

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
: :
JOHN T. RIEGLEMAN, D.C., :
RESPONDENT. : ORDER 0000 813

Division of Enforcement Case # 09 CHI 016

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

John T. Riegleman, D.C.
1 S. Main Street
Mayville, WI 53050

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

Wisconsin Chiropractic Examining Board
Department of Regulation and 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 this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. John T. Riegleman, D.C., Respondent, date of birth November 15, 1960, is licensed by the Wisconsin Chiropractic Examining Board to practice chiropractic in the state of Wisconsin pursuant to license number 2075, which was first granted October 26, 1985.

2. Respondent's address of record with the Department of Regulation and Licensing is 1 S. Main Street, Mayville, Wisconsin 53050.

3. At all times relevant to this matter, Respondent practiced chiropractic at Mayville Chiropractic Center in Mayville, Wisconsin.

4. Respondent inadvertently failed to renew his license when it expired on December 14, 2008. Following the expiration of Respondent's license, he continued to both practice chiropractic and represent himself as a chiropractor in Wisconsin.

5. A consumer checked Respondent's licensure status on the Department of Regulation and Licensing website and discovered that Respondent did not have a current license to practice. On February 26, 2009, the consumer filed a complaint with the Division of Enforcement (DOE), alleging that Respondent was seeing patients without a current license.

6. On March 9, 2009, DOE sent a letter to Respondent requesting his response to the allegations regarding his licensure status. After receiving the letter from DOE, Respondent renewed his license on March 21, 2009. Respondent does not deny he continued to see patients during the period of time in which his credentials were expired. Respondent fully cooperated with DOE in this matter.

7. From December 15, 2008 until March 21, 2009, Respondent practiced chiropractic without timely renewing his license registration. Respondent met all other licensing requirements for renewal except for timely submitting his renewal form and payment of the required fee.

8. The Board has directed Respondent to notify all patients notified patients treated between December 15, 2008 – March 21, 2009, that his license was expired during that period. The Board further instructed Respondent to similarly notify a representative of the Medicaid program at ForwardHealth, Provider Maintenance, 6406 Bridge Road, Madison, WI 53784-0006.

9. Respondent has provided DOE with an affidavit in which he attests that he accomplished the required tasks, provided the names and addresses of patients who received notification, and provided the Division with a copy of the document used to communicate the information.

CONCLUSIONS OF LAW

1. The Wisconsin Chiropractic Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 446.03 and authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

2. Respondent, by practicing chiropractic and representing himself as a chiropractor when he did not hold a current license to practice chiropractic, has violated Wis. Stat. § 446.02(1) and Wis. Admin. Code § Chir 6.02(25) and is subject to discipline pursuant to Wis. Stat. § 446.03(5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, John T. Riegleman, D.C., is hereby REPRIMANDED for the conduct set out above.
2. Respondent has satisfactorily complied with the Board's previous instructions that he:
 - a) Notify any patients who have not already received notification of his non-renewal of his license to practice chiropractic. Although Respondent previously notified patients treated between December 15, 2008 – March 21, 2009 with such notification, he must ensure that all patients treated during this respective period are so notified; and
 - b) Notify the following representative of the Medicaid program: ForwardHealth, Provider Maintenance, 6406 Bridge Road, Madison, WI 53784-0006.

No further limitation is necessary.

3. Respondent shall, within ninety (90) days of the date of this Order, pay to the Department of Regulation and Licensing the costs of this proceeding in the amount of \$350.00 pursuant to Wis. Stat. § 440.22(2).

4. Any requests, affidavits and payment shall be mailed or delivered to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Fax: (608) 266-2264
Telephone: (608) 267-3817

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. 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. In the event Respondent fails to timely submit payment of the costs as ordered as set forth above, the Respondent's license may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs or any other term of this Order.

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

Wisconsin Chiropractic Examining Board

By: /s/ Wendy M. Henrichs 4/27/11
A Member of the Board Date