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BEFORE THE CHIROPRACTIC EXAMINING BOARD

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PETITION FOR MODIFICATION OF A :  
DISCIPLINARY ORDER : ORDER MODIFYING A  
WARREN WITKOWSKI, D.C., : DISCIPLINARY ORDER  
RESPONDENT : Case No. LS 0207231 CHI  
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The parties to this action for the purposes of s. 227.53 Stats., are:

Warren Witkowski  
c/o Attorney Andrew Wagener  
Sigman, Janssen, Stack, Sewall & Pitz  
303 S. Memorial Dr  
Appleton, WI 54911-5978

Division of Enforcement  
Department of Regulation and Licensing  
PO Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

On September 9, 2004, Warren A. Witkowski's license to practice chiropractic was suspended by the Wisconsin Chiropractic Examining Board (Board) and conditions were imposed for the reinstatement of his license. On November 30, 2006, Andrew Wagener, Warren A. Witkowski's attorney, filed a petition with the Board to terminate the suspension of Warren A. Witkowski's license and to reinstate his license. On April 12, 2007, the Board issued an Order reinstating Dr. Witkowski's license and placed limitations on his license. By letter dated October 1, 2007, Dr. Witkowski's mentor, James T. Ford, III., D.C., petitioned the Board to remove one of the limitations on Dr. Witkowski's license.

FINDINGS OF FACT

1. On December 6, 2007, the Board considered Dr. Ford's request to remove the limitation on Dr. Witkowski's license that requires another chiropractor to be present in the clinic at all times Dr. Witkowski is present. Dr. Ford said that the limitation should be removed because it is an inconvenience to the doctors, is causing undue financial hardship and serves no purpose.
2. Dr. Witkowski has complied with the terms of the Board's April 12, 2007, Order. The other limitations on Dr. Witkowski's in the April 12, 2007, Order remain in effect. They are:
  1. All services must be performed in an office setting;
  2. A female employee must be present in the room when Warren A. Witkowski, D.C., performs adjustments on any female patient;
  3. Warren A. Witkowski, D.C., must have a Board approved mentor who will submit three consecutive months of mentor reports to the Board immediately after being approved, followed by continued submission of quarterly reports;
  4. Warren A. Witkowski, D.C., must implement a Board approved sexual harassment policy in his office;
  5. Warren A. Witkowski, D.C., must continue psychotherapy;
  6. Warren A. Witkowski, D.C., must submit three consecutive months of psychotherapy reports beginning the month after this Order is signed, followed by continued submissions of quarterly psychotherapy reports; and,
  7. Warren A. Witkowski, D.C., cannot petition the Board for a period of one year beginning April 12, 2007, for a modification of the limitations on his license.

CONCLUSIONS OF LAW

Based on its review of the evidence presented and the record in this case, the Wisconsin Chiropractic Examining Board concludes that the requirement that Dr. Witkowski have another chiropractor in his clinic while he is there is no longer needed for the protection of the public.

ORDER

IT IS HEREBY ORDERED THAT, the limitation that Warren A. Witkowski have another chiropractor present in his clinic when he is there, is removed from his license.

Dated this 6<sup>th</sup> day of December, 2007

Steven J. Silverman, Chair  
Wisconsin Chiropractic Examining Board