

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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**FILE COPY**

STATE OF WISCONSIN  
BEFORE THE CHIROPRACTIC EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION
	:	AND ORDER
DANIEL C. STRONG, D.C.,	:	(89 CHI 057)
RESPONDENT.	:	

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The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Daniel C. Strong, D.C.  
Strong Chiropractic Office, S.C.  
1426 S. Commercial  
Neenah, WI 54956

Chiropractic Examining Board  
P.O. Box 8935  
Madison, Wisconsin 53708-8935

Department of Regulation & Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, Wisconsin 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the 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. That Daniel C. Strong, hereinafter the Respondent, was at all times relevant to this complaint duly licensed as a chiropractor in the State of Wisconsin.

2. That the Respondent's license is #1359, originally granted on July 28, 1976.

3. That the Respondent's current address is 1426 South Commercial, Neenah, Wisconsin 54946.

4. That on September 11 and 12, 1989, Respondent provided chiropractic services to patient Peggy Harsch.

5. On September 11, 1989, prior to chiropractic adjustment, x-rays were taken of Peggy Harsch by x-ray technician Lucia Strong, an employee of Strong Chiropractic Office, S.C.

6. On September 12, following chiropractic adjustment, x-rays were again taken of Peggy Harsch by x-ray technician Lucia Strong.

7. The quality of the x-rays taken on September 11 and 12, 1989, fell below minimally acceptable standards in that there is an absence of columnation on all x-rays.

8. In addition to absence of columnation, the x-ray taken of the thoracic was over exposed and not diagnostic.

9. At the time of taking the x-rays, Lucia Strong had completed only 24 hours of formal x-ray training. She did not complete formal x-ray training until May 6, 1990 and did not receive her Award of Proficiency in Basic Chiropractic X-Ray from the American Chiropractic Registry of Radiologic Technologist until June 11, 1990.

#### CONCLUSIONS OF LAW

1. The Board had jurisdiction to take disciplinary action in this matter pursuant to ch. 446, Wis. Stats.

2. Respondent has violated the following:  
(Statute and code references are as of 1989)

a. CHIR 6.02(3), Wis. Adm. Code, by failing to take an x-ray of the thoracic of diagnostic quality and by failing to use columnation thereby practicing in a manner which substantially departs from the standard of care ordinarily exercised by a chiropractor.

b. CHIR 6.02(25), Wis. Adm. Code, by his violating a Board rule, specifically CHIR 4.04(2), Wis. Adm. Code, by employing Lucia Strong as an x-ray technician prior to her successfully completing a course of instruction approved by the Board, i.e., the Basic Chiropractic Assistant Radiological Program offered by the Logan College of Chiropractic.

c. CHIR 6.02(17), Wis. Adm. Code, by failing to exercise a reasonable degree of supervision over subordinate employee Lucia Strong by allowing her to take x-rays prior to her being adequately trained.

Therefore, it is hereby ORDERED:

1. That the attached stipulation is accepted.

2. That the Respondent be, and hereby is, reprimanded.

3. That partial costs of the proceedings are assessed against the Respondent, payable to the Department of Regulation and Licensing, in the amount of \$375. The costs must be paid within 90 days of the date of this order.

4. That investigative file 89 CHI 057 be closed.

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information."

By:

Terry K. Jentz, Jr.  
A Member of the Board

Date

2-13-92

CMS:mkm  
T-30146

STATE OF WISCONSIN  
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST

DANIEL C. STRONG, D.C.,  
RESPONDENT.

STIPULATION  
89 CHI 57

The parties in this matter agree and stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation of licensure of Daniel C. Strong, hereinafter the Respondent, by the Division of Enforcement (89 CHI 57). Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. The Respondent understands by signing this Stipulation that he voluntarily and knowingly waives his rights in this matter, including the right to a hearing on the allegations against him, at which time the State has the burden of proving the allegations, the right to confront and cross-examine the witnesses against him, the right to call witnesses on his own 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 and the Wisconsin Administrative Code.

3. The Respondent voluntarily and knowingly waives the rights set forth in paragraph 2 above on the condition that all of the provisions of this Stipulation are approved by the Board.

