

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."
The status of an appeal may be found on court access websites at:
<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wsccl>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

JASON W. DAVIDSON, D.C.,
RESPONDENT.

:
:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0001224

[Division of Enforcement Case #10 CHI 028]

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

Jason W. Davidson, D.C.
21075 Swenson Drive, #700
Waukesha, WI 53186

Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Chiropractic Examining Board
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

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 (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. Jason W. Davidson, D.C., ("Respondent") was born on May 10, 1983 and is licensed to practice as a chiropractor in the State of Wisconsin (license #4466-12). This license was first granted on January 8, 2009.

2. Respondent's most recent address on file with the Department of Safety and Professional Services is 21075 Swenson Drive, #700, Waukesha, Wisconsin.

3. At all times relevant to this action, Respondent was a co-owner of and practiced chiropractic at Davidson Family Chiropractic, located in Waukesha, Wisconsin.

4. Between July 2010 and September 2010, Respondent participated on a radio show and made comments concerning the efficacy of the medical, surgical and pharmacological treatment of health issues. Respondent's comments included:

- a. "Spine and nervous system fixtures allow the body to heal and prevent health issues," after speaking about heart disease;
- b. That taking prescriptions or having surgical procedures is not a better form of treatment;
- c. That corrections and adjustments work well with the body, not against it like prescriptions and surgeries;
- d. That the best answer against the flu is getting your spine and nervous system corrected;
- e. That studies show chiropractic patients have a 400% difference in their immune system performance compared with the immune system of cancer patients; and
- f. That chiropractic adjustments can increase and release cells that attack cancer cells.

5. Respondent's statements implied that medical, surgical and pharmacological management of health issues is ineffective, dangerous to the patients' health, and inferior to chiropractic management.

6. Respondent's statements regarding the ineffectiveness of medical, surgical and pharmacological management of health issues could, in reasonable probability, cause an ordinarily prudent person to misunderstand or be deceived and possibly stop his or her treatment, which can be dangerous to his or her health.

7. Respondent's statements regarding the effectiveness of chiropractic adjustments in treating health issues such as heart disease, cancer and the flu, constituted a misrepresentation of fact that is likely to deceive and create an unjustified expectation about the results of chiropractic management of health issues.

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. The conduct described above constitutes unprofessional conduct pursuant to Wis. Admin. Code §§ Chir 6.02(15)(a), (b), (c) and (e) and Wis. Stat. § 446.04(5) and subjects Respondent to discipline pursuant to Wis. Stat. § 446.03(5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Jason W. Davidson, D.C. (license #4466-12), is **RÈPRIMANDED**.

IT IS FURTHER ORDERED that:

2. Respondent's license is LIMITED as follows:
 - a. Respondent shall, within 200 days of the date of this Order, successfully pass the post-licensure exam for ethics and boundaries located at NBCE.org or such other education deemed appropriate and pre-approved by the Board or its designee.
 - b. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or the Department of Safety and Professional Services.
 - c. The Limitations shall be removed from Respondent's license and Respondent shall be granted a full, unrestricted license after satisfying the Board that he has successfully completed all of the ordered education. Proof of satisfactory completion of education shall be delivered to the Department Monitor at the address below.
3. Within 90 days from the date of the Order, Respondent shall pay the costs of this proceeding in the amount of FIVE HUNDRED DOLLARS (\$500.00). Payment shall be made payable to the Wisconsin Department of Safety and Professional Services and mailed to:

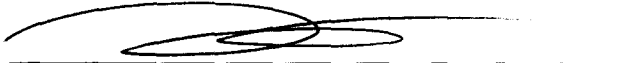
Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

4. 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 to practice in the State of Wisconsin. 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 comply with payment of costs and completion of education, Respondent's license to practice in the State of Wisconsin may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with all the terms and conditions of this Order.

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

Wisconsin Chiropractic Examining Board

By:

A handwritten signature consisting of several overlapping loops and a long horizontal stroke.

A Member of the Board

11/17/11
Date