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

FINAL DECISION AND ORDER

ROBERT R. ANDERSON, D.C., RESPONDENT.

ORDER 0006561

Division of Legal Services and Compliance Case No. 17 CHI 021

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

Robert R. Anderson, D.C. Reedsburg, WI 53959

Wisconsin Chiropractic Examining Board P.O. Box 8366 Madison, WI 53708-8366

Division of Legal Services and Compliance Department of Safety and Professional Services P.O. Box 7190 Madison, WI 53707-7190

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 Robert R. Anderson, D.C., (DOB XX-XX-1952) is licensed in the state of Wisconsin as a chiropractor, having license number 1736-12, first issued on June 3, 1982, and current through December 14, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Reedsburg, Wisconsin.
- 2. At all times relevant to this proceeding, Respondent was self-employed as a chiropractor, located in Reedsburg, Wisconsin.
- 3. On October 9, 2017, the Department received a complaint alleging Respondent committed unprofessional conduct.

- 4. Respondent denies engaging in unprofessional conduct.
- 5. For over two (2) years, Respondent has planned to retire as of December 31, 2019.
- 6. Respondent does not wish to incur the cost of additional time and resources after retirement to maintain or renew his license, which he had no plans of using in retirement.
 - 7. The surrender will close this file.
- 8. 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).

<u>ORDER</u>

- 1. The attached Stipulation is accepted.
- 2. The SURRENDER of the license privilege of Robert R. Anderson, D.C., (license no. 1736-12) to practice as a chiropractor in the state of Wisconsin is hereby accepted.
- 3. Respondent shall not petition the Board for reinstatement for at least one (1) year from the date of this Order. If the Respondent petitions for reinstatement after one (1) year, whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.
- 4. In the event Respondent petitions the Board for reinstatement of his license to practice chiropractic in the state of Wisconsin or applies for another credential in the state of Wisconsin, Respondent shall pay the costs of this matter in the amount of \$1,109.00, before any petition is considered.
- 5. 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 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

You may also submit this information online via DSPS' Monitoring Case Management System, here:

https://app.wi.gov/DSPSMonitoring

7. This Order is effective on December 31, 2019.

WISCONSIN CHIROPRACTIC EXAMINING BOARD

by: A Member of the Board Date Date

STATE OF WISCONSIN BEFORE THE CHIROPRACTIC EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST

STIPULATION

ROBERT R. ANDERSON, D.C., RESPONDENT.

ORDER 0006561

Division of Legal Services and Compliance Case No. 17 CHI 021

Respondent Robert R. Anderson, 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 Linda Meagher.
- 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 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, 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.

Robert R. Anderson, D.C., Respondent

Reedsburg, WI 53959 License no. 1736-12

Linda Meagher, Attorney for Respondent

Gass Weber Mullins LLC 241 North Broadway, Suite 300

Milwaukee, WI 53202

Alicia M. Kennedy, Attorney

Department of Safety and Professional Services

Division of Legal Services and Compliance

P.O. Box 7190

Madison WI 53707-7190

11/14/19 Date