4. With respect to the attached Final Decision and Order, Respondent admits the facts set forth in the Findings of Fact, and further agrees that the Board may reach the conclusions set forth in the Conclusions of Law and may enter the order of reprimand and assessment of costs in the amount of \$375.00 as set forth in the Order.

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 or the proposed Final Decision of the Board and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that the 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. If the Board accepts the terms of this Stipulation, the parties to the Stipulation consent to the entry of the Final Decision and Order without further notice, pleading, appearance or consent of the parties.

7. Respondent agrees that Complainant's attorney, Gerald M. Scanlan, may appear at any deliberative meeting of the Board with respect to the Stipulation but that appearance is limited to providing statements in support of the Stipulation, and to answering any questions the Board may have regarding the Stipulation. Respondent waives his rights to have notice of that hearing and to be present at the deliberative meeting of the Board.

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

23-92  
Date

Daniel C. Strong D.C.  
Daniel C. Strong, D.C., Respondent

1-24-92  
Date

Jerome H. Block  
Jerome H. Block, Attorney for Respondent

2/6/92  
Date

Gerald M. Scanlan  
Gerald M. Scanlan, Attorney  
Division of Enforcement

GMS:lmf  
ATY-1525

266-0627

**SOURCE DOCUMENT USED FOR RECEIPTING**  
(PLEASE FILL IN INFORMATION BELOW)

DATE: 1/31/92  
STAFFPERSON: Michelle N.  
OFFICE/BOARD: HSP  
FEE AMOUNT: \$375.00

Name: Strong Chiropractic Office, S.C.  
Address: 1426 S. Commercial St.  
Address: Neenah, WI 54956  
License Number: \_\_\_\_\_ Tel. # 414-725-0800  
\_\_\_\_ Renewal \_\_\_\_ Duplicate \_\_\_\_ Verification (\$10.00)

- OTHER FEES:  
\_\_\_\_ Endorsement (\$50.00)  
\_\_\_\_ Copy charges  
\_\_\_\_ Sales to public \_\_\_\_ Exempt  
\_\_\_\_ Non Exempt  
☒ Forfeiture  
☒ Assessment of cost

INSTRUCTION FOR RECEIPTING OFFICE:  
\_\_\_\_ Receipt source document or supporting application and return by mail.

\_\_\_\_ Receipt source document or supporting application and direct walk-in back to the board office.

\_\_\_\_ Permit \_\_\_\_ Other: Please Specify  
89 CHI 057

Exam Fee: \_\_\_\_ Examination 3309 COST-ASSESSED 375.00  
\_\_\_\_ Exam Re-take TAX TOTAL 375.00  
FOR ASSESSMENT OF COSTS/FORFEITURES ONLY: WDRL .00  
L1 W31 14:40 31/JAN/92 M1 1-49 72


TRANSACTION #972

Signature \_\_\_\_\_ Date \_\_\_\_\_

Date to Receipt \_\_\_\_\_

Reason for holding \_\_\_\_\_

# Ch.  
ADSV-1407

 <p><b>STRONG CHIROPRACTIC OFFICE S.C.</b> 1426 S. COMMERCIAL ST. PH. 414-725-0800 NEENAH, WI 54956</p>		7658
<p>PAY TO THE ORDER OF <u>Dept. of Regulation &amp; Licensing</u></p>		123 19 92
<p><u>Three hundred seventy five</u> DOLLARS</p>		\$375.00
<p>FIRST WISCONSIN - APPLETON FIRST WISCONSIN BANK OF APPLETON APPLETON, WISCONSIN 54911</p>		
<p>FOR _____</p>		<u>Daniel C. Strong D.C.</u>
<p>⑈007658⑈ ⑈075901639⑈ ⑈133⑈436⑈</p>		

## **NOTICE OF APPEAL INFORMATION**

**(Notice of Rights for Rehearing or Judicial Review,  
the times allowed for each, and the identification  
of the party to be named as respondent)**

**The following notice is served on you as part of the final decision:**

### **1. Rehearing.**

**Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Chiropractic Examining Board.**

**A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.**

### **2. Judicial Review.**

**Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Chiropractic Examining Board**

**within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.**

**The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Chiropractic Examining Board.**

**The date of mailing of this decision is** February 15, 1992.