

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
GEORGE W. DILLARD, D.C.,	:	90 CHI 38
RESPONDENT.	:	

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

George W. Dillard, D.C.
1540 South Green Bay Road
Racine, Wisconsin 53406

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

Department of Regulation and 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 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. George W. Dillard, D.C. (D.O.B. 01-04-53), the Respondent herein, is duly licensed in the state of Wisconsin as a chiropractor (license # 12 1983). This license was first granted on January 17, 1985.
2. The Respondent's latest address on file with the Department of Regulation and Licensing is 1540 South Green Bay Road, Racine, Wisconsin 53406.
3. On October 16, 1989, Patient A sought treatment from the Respondent for pain in the area of his left shoulder. As part of the diagnostic process, the Respondent obtained two cervical and two thoracic x-rays from Patient A. The x-rays that the Respondent obtained from Patient A were of such poor quality that they were unusable for diagnostic purposes. The Respondent did not attempt to obtain another set of x-rays.

4. The Respondent treated Patient A on four occasions. On each occasion, the Respondent's treatment included intersegmental traction, inferential current, and adjustment. Patient A sought treatment from another health care provider before he completed the Respondent's treatment program.

CONCLUSIONS OF LAW

By the conduct described above, the Respondent is subject to disciplinary action against his license to practice as a chiropractor in the state of Wisconsin, pursuant to Wis. Stats. sec. 446.03, and Wisconsin Administrative Code chapters Chir. 1 and 6.

2. The Chiropractic Examining Board is authorized to enter into the attached Stipulation pursuant to Wisconsin Statutes section 227.44(5).

3. The Respondent's conduct described above violates Wisconsin Statutes section 446.03(5) and Wisconsin Administrative Code section Chir. 6.02(3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Stipulation of the parties is accepted.

IT IS FURTHER ORDERED that the Respondent's license to practice chiropractic is limited according to the following terms and conditions:

1. The Respondent shall submit to the Board by December 31, 1994, proof that he has undertaken and completed a minimum of twelve (12) hours of continuing chiropractic education in diagnosis and examination of patients and twelve (12) hours of continuing education in x-ray protocol.
2. The aforementioned continuing education shall be at the Respondent's expense.
3. The aforementioned continuing education may not be used to satisfy the Respondent's continuing education requirement under Wisconsin Administrative Code section Chir 5.01.
4. The aforementioned continuing education must be in a program approved by the Wisconsin Chiropractic Association, the American Chiropractic Association, the International Chiropractic Association, or in a program offered by a Board-approved chiropractic college.
5. Any program not approved by any of the aforementioned organizations must be approved by the Board in order to satisfy this Order. The aforementioned continuing education need not be pre-approved by the Board. The Board may decline to accept as satisfaction of this order any credits that are not related to examination and diagnosis of patients.
6. If the Respondent does not submit to the Board by December 31, 1994 proof that he has completed the aforementioned continuing education

requirement, or has successfully achieved the objectives of such a program, the Respondent's license to practice chiropractic shall be suspended effective January 31, 1995, and shall remain suspended until the Respondent complies with the terms and conditions of this order.

IT IS FURTHER ORDERED that the Respondent shall pay to the Department the costs of this investigation and proceeding pursuant to Wisconsin Statutes section 440.22 in the amount of \$196.00, not later than 30 days following the date of this Order.

CHIROPRACTIC EXAMINING BOARD

By: *Merced A. Sander, D.C.*
A Member of the Board

August 11, 1994
Date

ATY2-6124

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STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
GEORGE W. DILLARD, D.C.,	:	90 CHI 38
RESPONDENT.	:	

It is hereby stipulated between George W. Dillard, D.C., personally and on his own behalf and Peter Sammataro, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

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

2. The Respondent understands that by the signing of 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, and the Wisconsin Administrative Code.

3. The Respondent is aware of his right to seek legal representation and has had an opportunity to seek legal advice prior to signing this stipulation.

4. The 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. The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Chiropractic Examining Board assigned as an advisor in this investigation may appear before the Board for

the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

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

George W. Dillard, D.C.
George W. Dillard, D.C.

8-1-94
Date

Peter Sammataro
Peter Sammataro, Attorney
Division of Enforcement

7-20-94
Date

ATY2-6124

RECEIVED
AUG - 8 1994
Dept. of Regulation & Licensing