

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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1. Jason A. Romano, D.C., Respondent, date of birth October 30, 1968, is licensed by the Wisconsin Chiropractic Examining Board to practice chiropractic in the state of Wisconsin pursuant to license number 3199, which was first granted February 17, 1995.
2. Respondent chose not to renew his registration of license when it expired on December 31, 2000, at the end of the registration period.
3. Statutory and rule requirements for Respondent to renew his certificate of registration:
  - a. Within 5 years of December 31, 2000, Respondent would be allowed to renew by paying the renewal fee, paying a \$25 late renewal fee and providing evidence of completing the continuing education requirement for the preceding biennium (which could be waived by the Board). [§ 440.15, Stats., and

Wis. Adm. Code § CHIR 3.02(1) and (2)]

b. Beyond 5 years of December 31, 2000, the Board could also require Respondent to take an examination prescribed by the Board. [§ 440.15, Stats., and Wis. Adm. Code § CHIR 3.02(3)]

c. Anytime the Board determines that denial of an application for renewal is necessary to protect the public health, safety or welfare, the Board has authority to summarily deny the application. [§ 440.15(4)(a), Stats.]

4. Respondent has not practiced chiropractic in Wisconsin since his registration expired on December 31, 2000.

5. Respondent's last address reported to the Department of Regulation and Licensing is 385 Hillview Drive, Gurnee, IL 60031.

#### COUNT I

6. On June 9, 1999, Respondent was charged in Kenosha County Wisconsin Circuit Court case number 99CM744, with violating § 944.20(1)(B), Stats., Lewd, Lascivious Behavior-Exposure, a misdemeanor crime. The charge was based on alleged conduct by Respondent in his chiropractic office in the presence of an 18 year old female assistant.

7. On August 26, 1999, the criminal complaint in case number 99CM744 was amended to add a count charging that by engaging in the behavior set out in the criminal complaint, Respondent also violated § 947.01, Stats., Disorderly Conduct, a misdemeanor crime.

8. During the police investigation of the allegations, other young women who had been employed at the clinic by Respondent said that Respondent had engaged in conduct with them that was similar to the conduct charged in the criminal complaint. Although Respondent had provided chiropractic care to some of those employees, none of the alleged conduct took place while he was providing them with chiropractic services.

9. On February 18, 2000, Respondent and the Kenosha County District Attorneys Office entered into a Stipulated Hold Open Agreement in case number 99CM744. Among the terms of the agreement were:

a. Respondent pled guilty to the two charges.

b. If Respondent complied with the contract conditions, at the end of 12 months, the State would dismiss the Lewd and Lascivious Behavior charge and the parties would agree to a \$1,000 fine as the sentence on the Disorderly Conduct charge.

10. Respondent successfully complied with the contract conditions and on April 5, 2001, was convicted of Disorderly Conduct [§ 947.01, Stats.].

11. Disorderly Conduct, § 947.01, Stats., is a crime substantially related to the practice of chiropractic.

12. Respondent agrees not to renew his certificate of registration of license before January 1, 2006. Respondent agrees that if he seeks to renew on or after January 1, 2006, it shall be under the terms and conditions set out in the order, below.

13. Respondent has been practicing chiropractic in the State of Illinois, where he holds an active license to practice chiropractic. An investigator for the Illinois Board has been made aware of this investigation,

was sent a copy of the judgment of conviction, has opened an investigation in that state and will be sent a copy of this Final Decision and Order.

### CONCLUSIONS OF LAW

1. The Wisconsin Chiropractic Examining Board has jurisdiction over this matter pursuant to § 446.03, Stats.
2. The Wisconsin Chiropractic Examining Board has authority to enter into this stipulated resolution of this matter pursuant to § 227.44(5), Stats.
3. Respondent has committed unprofessional conduct, as defined by Wis. Admin. Code § CHIR 6.02(24), by having been convicted of a crime substantially related to the practice of chiropractic.

## **ORDER**

NOW THEREFORE, IT IS HEREBY ORDERED THAT

1. Respondent shall not apply to renew his certificate of registration before January 1, 2006.
2. If Respondent applies for the renewal of his license on or after January 1, 2006, the Board may require whatever evaluations or examinations as are reasonably necessary to protect the public health, safety or welfare and following review of the results may order limitations to Respondent's license as are reasonably necessary to protect the public health, safety or welfare.

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".

Dated at Madison, Wisconsin this 19th day of January, 2003.

Chairperson

Chiropractic Examining Board