank (NPDB) or the Healthcare Integrity and Protection Data Bank (HIPDB).

(3) The Board may include a violation listed above in a licensee's disciplinary history if the licensee does not correct the violation, the licensee engages in repeat violations of the cited statute or rule, or the Board identifies the violation in conjunction with the investigation of other violations that are generally considered part of a licensee's disciplinary history.