

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
STEVEN M. MEYER, D.C., : LS0804173CHI
RESPONDENT. :

[Division of Enforcement Case # 06 CHI 049]

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

Steven M. Meyer, D.C.
2824 Aquarius Road
Green Bay, WI 54311

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

Wisconsin 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 this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Steven M. Meyer, D.C., Respondent, date of birth August 2, 1957, is licensed by the Wisconsin Chiropractic Examining Board to practice chiropractic in the state of Wisconsin pursuant to license number 2794, which was first granted December 5, 1991. Respondent permitted his license to expire on December 31, 2004, but subsequently renewed his license on or about September 11, 2006.

2. Respondent's address of record with the Department of Regulation and Licensing is 2824 Aquarius Road, Green Bay, WI 54311.

3. On August 17, 2004, officers of the Brown County Drug Task Force responded to a landlord/tenant dispute at Respondent's residence in the town of Morrison, Wisconsin, which is in Brown County. The landlord informed the officers that Respondent constructed a back room in the basement without the owner's knowledge. In that room, officers found marijuana stems, seeds and leaves drying on a work bench, numerous pots, a large amount of soil, grow lights, and charts documenting plant growth. Officers also located a digital scale and packaging material, indicative of the manufacture and delivery of marijuana. Outside the residence, officers found two small marijuana plants in pots.

4. Respondent told police he was an organic gardener and grew marijuana for recreation. He explained that marijuana was an interesting plant to grow because the plants change quickly. Respondent said that he occasionally smoked marijuana.

5. On August 19, 2004, in Brown County Wisconsin Circuit Court case number 2004CF000820, authorities charged Respondent with crimes related to manufacture and intent to deliver of tetrahydrocannabinols (THC).

6. On June 10, 2005, Respondent entered into a plea agreement, by which:

a. One count of Possession of Drug Paraphernalia, Wis. Stat. § 961.573(1), was dismissed and read into the record for purposes of consideration by the judge in determining the sentence to impose.

b. Respondent pled no contest and was then found guilty and convicted of:

1) One count of Manufacture of THC (Tetrahydrocannabinols) (<=200g), in violation of Wis. Stat. § 961.41(1)(h)1, a Class I felony.

2) One count of Possession with Intent to Deliver THC (Tetrahydrocannabinols) (>200-1000g), in violation of Wis. Stat. § 961.41(1m)(h)2, a Class H felony.

7. On October 4, 2005, sentence was withheld and Respondent was placed on three years probation. Conditions of probation included:

a. Five months jail time, with good time and huber;

b. AODA assessment/treatment and follow through;

c. Submit to DNA sample;

d. Maintain/obtain full-time employment;

e. Take all prescribed medications and follow through with mental health treatment as directed by his doctor.

8. The court ordered Respondent to undergo an AODA assessment:

a. On October 20, 2005, Respondent completed an assessment at Libertas in Green Bay, Wisconsin, and was diagnosed with alcohol abuse (305.00) and cannabis abuse, R/O dependence (305.20).

b. Respondent was referred to Intensive Outpatient and Aftercare, where he attended 21 Intensive Outpatient sessions and 16 Aftercare sessions.

c. Respondent was discharged on September 5, 2006 with diagnoses of cannabis dependence (304.30) and alcohol abuse (305.00).

d. Recommendations included:

1) Continue to use 12-Step support groups.

2) Continue to recover career in chiropractic work.

3) To not be distracted by mood altering substances or issues around relationships by continuing to develop his 12-Step support system.

4) Obey all probation requirements.

9. On February 22, 2007, Respondent submitted a written statement to a Division of Enforcement consumer protection investigator in which he denied that he possessed THC and claimed that he pled to the charges to protect a family member and to avoid negative publicity.

10. The manufacture of THC and possession with intent to deliver THC, are practices which constitute a danger to the health, welfare and safety of the public.

CONCLUSIONS OF LAW

1. The Wisconsin Chiropractic Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 446.03 and authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by manufacturing THC and possessing THC with intent to deliver THC, has engaged in conduct which constitutes a substantial danger to the health, welfare or safety of a patient or the public, which is unprofessional conduct as defined by Wis. Admin. Code § CHI 6.02(1) and is subject to discipline pursuant to Wis. Stat. § 446.03(5).

ORDER

1. The SURRENDER by Steven M. Meyer, D.C., of his license to practice chiropractic in the state of Wisconsin is hereby ACCEPTED.

2. Respondent shall never apply or reapply for a license from the Wisconsin Chiropractic Examining Board.

3. Respondent shall, within one (1) year of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$1,040.00 pursuant to Wis. Stat. § 440.22(2).

4. Payment shall be mailed or delivered to:

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

5. This Order is effective on the date of its signing.

Wisconsin Chiropractic Examining Board

By: Steven Silverman D.C.
A Member of the Board

4/17/08
Date

STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
STEVEN M. MEYER, D.C., : LS _____ CHI
RESPONDENT. :

[Division of Enforcement Case # 06 CHI 049]

It is hereby stipulated and agreed, by and between Steven M. Meyer, D.C., Respondent; and Sandra L. Nowack attorney for the Complainant, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement (case 06 CHI 049). Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Respondent understands that by signing this Stipulation, he voluntarily and knowingly waives his rights, including the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.

3. Respondent has been provided an opportunity to obtain advice of legal counsel prior to signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's Order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. Attached to this Stipulation are Respondent's current wall and wallet registration certificates. If the Board does not accept this Stipulation, Respondent's certificates shall be returned to Respondent with a notice of the Board's decision not to accept the Stipulation.

7. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Board ever assigned as a case advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or his attorney, if any, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such case advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

8. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

9. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Steven M. Meyer, D.C.
Respondent
2824 Aquarius Road
Green Bay, WI 54311

Date

Sandra L. Nowack
Attorney for Complainant
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Date