

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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# STATE OF WISCONSIN

## BEFORE THE CHIROPRACTIC EXAMINING BOARD

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IN THE MATTER OF THE	:	<b>ORDER</b>
DISCIPLINARY PROCEEDINGS AGAINST	:	<b>REINSTATING LICENSE</b>
<b>RICHARD L. HORAITIS, D.C.,</b>	:	<b>WITH LIMITATIONS</b>
RESPONDENT	:	LS0110121CHI
	:	

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Richard L. Horaitis, D.C.

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Attorney Hal Harlowe

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Marlene Meyer, Department Monitor

Division of Enforcement

On February 21, 2002, the Wisconsin Chiropractic Examining Board issued a Final Decision and Order suspending Dr. Horaitis's chiropractic license for twelve months and requiring Dr. Horaitis to comply with certain conditions. The order provided that after nine months of suspension, Dr. Horaitis could supply proof of compliance and request a termination of the suspension. The order further provided that limitations could be placed on Dr. Horaitis's license upon reinstatement.

On February 5, 2003, Dr. Horaitis requested a termination of the suspension based upon payment of all fees, the completion of an assessment by Janet Weber, and the completion of an educational program by Dr. Gary Schoener. The Board accepts the information provided by Dr. Horaitis as evidence of compliance with the terms of the February 21, 2002 order. Therefore,

**I. The license to practice chiropractic issued to Richard L. Horaitis, D.C. is reinstated as of the date of this order.**

The Board further accepts the recommendations presented in the assessment of Janet Weber, with some modifications, as limitations to be imposed on Dr. Horaitis's license.

**II. The license to practice chiropractic issued to Richard L. Horaitis, D.C. and reinstated on this date is hereby limited as follows:**

**A. Prior to returning to practice, Dr. Horaitis shall at his own expense begin a course of psychotherapeutic treatment lasting no less than one year, to address sexual boundary violations by professionals, with a provider who is a fellow of the Wisconsin Sex Offender Treatment Network or who has similar qualifications, who has full access to the DRL files including the complaint and stipulation, and who is approved in advance by the full Board. Aspects of the treatment shall be:**

- 1. Therapy to address transference issues, boundary issues and verbalizations, and relapse/recurrence prevention.**
- 2. Therapy frequency and duration to be determined by the provider.**
- 3. Successful treatment completion to be defined by the provider, including but not limited to, reasonable progress toward treatment goals, attendance at all sessions, and prompt payment of fees.**

**The therapist shall submit reports to the Department Monitor on a quarterly basis, and shall immediately report to the full Board any apparent violation of this order or other rule of professional conduct.**

**B. Prior to returning to practice, and for a period of two years, Dr. Horaitis must employ at his own expense a chiropractic mentor familiar with the details of this complaint who is approved in advance by the full Board, with whom Dr. Horaitis meets at least once a month for an hour to discuss professional practice issues and compliance with Board recommendations, and with whom Dr. Horaitis can speak regularly on professional topics related to his chiropractic practice and current patients. The mentor shall submit reports to the Department Monitor on a quarterly basis, and shall immediately report to the full Board any apparent violation of this order or other rule of professional conduct.**

**C. Dr. Horaitis may see female clients only with a female employee present.**

**D. Dr. Horaitis shall establish new policies and practices to ensure proper boundaries as suggested by the chiropractic field, review those policies and practices with his mentor, and file the policies and practices with the full Board, to include the guidelines listed below:**

- 1. Dr. Horaitis shall post in a staff-only area the name and telephone number of the chiropractic mentor, the therapist, and the DRL monitor.**
- 2. Dr. Horaitis shall place a visible notice at the front desk stating that a female employee must be present for the examination or treatment of any female patients.**
- 3. Dr. Horaitis shall immediately transfer or refer any patient to whom he feels himself attracted, document the action in his file, and report the action to his chiropractic mentor.**

**E. Within nine months of resuming his chiropractic practice, Dr. Horaitis must complete a minimum of two seminars covering gender sensitivity and ethics and boundaries. These seminars may not be used to satisfy the continuing education requirement for license renewal.**

**F. A violation of any limitation imposed by this Order, or a violation of any rule of professional conduct while this Order is in effect, may constitute grounds for revocation of Dr. Horaitis's license. Should the Board determine that there is probable cause to believe that Dr. Horaitis has violated the terms of this Order or has violated any rule of professional conduct while this order is in effect, the Board may order that Dr. Horaitis's license be summarily suspended pending investigation of and hearing on the alleged violation.**

WISCONSIN CHIROPRACTIC EXAMINING BOARD

James A. Rosemeyer, D.C., Chair