

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE CHIROPRACTIC EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
JAMES R. BOWMAN, D.C., : LS0412015CHI  
RESPONDENT :

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The parties to this action for the purposes of Wis. Stat. § 227.53 are:

James R. Bowman, D.C.  
2821 Post Road  
Stevens Point, WI 54481

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Chiropractic Examining Board  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Chiropractic Examining Board. The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. James R. Bowman, (DOB 02/11/1946) is duly licensed as a chiropractor in the state of Wisconsin (license #2170). This license was first granted on 09/04/1986. Dr. Bowman holds no other professional license issued by the State of Wisconsin.
2. Respondent's most recent address on file with the Wisconsin Chiropractic Examining Board is 2821 Post Road, Stevens Point, WI 54481.
3. At all times relevant to this action, Respondent was working as a chiropractor in Stevens Point, Wisconsin.
4. Dr. Bowman also practices naturopathic medicine and has a certificate from the District of Columbia designating him as a doctor of naturopathic medicine, or "N.D."
5. In or about 2000, Dr. Bowman treated patient B.M. Patient B.M. later reviewed her records and claimed that the records did not accurately reflect the treatment provided. Dr. Bowman denies this allegation.

6. Dr. Bowman put his recommendations to B.M. for nutrients in writing. B.M. states that Dr. Bowman told her what each nutrient was for, the dosage of each, how often to take them and how many pills to take. B.M. states that what Dr. Bowman prescribed was not the same as the recommended dosage on the bottle. According to B.M., when she ran out of pills and did not immediately refill them, Dr. Bowman told her to never do that again without consulting him first. Dr. Bowman denies these allegations.

7. In or about 1999, Dr. Bowman provided chiropractic services to patient C.S. Patient C.S. later stated that she felt that she was treated excessively, and that she was charged for services that Dr. Bowman did not perform. Dr. Bowman denies this allegation.

8. In or about 1999, Dr. Bowman saw patient L.K. for chiropractic treatment. L.K. claims that Dr. Bowman engaged in excessive treatment of her motor vehicle injuries, that he added treatments to her bill that she had never received, and that he wrote inaccurate patient notes. L.K. states that Dr. Bowman diagnosed illnesses and prescribed nutrients and vitamins for those specific illnesses, stating how much to take, for what, and when. Dr. Bowman denies these allegations.

9. In or about 2001, Dr. Bowman saw patient L.R. Although L.R. came to Dr. Bowman for alternative health care, he also offered her chiropractic care. Dr. Bowman billed L.R.'s insurance for her care, using chiropractic CPT codes.

10. L.R. claims that Dr. Bowman diagnosed her with a thyroid condition, an adrenal gland condition, problems with her hormone levels, and a bad heart, and that he said that she was headed toward diabetes and had a general build up of body toxins. L.R. states that Dr. Bowman prescribed 134 vitamins a day plus a chlorophyll drink four times a day and two protein drinks a day. Dr. Bowman denies these allegations.

11. Dr. Bowman had L.R. sign several forms stating that she understood that he was not treating a disease or trying to cure any conditions with pills, but L.R. states that verbally Dr. Bowman told L.R. that the forms were not accurate, and that he just had to have her sign them because the state required it. Dr. Bowman denies these allegations.

12. The forms referred to in paragraph 8 above contain disclaimers stating that Dr. Bowman is not treating diseases. However, the same forms indicate that nutritional care programs are recommended based on evidence from examinations and questionnaires, which indicate individual disease and illness.

13. L.R. states that Dr. Bowman told her that even though some of the pills he sold her stated on their labels that they were not safe for nursing mothers, the warnings were only there because of regulatory requirements and she could take the pills even though she was nursing a baby. Dr. Bowman denies these allegations.

14. When L.R. got her bill from Dr. Bowman, she believed that she had been charged for services not performed. When she confronted Dr. Bowman about this, he insisted that he had performed the services and claimed that L.R. did not remember because of a mental health impairment. He wrote in her patient chart that he suspected cognitive dysfunction, memory distortion and possible personality disorder and recommended an "MMPI" test and counseling. Dr. Bowman denies these allegations.

