

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMNING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
DANIEL R. EUGSTER, D.C.,	:	
RESPONDENT.	:	ORDER 0002265

Division of Legal Services and Compliance¹ Case No. 11 CHI 055

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

Daniel R. Eugster, D.C.
12928 W. Leedle Mill Road
Stoughton, WI 53589

Wisconsin Chiropractic Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Department of Safety and Professional Services
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 disposition of this matter, subject to the approval of the Chiropractic Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Daniel R. Eugster, D.C., (dob 04/27/1956) is licensed in the State of Wisconsin to practice chiropractic, having license number 12-2997, first issued on 07/08/1993 and current through 12/14/2012. Dr. Eugster's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 12928 West Leedle Mill Road, Stoughton, Wisconsin 53589.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. On 05/05/2010, Patient A, a 49-year-old male with ankylosing spondylitis presented with neck pain. While applying light pressure to Patient A's C6-T1 area, Dr. Eugster felt and heard a loud and unusual popping or cracking sound from the patient's neck. Respondent took a radiograph of the patient's cervical area, but did not see any fractures.

3. Dr. Eugster stated that he instructed Patient A to follow up with a medical physician for a bone scan. However, Dr. Eugster failed to document this in the patient's records.

4. Dr. Eugster's treatment records for Patient A also failed to include a signed consent form.

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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Daniel R. Eugster, D.C., violated Wis. Admin. Code. § Chir 11.04 by failing to maintain adequate daily notes, which constitutes unprofessional conduct as defined by Wis. Admin. Code § Chir 6.02(25).

3. By the conduct described in the Findings of Fact, Daniel R. Eugster, D.C., violated Wis. Admin. Code. § Chir 11.02(5) by failing to document the patient's informed consent, which constitutes unprofessional conduct as defined by 6.02(25).

4. As a result of the above violations, Daniel R. Eugster, D.C. is subject to discipline pursuant to Wis. Stat. § 446.03(5).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Daniel R. Eugster, D.C., is REPRIMANDED.

3. The chiropractic license issued to Daniel R. Eugster, D.C., (license number 12-2997) is LIMITED as follows:

a. Within ninety (90) days of the date of this Order, Dr. Eugster shall successfully complete a minimum of **three (3) hours** of education in record keeping, including taking and passing any exam offered for the course(s). Dr. Eugster shall locate and have the Board or its designee pre-approve the educational program prior to Respondent completing it.

b. Within thirty (30) days after completion of the educational program, Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. 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 Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.

c. This limitation shall be removed from Respondent's license and Respondent will be granted a full, unrestricted license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within ninety (90) days from the date of this Order, Daniel R. Eugster, D.C., shall pay COSTS of this matter in the amount of \$400.00.

5. Requests for approval, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

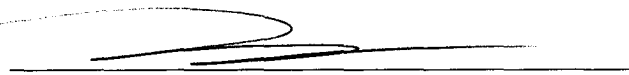
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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 submit payment of the costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 12-2997) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs and completion of the education.

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

WISCONSIN CHIROPRACTIC EXAMINING BOARD

By:


A Member of the Board


Date