

## 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/wscca>

- 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 APPLICATION FOR  
RENEWAL OF A  
CHIROPRACTOR LICENSE

:  
:  
:  
:  
:  
:  
:  
:  
:

ORDER GRANTING  
LIMITED LICENSE

ANDREW NEVILLE,  
APPLICANT.

**ORDER 0007877**

---

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

Andrew Neville  
Oak Creek, WI 53154

Wisconsin Chiropractic Examining Board  
Department of Safety and Professional Services  
4822 Madison Yards Way  
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 resolution of this application. The Wisconsin Chiropractic Examining Board (Board) adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Andrew Neville (Applicant) was initially granted Applicant's Wisconsin Chiropractor license (# 4068-12) on September 20, 2004.

2. On or about January 9, 2021, Applicant filed an application to renew his Chiropractor license (# 4068-12).

3. Applicant disclosed the following:

A. On or about June 11, 2020 – Second Degree Driving While Impaired (DWI), a misdemeanor conviction.

B. On or about June 11, 2020 – Driving After Revocation, a misdemeanor conviction.

i. According to the criminal complaint, police were dispatched to a report of a driver traveling the wrong way on I-90 in Minnesota. This occurred

on December 2, 2019, a Monday, at 9:42 p.m. The trooper activated his lights and siren and began to swerve his squad car between lanes to gain the driver's attention, as there was enough traffic on I-90 to give the trooper concern that there would be a head-on collision if he did not force the wrong-way driver off the roadway. Applicant did then come to a stop, which was at least nine miles past the point where he was first observed driving in the wrong direction. Upon making contact with Applicant, the trooper smelled a strong odor of alcohol coming from Applicant, Applicant appeared to have no idea that he was traveling in the wrong direction on I-90, and the trooper found a total of four open bottles of alcohol in the vehicle. When tested, Applicant was revealed to have a Blood Alcohol Concentration (BAC) of .30, nearly four (4) times the legal limit.

- ii. This was Applicant's second DWI conviction; he was convicted of his first DWI in Minnesota on or about February 21, 2013. Applicant was required to serve 28 days in jail and placed on probation with conditions of undergoing an AODA evaluation, complete sobriety, and random urine analysis (UA) testing. He was allowed to complete two hundred twenty-four (224) hours of community service in lieu of jail time, completed a Mothers Against Drunk Driving (MADD) Impact Panel, and paid a fine. Applicant was successfully discharged from probation on May 8, 2021, having completed his conditions of probation.

4. Applicant provided a current use statement indicating that he is abstaining from alcohol and participates in Alcoholics Anonymous. Alcoholics Anonymous is a voluntary group dedicated to helping its members combat their alcoholism.

5. Applicant's counselor provided a letter indicating that Applicant needed to make life changes with sobriety and wellness, and that he attended outpatient programming from May 15, 2020, to September 3, 2020, and Relapse Prevention from September 9, 2020, to January 13, 2021.

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

#### CONCLUSIONS OF LAW

1. The Chiropractic Examining Board (Board) has jurisdiction over this matter, pursuant to Wis. Stat. §§ 440.08 and 446.03, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. §§ 15.08(5)(c) and 227.44(5).

2. Pursuant to Wis. Stat. § 440.08(4), the Board may deny a renewal if it is necessary to protect the public health, safety, or welfare.

3. By the conduct described in the Findings of Fact, limitations on Applicant's license are necessary to protect the public health, safety, or welfare, pursuant to Wis. Stat. § 440.08(4).

## ORDER

1. The attached Stipulation is accepted.
2. Limitations upon Applicant's Chiropractor license are necessary to ensure that Applicant is fit and competent to practice as a Chiropractor.
3. Applicant's ability to practice as a Chiropractor in the State of Wisconsin is LIMITED as follows:
  - A. For a period of at least two (2) years from the date of this Order Applicant shall comply with the following requirements relating to drug and alcohol monitoring:
    - i. Within thirty (30) days of this Order, Applicant shall enroll and participate in a drug and alcohol monitoring program which is approved by the Board (Approved Program).
    - ii. At the time Applicant enrolls in the Approved Program, Applicant shall review the rules and procedures made available by the Approved Program. Failure to comply with all requirements for participation in drug and alcohol monitoring established by the Approved Program is a substantial violation of this Order. The requirements shall include:
      1. Contact with the Approved Program as directed on a daily basis, including vacations, weekends, and holidays.
      2. Production of a urine, blood, sweat, fingernail, hair, saliva, or other specimen at a collection site designated by the Approved Program within five (5) hours of notification of a test.
      3. The Approved Program shall require the testing of specimens at a frequency of not less than twenty-eight (28) times per year, (one of which must be a hair test at the Board's discretion) for at least the first year of this Order. Thereafter, the Board may adjust the frequency of testing on its own initiative at any time.
    - iii. Applicant shall abstain from all personal use of alcohol.
    - iv. Applicant shall abstain from all personal use of controlled substances as defined in Wis. Stat. § 961.01(4), except when prescribed, dispensed, or administered by a practitioner for a legitimate medical condition. Applicant shall disclose Applicant's drug and alcohol history and the existence and nature of this Order to the practitioner prior to the practitioner ordering the controlled substance. Applicant shall at the time the controlled substance is ordered immediately sign a release in

