

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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3. An investigation by the Department revealed that Respondent's license was expired between January 2, 2009 to June 9, 2010. Respondent moved to a new location during the time the Department mailed the notice of renewal. The notice was not forwarded to the Respondent's new address.

4. At all times during this unlicensed period, Respondent was in technical compliance with the Department's licensing requirements and had successfully and timely completed the CPR/AED certification program and 40 hours of Board-approved continuing education courses.

5. Respondent provided chiropractic services to patients during this expired period.

6. On June 9, 2010, immediately after being notified by the Department, Respondent paid his license renewal fee and his license was restored to active status.

7. Respondent failed to comply with the required 40 hours of continued education for the 2009-2010 biennium, as 12 credits presented were not Board-approved courses under Wis. Admin Code § Chir 5.02.

8. Immediately upon notification by the Department, Respondent completed 12 credits of Board-approved coursework.

#### 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. Respondent has violated Wis. Stat. § 446.02(1)(a) by engaging in the practice of chiropractic without being licensed by the Chiropractic Examining Board as described above.

3. The conduct described in paragraph 5, above, constitutes a violation of Wis. Admin. Code § Chir 5.01(1), and subjects Respondent to discipline pursuant to Wis. Stat. § 446.03(5).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Drew M. Kaminski, D.C., is hereby REPRIMANDED.

2. **Notification:** Within 30 days from the date of this Order, Respondent shall provide notice to patients and third party payors to whom claims were made for patients treated during the time that Respondent's license was expired, stating the precise dates that he practiced with an expired license as per the following protocols:

(a) In office posting of the stipulation and a sign stating the period of unlicensed practice at the reception desk in 14 point bold font, for a period of no less than 1 year from the date of this Order;

(b) An email posting once weekly for 8 weeks to his database of patients and third party payors; and

(c) Publication of notice in Respondent's local newspaper, once weekly for 3 months, to include Respondent's photograph.

After each protocol of notice has been fully complied with, Respondent shall prepare a sworn affidavit attesting to compliance as per the terms of this Order. This affidavit shall be provided to the Department Monitor at the address in paragraph 5 below.

3. **Costs:** Within 90 days from the date of the Order, Respondent shall pay the Department costs of this matter in the amount of \$1,500.00. Payment shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address referenced in paragraph 5 below.

4. **Continuing Education:** Within 120 days, Respondent is responsible for successfully completing 24 Board-approved courses. Respondent is responsible for contacting the Department Monitor in paragraph 5 below for approval prior to taking the course(s). Respondent is responsible for all costs associated with this continuing education. The continuing education credits obtained in compliance with this Order may not be applied to satisfying any other continuing education credit requirements.

5. All evidence of compliance and payments shall be mailed, faxed or delivered by the Respondent to the Department Monitor at this address:

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

6. 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 satisfy any part of the Order 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 the relevant terms of the Order.

7. This Order shall become effective on the date of its signing.

Chiropractic Examining Board

By:   
A Member of the Board

Date 10/6/11