

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
RONALD C. WAGNER, DC, : 95 CHI 067
RESPONDENT :

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Ronald C. Wagner, DC
4222 Milwaukee Street
Madison, WI 53714

Chiropractic Examining Board
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 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 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. Ronald C. Wagner (D.O.B. 1/21/46) is duly licensed in the state of Wisconsin as a chiropractor (license #1336). This license was first granted on November 20, 1975.

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2. Dr. Wagner's latest address on file with the Department of Regulation and Licensing is 4222 Milwaukee Street, Madison, WI 53714.

3. On or about November 5, 1992, the Wisconsin Chiropractic Examining Board imposed disciplinary action against the license of Dr. Wagner. A true and correct copy of the Board's November 5, 1992 Order is attached and incorporated by reference into this document as Exhibit A.

4. Dr. Wagner has failed to comply with the terms of the Board's November 5, 1992 Order in that Dr. Wagner failed to provide all of his female patients with informed written consents relative to examinations and/or patient procedures which required the exposure of or contact to the intimate parts of a patient, as required by Order, par. 2(a).

5. The Department has received allegations of inappropriate sexual contact by Respondent with a female patient, occurring on or about July 14, 1995 and involving massaging on or around the patient's breasts. If proven, these allegations would constitute a violation of sec. 446.03(5), Wis. Stats and Wis. Adm. Code §Chir 6.02(3). Dr. Wagner contests these allegations. Specifically, he asserts that the patient had signed a general consent form; the patient returned for additional treatment following the alleged incident; and the patient delayed for several weeks following the alleged incident prior to filing a complaint.

6. In resolution of this matter, the Respondent consents to issuance of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Chiropractic Examining Board has jurisdiction over this matter, pursuant to sec. 446.03, Stats.
2. The Wisconsin Chiropractic Examining Board is authorized to enter into the attached stipulation, pursuant to secs. 227.44(5) and 440.21, Stats.
3. By the conduct described in par. 4, above, Ronald C. Wagner is subject to disciplinary action against his license to practice chiropractic in the state of Wisconsin, pursuant to Wis. Stats. §446.03(5), and Wis. Adm. Code §Chir 6.02(25).

ORDER

1. NOW, THEREFORE, IT IS HEREBY ORDERED that the Chiropractic Examining Board accepts the SURRENDER of the license of Ronald C. Wagner to

practice chiropractic in the State of Wisconsin (license #1336). The full and complete surrender of Respondent's licensure shall be effective on January 1, 1998. Dr. Wagner may petition the Board for a three month extension of the date of Respondent's surrender. The procedure for filing a petition for extension is set out in paragraph 10, below.

IT IS FURTHER ORDERED THAT

SCOPE OF PRACTICE: LIMITATIONS AND CONDITIONS

Supervision required.

2. Until such time as otherwise ordered, Respondent shall practice only in settings where he works under a system of supervision and monitoring acceptable to the Board. To be acceptable, the Board must be satisfied all employees and associates are aware of the conditions and restrictions in effect concerning Respondent's practice of chiropractic; and all employees and associates must agree to inform the Department Monitor *immediately* of any suspected violation of this Order.

Practice restrictions

3. Effective immediately upon issuance of this Order, Respondent shall have every female patient who receives treatment following the effective date of the Order sign the informed written consent that is attached as Exhibit B. This informed written consent shall be signed by every female patient regardless of whether the patient's treatment requires contact with or exposure of the intimate parts. [breasts, buttocks, anus, groin, vagina or pubic mound.]

4. A female assistant must be present when any type of examination or procedure is performed by the Respondent on a female patient. All staff fulfilling this function shall obtain boundary training acceptable to the Board within thirty (30) days from the date of this Order. Employees hired after the effective date of this Order shall obtain boundary training prior to acting as a female assistant in satisfaction of this paragraph.

5. On or before July 7, 1997, Respondent shall provide the Department Monitor with a report listing all female patients that he has treated between the effective date of this Order and June 30, 1997. The report shall include a copy of each patient's informed consent form. The report shall in addition include a written description of each patient's treatment that involved contact with intimate parts of the patient, including the date of treatment, diagnosis, and treatment provided. Each written description prepared pursuant to this paragraph shall be signed and dated by the Respondent and the female assistant present during the procedure.

6. On or before October 6, 1997, Respondent shall provide the Department Monitor with a report listing all female patients that he has treated between July 1, 1997 and October 1, 1997. The report shall include a copy of each patient's informed consent form (if not previously provided to the Department). The report shall in addition include a written description of each patient's treatment that involved contact with intimate parts of the patient, including the date of treatment, diagnosis, and treatment provided. Each written description prepared pursuant to this paragraph shall be signed and dated by the Respondent and the female assistant present during the procedure.

