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STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
SCOTT A. BARTEL, D.C.,	:	LS# 0508011CHI
RESPONDENT.	:	

Division of Enforcement Case # 04 CHI 052

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Scott A. Bartel, D.C.
145 Island Drive
Iola, WI 54945

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Chiropractic Examining Board
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Scott A. Bartel, D.C.'s most recent address on file with the Wisconsin Chiropractic Examining Board is P.O. Box 343, Iola, Wisconsin 54945. Respondent's current address is 145 Island Drive, Iola Wisconsin. Respondent's date of birth is November 8, 1967.
2. From March 19, 1992 until January 10, 2001, Respondent was duly licensed as a chiropractor in the State of Wisconsin (license #2832). Respondent's license expired on January 10, 2001.
3. Respondent has not applied for reinstatement of his Wisconsin chiropractic license at any time since 01/10/2001.
4. Between 1/10/2001 and the present, Respondent regularly engaged in the practice of chiropractic in Wisconsin without a valid Wisconsin chiropractic license.

5. Respondent was contacted by an investigator for the Division of Enforcement on December 9, 2004 regarding his unlicensed practice of chiropractic in Wisconsin.

6. Despite being informed that he was being investigated by the Division of Enforcement for the unlicensed practice of chiropractic, Respondent knowingly continued to practice chiropractic in Wisconsin without a valid Wisconsin chiropractic license thereafter.

7. An investigator for the Division of Enforcement requested continuing education certificates, proof of liability insurance, and CPR certification from Respondent on December 20, 2004, and gave him until January 7, 2005 to get the information to her. To date, she has not received any information from Respondent.

CONCLUSIONS OF LAW

1. The Wisconsin Chiropractic Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 446.03, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraphs 2 - 6 above constitutes a violation of Wis. Stat. §§ 446.02(1) and 446.03(5), and Wis. Admin. Code § Chir 6.02(25).

3. The conduct described in paragraphs 6- 7 above constitutes a violation of Wis. Stat. § 446.03(5), and Wis. Admin. Code § Chir 6.02(19).

ORDER

IT IS ORDERED:

1. Scott A. Bartel, D.C.'s right, pursuant to Wis. Stat. § 440.08, to renew his license to practice chiropractic in the State of Wisconsin is hereby revoked.

2. Scott A. Bartel, D.C. agrees that he will not reapply for Wisconsin licensure as a chiropractor at any time prior to January 10, 2006. In the event that Respondent does in fact apply for Wisconsin licensure as a chiropractor prior to January 10, 2006, the Board may deny that application based upon this stipulation, without further notice or hearing, and Respondent hereby expressly waives all rights to a hearing on any such denial or limitation.

3. At any time after January 10, 2006, Respondent may apply for Wisconsin licensure as a chiropractor, but that application may be denied pursuant to Wis. Stat. §440.08(4), or any license granted may be limited pursuant to Wis. Stat. § 446.03, as the Board sees fit considering the evidence, including but not limited to the evidence contained in this Stipulation and Order.

4. Respondent shall, within Thirty (30) days from the date of this Order, pay costs of this proceeding in the amount of Four Thousand, Nine Hundred Dollars (\$4,900.00). Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

5. This Order is effective on the date of its signing.

Chiropractic Examining Board

By: Steven Silverman
A Member of the Board

11/17/05
Date