compliance with state and federal laws authorizing the practitioner to discuss Applicant's treatment with, and provide copies of treatment records to, the Board or its designee. Copies of these releases shall immediately be filed with the Department of Safety and Professional Services Monitor (Department Monitor).

- v. Applicant shall report to the Department Monitor all prescription medications and drugs taken by Applicant. Reports must be received within twenty-four (24) hours of ingestion or administration of the medication or drug, and shall identify the person or persons who prescribed, dispensed, administered or ordered said medications or drugs. Each time the prescription is filled or refilled, Applicant shall immediately arrange for the prescriber or pharmacy to fax and mail copies of all prescriptions to the Department Monitor.
  - vi. Applicant shall provide the Department Monitor with a list of over-the-counter medications and drugs that he may take from time to time. Over-the-counter medications and drugs that mask the consumption of controlled substances or alcohol, create false positive screening results, or interfere with Applicant's treatment and rehabilitation, shall not be taken unless ordered by a physician, in which case the drug must be reported as described in paragraph 3.A.v.
  - vii. All positive tests are presumed valid and may result in automatic suspension of licensure by the Board or the Board's designee. Applicant must prove by a preponderance of the evidence an error in collection, testing, fault in the chain of custody, or other valid defense.
  - viii. If any urine, blood, sweat, fingernail, hair, saliva, or other specimen is positive or suspected positive for any controlled substances or alcohol, Applicant shall promptly submit to additional tests or examinations as the Board or its designee shall determine to be appropriate to clarify or confirm the positive or suspected positive test results.
- B. For a period of at least two (2) years from the date of this Order Applicant shall comply with the following Alcohol and Other Drug Abuse (AODA) support group and counseling requirements:
- i. Within thirty (30) days of the date of this Order, Applicant shall provide proof to the Department Monitor that Applicant is continuing AODA counseling with an AODA counseling provider (Treater), whose credential is in good standing, and approved by the Board. Applicant shall participate in, cooperate with, and follow all treatment recommended by Treater.

- ii. Applicant shall immediately provide Treater with a copy of this Order and all other subsequent orders.
  - iii. Applicant shall provide and keep on file with Treater, all treatment facilities and personnel, laboratories and collections sites current releases complying with state and federal laws. The releases shall allow the Board, its designee, and any employee of the Department to:
    - 1. Obtain all urine, blood, and hair specimen screen results and patient health care and treatment records and reports, and
    - 2. Discuss the progress of Applicant's treatment and rehabilitation. Copies of these releases shall immediately be filed with the Department Monitor.
  - iv. Applicant's treatment shall include individual and/or group therapy sessions at a frequency to be determined by Treater, but not less than once a month. Therapy may end only upon a determination by the Board or its designee after receiving a petition for modification, including a recommendation from Treater expressly approving termination of therapy.
  - v. Treater shall immediately report any relapse, violation of any of the terms and conditions of this Order, and any suspected unprofessional conduct, to the Department Monitor. If Treater is unable or unwilling to serve as Treater, Applicant shall immediately seek approval of a successor Treater by the Board or its designee.
  - vi. Treater shall submit formal written reports to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Applicant's progress in the mental health treatment sessions, abstinence from all substances, and drug and alcohol testing. Treater shall report immediately to the Department Monitor any violation or suspected violation of this Order.
  - vii. Applicant shall attend Alcoholics Anonymous meetings, Narcotics Anonymous meetings, or other Board-approved equivalent program for recovering professionals, no less than once per week. Applicant shall provide proof of attendance on a quarterly basis to the Department Monitor.
- C. For a period of at least two (2) years from the date of this Order, Applicant shall comply with the following practice limitations:
- i. Applicant shall provide Applicant's chiropractic employer with a copy of this Order before engaging in, or continuing to engage in, any

chiropractic employment. Applicant shall provide the Department Monitor with written acknowledgment from each chiropractic employer that a copy of this Order has been received. Such acknowledgment shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.