7. Effective January 1, 1998, Respondent shall cease all practice of chiropractic in the state of Wisconsin (or elsewhere under the use of this Wisconsin licensure). Respondent shall return all indicia of Wisconsin licensure to the Department Monitor by this date.

Department monitor

8. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all reports and petitions, and requesting additional monitoring and surveillance. The Department Monitor may be reached as follows:

Department Monitor
Department of Regulation Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935
FAX (608) 266-2264 TEL. (608) 267-7139

Disclosure

8. Respondent shall provide any and all current employees, as well as all prospective Chiropractic employers or associates, with a copy of the disclosure form which is enclosed as Exhibit C immediately upon issuance of this Order, and upon any change of employment during the time in which a stay of suspension is in effect.

9. Within ten (10) days from the effective date of this Order, Respondent shall submit to the Department Monitor signed and dated copies of Exhibit C disclosure forms for all of Respondent's current employees. For employees hired after the effective date of this Order, Respondent shall submit disclosure forms within ten (10) days of the employee's commencement of employment.

SUMMARY SUSPENSION

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9. Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. If the Chiropractic Examining Board determines that there is probable cause to believe that Respondent has violated any of the terms of this Order, the Board may order that the license of Respondent be summarily suspended pending investigation of the alleged violation. the Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

**PETITION
FOR EXTENSION OF SURRENDER DATE**

10. Respondent may petition the board at any time prior to January 1, 1998 for one three (3) month extension of the surrender of his licensure. In conjunction with a petition by Respondent, the Department Monitor shall send a report to the Board on Dr. Wagner's compliance with the terms of this Order. The Board shall grant Respondent's petition, if it finds he has fully complied with the terms of this Order and the Board has received no further complaints regarding Respondent's practice.

**PETITION
FOR RELICENSURE**

11. Respondent may petition the Board at any time following three (3) years from the effective date of this Order for a return of his license to practice chiropractic. The Board may in its sole discretion determine whether, and under what terms and conditions, this license may be reissued, and denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of Wis. Stats. §§227.01(3) and 227.42. Approval of a petition shall not be unreasonably withheld.

Effective Date Of Order

12. This Order shall become effective upon the date of its signing.

CHIROPRACTIC EXAMINING BOARD

By:

Jerry Freitag/A.J.H.
On behalf of the Board

7/10/97
Date

STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

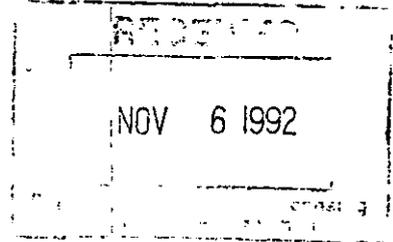
IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
RONALD C. WAGNER, D.C.,	:	90 CHI 5/3
	:	92 CHI 4
RESPONDENT.	:	

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

Ronald C. Wagner, D.C.
4222 Milwaukee Street
Madison, WI 53714

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

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 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 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. Ronald C. Wagner (D.O.B. January 21, 1946) is duly licensed in the state of Wisconsin as a chiropractor (license #1336). This license was first granted on November 20, 1975.
2. Ronald C. Wagner latest address on file with the Department of Regulation and Licensing is 4222 Milwaukee Street, Madison, Wisconsin 53714.
3. On June 27, 1990, Ronald C. Wagner, hereinafter the Respondent, provided chiropractic treatment to patient A. Prior to treatment she was expected to take off all of her clothes except for her underpants and put on an examination gown, which she did.
4. No female assistant or female relative of patient A was present during the treatment session.

5. During the course of the treatment Respondent may have touched patient A's bare breasts.

6. Respondent failed to fully inform patient A of the nature and purpose of his treatment in regards to her breast area.

CONCLUSIONS OF LAW

By the conduct described above, 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 Wis. Adm. Code chapter CHIR 6.

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

That by his conduct on June 27, 1990 with patient A, Respondent has practiced in a manner which substantially departs from the standard of care ordinarily exercised by a chiropractor, contrary to section CHIR 6.02(3), Wisconsin Administrative Code.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. That Respondent Ronald C. Wagner, license #1336 be, and hereby is Reprimanded.
2. That the license of the Respondent shall be limited for a period of three (3) years under the following terms and conditions:
 - a. A female assistant must be present when any type of examination or procedure is performed by the Respondent on a female patient which requires exposure of, or contact with, the intimate parts of the patient, which shall be defined as the breasts, buttocks, anus, groin, vagina or pubic mound.
 - b. That prior to any type of examination or patient procedure which requires the exposure of, or contact with, the above intimate parts of the patient an informed written disclosure and consent is required by any female patient. The disclosure and informed consent shall contain all relevant information pertaining to the procedure.
 - c. That violation of the above limitation shall constitute a basis for disciplinary action by the Chiropractic Examining Board.
3. That the Respondent must pass a course of instruction in boundary training (12 credit hours) and also a course of instruction in ethics (12 credit hours) approved by the Board prior to attendance, and submit proof of completion to the Board within twelve (12) months of the date of this Order. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that are or may be instituted by the Board.