15. L.R.'s patient record contained a letter to her insurance company that referenced the names of two other patients. This letter was released to L.R. when she requested her record.

16. When L.R. notified Dr. Bowman that she was terminating care due to cost, Dr. Bowman offered to forgive part of her insurance co-pay if she would continue care.

17. Dr. Bowman advertises or has advertised himself with the title "NMD" and publicly states that he is a "Naturopathic Family Physician."

18. Dr. Bowman advertises or has advertised his services as including "Physical Therapy," "Physical Medicine" and "Preventative Medicine."

19. Dr. Bowman advertises or has advertised himself as being "board certified" in naturopathic medicine, physical

rehabilitations and clinical hypnotherapy.

20. Dr. Bowman advertises as an "N.M.D." on television, wearing a white coat and stethoscope, and makes statements regarding the side effects of radiation and chemotherapy used in cancer treatment and offers alternative to cancer patients who want to improve their health.

21. Dr. Bowman advertises as an "N.M.D." on television, wearing a white coat and stethoscope, and makes statements that he can help patients rebuild their immune systems, strengthen damaged or weakened organs, and says that he can provide alternative care for cancer patients and help with the toxic side effects of chemotherapy and radiation.

22. L.K. claims that Dr. Bowman made statements to her that he can "cure" nerve damage. L.K. further claims that Dr. Bowman made statements in her presence that he "had never lost a cancer patient" (however, he frequently discharged cancer patients from treatment when their health did not improve, claiming they did not follow his directions. Dr. Bowman denies these allegations.

23. Although he denies the allegations against him as set forth above, for purposes of resolution of these allegations without litigation and for not other purpose, Dr. Bowman agrees to the following Conclusions of Law and Order.

### CONCLUSIONS FO LAW

1. The Wisconsin Chiropractic Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. §446.03(5), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).
2. Respondent's treatment of B.M., C.S., L.K., and L.R. fell below minimal standards for the practice of chiropractic in violation of Wis. Adm. Code § Chir 6.02(3).
3. Respondent engaged in excessive evaluation and treatment of patients B.M., C.S., L.K. and L.R. in violation of Wis. Adm. Code § Chir 6.02(8).
4. Respondent prescribed vitamins, herbs and nutritional supplements in violation of Wis. Adm. Code § Chir 4.05(1)(d).
5. Respondent practiced outside the scope of chiropractic in violation of Wis. Adm. Code § Chir 6.02(4).
6. Respondent revealed confidential patient information without consent in violation of Wis. Adm. Code § Chir 6.02(10).
7. Respondent offered to forgive a patient's co-pay in violation of Wis. Adm. Code § Chir 6.02(29).
8. Respondent Advertised in a manner which is false, deceptive or misleading in violation of Wis. Adm. Code § Chir 6.02(15)(b), (c), or (e).

### ORDER

IT IS ORDERED:

1. The stipulation of the parties is approved.
2. The license of Dr. James R. Bowman to practice chiropractic in the State of Wisconsin (license # 2170) will expire on December 31, 2004, and that license will not be renewed.
3. Dr. Bowman will not be granted a license to practice chiropractic in the State of Wisconsin at any time in the future.

4. In the event that Dr. James R. Bowman attempts to renew his license to practice chiropractic in the State of Wisconsin (license #2170) or in the event that he applies for a new license to practice chiropractic in the State of Wisconsin at any time in the future, that renewal request or application will be denied, without notice or further hearing. The Respondent has expressly waived the right to a hearing on any such denial.

5. Dr. Bowman shall, within 90 days of the date of this Order, pay the COSTS of this proceeding in the amount of two thousand dollars (\$2,000.00) to the Department of Regulation and Licensing, pursuant to § 440.22(2), Stats. Payment shall be mailed or delivered to:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax: (608) 266-2264  
Telephone: (608) 267-3817

6. This Order shall become effective upon the date of its signing.

Dated at Madison, Wisconsin this 24<sup>th</sup> day of February, 2005.

**STATE OF WISCONSIN  
CHIROPRACTIC EXAMINING BOARD**

James Weber  
Member of the Board

2-24-05  
Date