- ii. Applicant shall practice only in a work setting pre-approved by the Board or its designee.
- iii. It is Applicant's responsibility to arrange for quarterly written reports to be submitted to the Department Monitor from Applicant's supervisor at each setting in which Applicant practiced chiropractic in the previous quarter. These reports shall be submitted as directed by the Department Monitor, and shall assess Applicant's work performance, and shall include the number of hours of active chiropractic practice worked during that quarter. If a report indicates poor performance, the Board may institute additional limitations on Applicant's Chiropractor credential, in its discretion.
- iv. Applicant shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of change.
- v. Applicant shall commit no new violations of law and shall report all law enforcement contacts leading to arrest, charge or conviction, including DWI/OWI and municipal/ordinance violations, to the Department Monitor within forty-eight (48) hours of any such event, including any convictions resulting from pending charges.

4. Applicant may petition the Board on an annual basis for modification of the terms of this Order, however no such petition for modification shall occur earlier than one (1) year from the date of this Order. Any petition for modification shall be accompanied by a written recommendation from Applicant's Treater expressly supporting the specific modifications sought. Denial of a petition in whole or in part shall not be considered a denial of a credential within the meaning of Wis. Stat. § 227.01(3)(a), and Applicant shall not have a right to any further hearings or proceedings on the denial.

5. After two (2) consecutive years of successful compliance, including at least six hundred (600) hours of approved chiropractic practice each year, the Applicant may petition the Board for return of full licensure. The Board may grant or deny any petition, in its discretion, or may modify this Order as it sees fit

6. Any requests, petitions, reports, and other information required by this Order shall be mailed, e-mailed, faxed, or delivered to:

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@wi.gov](mailto:dspsmonitoring@wi.gov)

You may also submit this information online via DSPS Monitoring Case Management System, here: <https://dspsmonitoring.wi.gov>

7. In the event Applicant violates any term of this Order, Applicant's credential, or Applicant's right to renew her credential, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing. The Board or its designee may terminate the suspension if provided with sufficient information that Applicant is in compliance with the Order and that it is appropriate for the suspension to be terminated. Whether to terminate the suspension shall be wholly in the discretion of the Board or its designee. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

8. Applicant shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision, and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

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

Dated at Madison, Wisconsin this 10th day of March, 2022.

*James Damrow, D.C. /ALC*  
A Member of the Chiropractic Examining Board

STATE OF WISCONSIN  
BEFORE THE CHIROPRACTIC EXAMINING BOARD

---

IN THE MATTER OF APPLICATION FOR :  
RENEWAL OF A :  
CHIROPRACTOR LICENSE : STIPULATION  
:  
ANDREW NEVILLE, :  
APPLICANT. :

**ORDER 0007877**

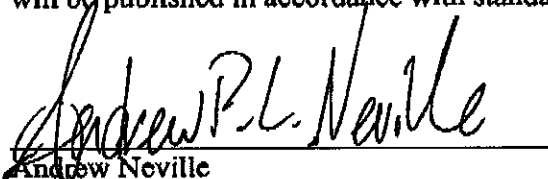
---

Applicant Andrew Neville and the Wisconsin Chiropractic Examining Board (Board) stipulate as follows:

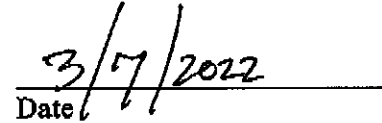
1. Applicant filed an application to renew a Chiropractor license (# 4068-12).
2. Information received by the Board reflects a basis for denial of licensure.
3. Based upon the information of record, the Board agrees to issue and Applicant agrees to accept an Order granting a Chiropractor license, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
4. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
  - the right to request a hearing related to the denial of the application;
  - the right to confront and cross-examine the witnesses against Applicant;
  - the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
  - the right to testify on Applicant'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 Applicant under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
5. Applicant is aware of Applicant's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.
6. Applicant agrees to the adoption of the attached Order Granting Limited License by the Board. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License without further notice, pleading, appearance, or consent of the parties.


7. Applicant waives all rights to any appeal of the Board's order, if adopted in the form as attached.

8. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard Board procedure.



Andrew Neville  
Oak Creek, WI 53154  
Credential # 4068-12

  
Date

  
A Member of the Chiropractic Examining Board  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

03/10/2022  
Date