4. That in the event the Respondent Ronald C. Wagner fails to comply with the above education requirements within twelve (12) months of the date of this Order, and/or fails to verify the same to the Department of Regulation and Licensing within thirteen (13) months of the date of this Order, then his license #1336 shall be indefinitely suspended until he has complied with the terms of this Order.

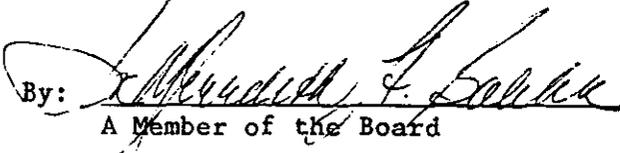
5. That partial costs of this action are assessed against the Respondent and payable to the Department of Regulation and Licensing in the amount of \$1,000. The costs must be paid within thirty (30) days of the date of this Order.

6. IT IS FURTHER ORDERED, that the Chiropractic Examining Board shall close investigative files 90 CHI 53 and 92 CHI 4.

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".

This Order shall become effective ten (10) days following the date of its signing.

Chiropractic Examining Board

By: 

A Member of the Board

Date

11-5-92

GMS:pw
ATY-2204

STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
RONALD C. WAGNER, D.C.,	:	90 CHI 53
RESPONDENT.	:	

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 Ronald C. Wagner, hereinafter the Respondent, by the Division of Enforcement (90 CHI 53). 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 limitation of license for three (3) years 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.

10-10-92
Date

Ronald C. Wagner, D.C.
Ronald C. Wagner, D.C., Respondent

10-14-92
Date

Kevin F. Milliken
Kevin F. Milliken, Respondent's Attorney

10-20-92
Date

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

GMS:vec
ATY-1525

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 November 6, 1992.

INFORMED CONSENT AND DISCLOSURE

Dr. Wagner has been a chiropractor for over twenty years. He also practices applied kinesiology and chi energy massage therapy. His philosophy is to treat the body as a whole rather than treating individual areas. Dr. Wagner has found that Chiropractic treatment results may sometimes be enhanced with applied kinesiology and/or massage.

Your treatment with Dr. Wagner is your time to relax, unwind, and let go. He wants to assist you with your relaxation and help you to feel great. Your comfort is extremely important, because if you are not comfortable, you will not receive the full benefits of treatment. Just as every patient has different treatment needs, every patient has different levels of comfort. To ensure that each individual is comfortable with their treatment, Dr. Wagner informs every patient of areas that he may work on during the course of treatment. If you would feel uncomfortable with Dr. Wagner treating any of the following areas, please put a check mark next to the area(s) that might cause you discomfort.

- | | | | |
|--------------------------|------------|--------------------------|--------------|
| <input type="checkbox"/> | Feet | <input type="checkbox"/> | Calves |
| <input type="checkbox"/> | Thighs | <input type="checkbox"/> | Inner Thighs |
| <input type="checkbox"/> | Buttocks | <input type="checkbox"/> | Hips |
| <input type="checkbox"/> | Groin | <input type="checkbox"/> | Pubic Mound |
| <input type="checkbox"/> | Abdomen | <input type="checkbox"/> | Lower Back |
| <input type="checkbox"/> | Upper Back | <input type="checkbox"/> | Chest |
| <input type="checkbox"/> | Arm Pits | <input type="checkbox"/> | Breast Area |
| <input type="checkbox"/> | Neck | <input type="checkbox"/> | Shoulders |
| <input type="checkbox"/> | Face | <input type="checkbox"/> | Head |

If you have checked any of the above areas, Dr. Wagner will adjust his treatment to avoid those areas. If you did not check any of the above areas, do you consent to treatment that may involve touching of the above areas? (circle one) YES NO

If you are ever uncomfortable with a procedure or if your areas of comfort change, please let Dr. Wagner or one of his staff members know so Dr. Wagner can adjust your treatment accordingly. If you ever want to change the information on this form, please let Dr. Wagner or one of his staff members know and they will be happy to provide you with a new informed consent and disclosure form. Dr. Wagner and his staff look forward to guiding you on your path to recovery.

I have read and completed the above informed consent and disclosure. If I ever feel uncomfortable with a procedure or if my areas of comfort change, I will inform Dr. Wagner or a member of his staff so my treatment can be adjusted accordingly.

