

## 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 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/wscqa>

- 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 [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

STATE OF WISCONSIN  
BEFORE THE CHIROPRACTIC EXAMINING BOARD

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JEFFREY A. MARTIN, D.C.,  
RESPONDENT.

:  
:  
:  
:  
:

FINAL DECISION AND ORDER

0002963

---

Division of Legal Services and Compliance<sup>1</sup> Case No. 12 CHI 015

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

Jeffrey A. Martin, D.C.  
35D Park Ridge Drive  
Stevens Point, WI 54481

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 Wisconsin 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 Jeffrey A. Martin, D.C., (dob March 29, 1958) is licensed in the State of Wisconsin as a chiropractor, having license number 1848-12, first issued on July 16, 1983, and current through December 14, 2014. Jeffrey A. Martin's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 35D Park Ridge Drive, Stevens Point, Wisconsin 54481.

---

<sup>1</sup> The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. At all times relevant to this action, Respondent was employed as a chiropractor at 35D Park Ridge Drive, Stevens Point, Wisconsin 54481.

3. On May 9, 2012, the Department received a report from Respondent's insurance carrier (NCMIC Insurance Company) indicating that a payment was made to one of Respondent's patients, Patient A, on April 10, 2012.

4. Respondent Jeffrey A. Martin, D.C., provided chiropractic services to Patient A on twenty eight (28) dates between September 16, 2006, and April 24, 2007.

5. During the time Respondent treated Patient A, Respondent failed to identify the patient in any way on eighteen (18) of twenty eight (28) records. Additionally none of the graphical records included any indication of the identity of the chiropractor providing the services. Respondent's records indicate that he provided adjustments to three areas of Patient A's spine, but included no information specifying what adjustment or which vertebrae he treated. Respondent diagnosed Patient A as having a herniated disc on September 13, 2006 and April 23, 2007, however, Respondent's records did not include any indication of what advice, if any, he provided to Patient A about treatment of a probable herniated disc. Nor is there an indication in Respondent's records that he advised Patient A of any risk of a herniated lumbar disk, or any options for treatment.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### 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, Jeffrey A. Martin, D.C., violated Wis. Admin. Code § Chir 11.02 by failing to create and maintain minimally adequate records of Respondent's treatment of Patient A and thereby violated Wis. Admin. Code § Chir 6.02(25).

3. As a result of the above violations, Jeffrey A. Martin, D.C., is subject to discipline pursuant to Wis. Stat. § 446.03(5).

#### ORDER

1. The attached Stipulation is accepted.
2. Respondent Jeffrey A. Martin, D.C., is REPRIMANDED.

3. The chiropractic license issued to Jeffrey A. Martin, D.C., (license number 1848-12) is LIMITED as follows:

a. Within one (1) year of the date of this Order, Respondent shall successfully complete, at his own expense, eight (8) hours of education on the topic of record keeping, and twelve (12) hours of education on the topics of chiropractic examination and assessment, informed consent and red-flags for chiropractors and chiropractic patients, pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.

b. 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 one hundred and eighty (180) days of the date of this Order, Jeffrey A. Martin, D.C., shall pay COSTS of this matter in the amount of \$1,500.00.

5. Proof of successful course completion and payment of forfeiture and 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](mailto:DSPSMonitoring@wisconsin.gov)

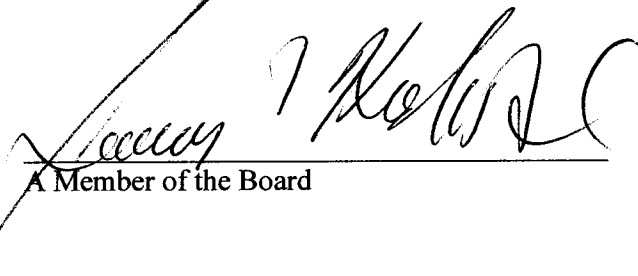
6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the forfeiture and costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 1848-12) 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 forfeiture and 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

1-23-14  
Date

STATE OF WISCONSIN  
BEFORE THE CHIROPRACTIC EXAMINING BOARD

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JEFFREY A. MARTIN, D.C.,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

0002963

---

Division of Legal Services and Compliance<sup>1</sup> Case No. 12 CHI 015

Respondent Jeffrey A. Martin, D.C., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Patrick F. Koenen.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Chiropractic Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance

---

<sup>1</sup> The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.


or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

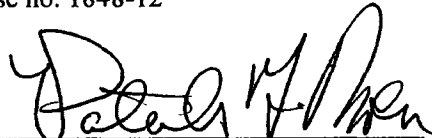
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.


8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
\_\_\_\_\_  
Jeffrey A. Martin, D.C., Respondent  
35D Park Ridge Drive  
Stevens Point, WI 54481  
License no. 1848-12

11/26/13  
Date

  
\_\_\_\_\_  
Patrick F. Koenen, Attorney for Respondent  
Hinshaw & Culbertson, LLP  
100 W. Lawrence Street  
Appleton, WI 54911

12/8/13  
Date

  
\_\_\_\_\_  
Micabil Diaz-Martinez, Attorney  
Division of Legal Services and Compliance  
P.O. Box 8935  
Madison, WI 53708-8935

12/10/2013  
Date