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BEFORE THE CHIROPRACTIC EXAMINING BOARD

PETITION FOR MODIFICATION OF A :
DISCIPLINARY ORDER : ORDER MODIFYING A
DISCIPLINARY ORDER

WARREN WITKOWSKI, D.C., :
RESPONDENT : Case No. LS 0207231 CHI

The parties to this action for the purposes of s. 227.53 Stats., are:

Warren A. Witkowski, D.C., : Attorney Andrew Wagener
PO Box 143 : Sigman, Janssen, Stack, Sewall & Pitz
New London, WI 54961 : 303 S. Memorial Dr
Appleton, WI 54911-5978

PROCEDURAL HISTORY

On September 9, 2004, Warren A. Witkowski’s license to practice chiropractic was suspended by the Board and conditions were imposed for the reinstatement of his license. On November 30, 2006, Andrew Wagener, Warren A. Witkowsk’s attorney, filed a petition with the Board to terminate the suspension of Warren A. Witkowski’s license and to reinstate his license. On February 15, 2007, the State of Wisconsin Chiropractic Examining Board reviewed the petition and the submitted documents and heard testimony from Warren A.Witkowski, D.C.

FINDINGS OF FACT

- 1. On September 9, 2004, a Final Decision was issued by the Wisconsin Chiropractic Examining Board suspending Warren A. Witkowski’s license to practice chiropractic medicine for a minimum of two years. The Order required Warren A.Witkowski, D.C., to obtain specific types of education and have a psychotherapy evaluation. The Order further stated that if the Board decides to end the suspension, the Board may place limitations on Warren A.Witkowski’s license to address the facts of the disciplinary matter.
- 2. By letter dated September 28, 2006, Andrew Wagener, Warren A. Witkowski’s attorney, petitioned the Board to reinstate Warren A. Witkowski’s license.
- 3. Warren A. Witkowski’s license has been suspended for more than two years and he has completed the educational requirements and had a psychotherapy evaluation completed.

CONCLUSIONS OF LAW

Based on its review of the testimony presented and the record in this case, the Wisconsin Chiropractic Examining Board concludes that:

- 1. Warren A. Witkowski, D.C., has met the requirements set out in the September 9, 2004 Order regarding the suspension of his license and therefore the suspension of his license is terminated; and that
- 2. The Board may issue Warren A. Witkowski’s license with limitations that address the facts of the disciplinary matter and that such limitations are necessary due to the nature of the facts of the disciplinary matter.

ORDER

IT IS HEREBY ORDERED THAT, the suspension of Warren A. Witkowski’s license is terminated and that a license is granted to him with the following limitations:

- 1. Another chiropractor must be present in the clinic at all times when Warren A. Witkowski, D.C., is present;
- 2. All services must be performed in an office setting;
- 3. A female employee must be present in the room when Warren A. Witkowski, D.C., performs adjustments on any female patient;
- 4. 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;
- 5. Warren A.Witkowski, D.C., must implement a Board approved sexual harassment policy in his office;
- 6. Warren A. Witkowski, D.C., must continue psychotherapy;
- 7. 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,
- 8. Warren A. Witkowski, D.C., cannot petition the Board for a period of one year for a modification of the limitations on his license.

Dated this 12th day of April, 2007

Steven J. Silverman, Chair
Wisconsin Chiropractic Examining Board