Date: _____

Witness

NOTICE AND DISCLOSURE TO EMPLOYEES

The chiropractic examining board has placed several conditions and restrictions upon the chiropractic license of Dr. Wagner. Dr. Wagner is required to disclose these restrictions to all employees. Therefore, Dr. Wagner asks you to read the information below and sign this form to indicate that you have read and are aware of the restrictions and conditions on his license.

The following restrictions and conditions have been placed upon Dr. Wagner's chiropractic license:

1. All female patients must sign an informed consent and disclosure form. This form must be signed and witnessed in the presence of an employee of Dr. Wagner.
2. A female assistant, who has received boundary training, must be present in the examining room at all times when Dr. Wagner is treating a female patient. This assistant must insure that an informed written consent is contained in the patient's file prior to Dr. Wagner performing any procedures on the patient. If an informed consent and disclosure is not in the file, the assistant shall have that patient complete an informed consent and disclosure prior to treatment. If a patient's treatment involves contact with the patient's breasts, anus, pubic mound or groin, the female assistant shall complete and a separate treatment procedure form that shall be submitted to the department monitor.
3. Dr. Wagner must periodically provide the chiropractic examining board's department monitor with a list of all female patients he has treated along with copies of each patient signed informed consent and disclosure.
4. Employees of Dr. Wagner are required to report any deviations from the above conditions and restrictions to the Department of Regulation, Division of Enforcement, P.O. Box 8935, Madison, WI 53708, phone 267-7139.

I have read the above Employee Disclosure. I agree to inform the Department of Regulation, Division of Enforcement if Dr. Wagner does not comply with the above conditions and restrictions.

Dated: _____

Employee

Dr. Wagner

STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	STIPULATION
RONALD C. WAGNER, DC	:	95 CHI 067
RESPONDENT	:	

It is hereby stipulated between Ronald C. Wagner, personally on his own behalf and by his attorney Reed J. Peterson; and Steven M. Gloe, 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 Dr. Wagner's licensure by the Division of Enforcement (95 CHI 067). Dr. Wagner consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Dr. Wagner 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, the Wisconsin Administrative Code, and the Americans with Disabilities Act of 1990.

3. Dr. Wagner is aware of his right to seek legal representation and has obtained legal advice prior to signing this stipulation.

4. Dr. Wagner agrees to the adoption of the attached Final Decision and Order by the Chiropractic Examining 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.

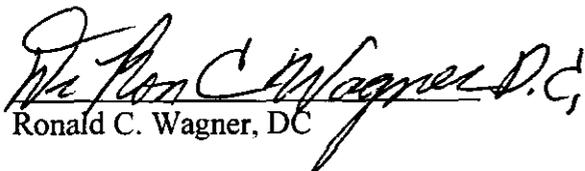
6. Attached to this Stipulation is the current licensure card of Ronald C. Wagner. If the Board accepts the Stipulation, Dr. Wagner's license shall be reissued only in

accordance with the terms of the attached Final Decision and Order. If the Board does not accept this Stipulation, the license of Dr. Wagner shall be returned to him with a notice of the Board's decision not to accept the Stipulation.

7. 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.

8. 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.

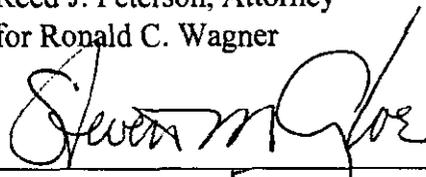
9. The Division of Enforcement joins Dr. Wagner in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.


Ronald C. Wagner, DC

4-30-97
Date


Reed J. Peterson, Attorney
for Ronald C. Wagner

4/30/97
Date


Steven M. Gloe, Attorney
Division of Enforcement

5.29.97
Date

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STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE CHIROPRACTIC EXAMINING BOARD

In the Matter of the Disciplinary Proceedings Against

Ronald C. Wagner, DC,

AFFIDAVIT OF MAILING

Respondent.

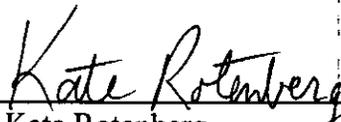
STATE OF WISCONSIN)
)
COUNTY OF DANE)

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.

2. On July 14, 1997, I served the Final Decision and Order dated July 10, 1997 upon the Respondent Ronald C. Wagner's attorney by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent's attorney and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 221 157 335.

Reed J. Peterson, Attorney
900 John Nolen Drive, Suite 220
Madison WI 53713



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 14th day of July, 1997.



Notary Public, State of Wisconsin
My commission is permanent.

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.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN CHIROPRACTIC EXAMINING BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

July 14, 1997

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)