

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

RICHARD L. OLSON, D.C.,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0002268

Division of Legal Services and Compliance Case No. 11 CHI 010

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

Richard L. Olson, D.C.
811 W. Broadway
Medford, WI 54451

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 Richard L. Olson, D.C. (dob May 30, 1958) is licensed in the State of Wisconsin to practice chiropractic, having license number 12-2562, first issued on February 8, 1990 and current through December 14, 2012. Respondent also has a certification for nutritional counseling specialty that was issued on August 28, 2007. Richard L. Olson, D.C.'s most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 811 W. Broadway, Medford, WI 54451.

2. An investigation by the Department revealed that Respondent's license was expired from December 15, 2010 through August 17, 2011.

3. Respondent occasionally provided chiropractic services to patients from December 15, 2010 through April of 2011.

4. On April 29, 2011, the Department sent Respondent a letter informing him that a case had been opened against him for practicing chiropractic with an expired license. Respondent asserts that he was not aware that his license was expired, and that he immediately stopped providing chiropractic services to patients when he received this letter.

5. On May 17, 2011, Respondent attempted to renew his license, claiming that he had completed thirty-nine hours of continuing education during the 2008 – 2010 biennium.

6. Chiropractors are required to complete forty hours of continuing education during each biennial license period after their first biennial license period.

7. Respondent contacted the Education Unit of the Department and was allowed to take a new continuing education course to make up the one hour of continuing education that he represented he was missing for the 2008 – 2010 biennium, on the premise that the additional course would bring him into compliance with the continuing education requirements for the 2008 – 2010 biennium.

8. On June 11, 2011, and June 12, 2011, Respondent successfully completed the two day continuing education course entitled “ICPA Seminar - Research: Review and Case Study” for twelve hours of continuing education credit.

9. On June 23, 2011, Respondent’s license status was changed from expired to active, but he was not allowed to renew his license because he had a Wisconsin Department of Revenue hold on his license due to delinquent tax warrants. Respondent resolved his tax issues, and his license was renewed on August 17, 2011.

10. A review of Respondent’s Certificates of Completion for the thirty nine continuing education hours he claimed to have completed for the 2008-2010 biennium showed that Respondent had only completed ten of those hours during the 2008 – 2010 biennium. The remaining twenty-nine hours were for courses he had taken in January and February of 2011, after the end of the biennium during which Respondent was supposed to have earned the credits.

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, Richard L. Olson, D.C. violated Wis. Admin. Code. § Chiro 5.01(1) by failing to obtain the required forty (40) hours of continuing education for the 2008 – 2010 biennium period.

3. By the conduct described in the Findings of Fact, Richard L. Olson, D.C. violated Wis. Admin. Code. § Chiro 6.02(18) by falsely attesting when he renewed his license that he had

obtained forty hours of continuing education in the 2008 – 2010 biennium, when in fact, he had only completed ten hours of continuing education in the 2008 – 2010 biennium.

4. By the conduct described in the Findings of Fact, Richard L. Olson, D.C. violated Wis. Stat. § 446.02(1)(a) by practicing chiropractic while his license was expired.

5. As a result of the above violations, Richard L. Olson, D.C. is subject to discipline pursuant to Wis. Stat. § 446.03(5).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Richard L. Olson, D.C. is REPRIMANDED.
3. The license to practice chiropractic that was issued to Richard L. Olson, D.C. (license number 12-2562) is LIMITED as follows:
 - a. By March 1, 2013, Respondent shall successfully complete sixty (60) hours of chiropractic continuing education.
 - b. Respondent is responsible for finding appropriate courses and submitting the course information to the Department Monitor for approval prior to taking the course(s). Respondent is responsible for all costs associated with this continuing education.
 - c. By March 15, 2013, 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.
 - d. None of the education completed pursuant to the continuing education requirements of this Order or the education that Respondent completed and used on May 17, 2011 to renew his license may be used to satisfy the forty hours of continuing education required for renewal of his license for the license period beginning on December 15, 2012. 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, nor may they be credited toward the prerequisites for any certificate or specialty chiropractic credential in Wisconsin.
4. Within 30 days from the date of this Order, Richard L. Olson, D.C., shall inform Medicare and Medicaid in writing, via certified mail, return receipt requested, that he was practicing chiropractic without a license from December 15, 2010, through April 17, 2011, and within 60 days of this Order he shall provide a copy of his letters to Medicare and Medicaid and the certified mail receipts to the Department Monitor at the address below.
5. Within 90 days from the date of this Order, Richard L. Olson, D.C. shall pay COSTS of this matter in the amount of \$500.00.

6. 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

7. 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 costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 12-2562) 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.

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

WISCONSIN CHIROPRACTIC EXAMINING BOARD

by:


A Member of the Board

Date

1/24/13