

BEFORE THE BOARD OF CHIROPRACTIC EXAMINERS  
STATE OF OKLAHOMA

STATE OF OKLAHOMA, *ex rel.*,  
BOARD OF CHIROPRACTIC  
EXAMINERS

Petitioner,

vs.

VIKI WHITE, D.C.,  
LICENSE NO. 2585

Respondent.

Complaint No. 014-2022

**ORDER OF PROBATION AND  
SUSPENSION OF INJECTABLE CERTIFICATE**

This matter came on for hearing before the Board of Chiropractic Examiners (“the Board”) on December 7, 2023, at 421 N.W. 13th Street, Oklahoma City, Oklahoma, pursuant to notice given as required by law and rules of the Board. Dr. Arnold Kenyon recused and left the room for the entirety of the hearing.

Liz Stevens and Mackenzie Hill, Assistant Attorneys General, appeared on behalf of Petitioner. Respondent, Viki White Resler, appeared in person and through counsel, David C. Henneke. Ms. Stevens and Ms. Hill for Petitioner and Mr. Henneke for Respondent are herein after referred to as the Parties.

The following exhibits were admitted into evidence without objection:

- Exhibit 1: Oklahoma State Board of Osteopathic Examiners Special Meeting Minutes from March 24, 2022.
- Exhibit 2: Section 637 of Title 59 of the Oklahoma Statutes, OSCN 2022, stamped OSBOE Q1 2022 Board Materials 0139.
- Exhibit 3: Letter from Daniel J. Gamino to Michael T. Leake, Jr. dated March 21, 2022, RE Legal Opinion Concerning Delegation by an Oklahoma Osteopathic Physician to Chiropractor to Inject Prescriptions.
- Exhibit 4: Letter from Respondent to State of Oklahoma Board of Chiropractic Examiners dated June 5, 2022, RE Complaint No. 014-2022.
- Exhibit 5: Nursys e-Notify Report dated December 6, 2023, and Associate of Science in Nursing from International College of Health Sciences.

The following witnesses testified: Michael Leake, former Executive Director of Oklahoma State Board of Osteopathic Examiners, and Respondent.

The Parties waived opening statements.

Following closing arguments by the Parties, the Board entered into executive session to engage in deliberations, in accordance with 25 O.S. § 307(B)(8) and 75 O.S. § 309(D).

The Board, having considered representation of counsel, testimony of the witnesses, exhibits admitted into evidence, and being fully apprised of the premises, makes the following findings of fact, conclusions of law, and orders:

#### FINDINGS OF FACT

1. Petitioner is a state agency with jurisdictional authority to regulate licensed chiropractors pursuant to 59 O.S. §§ 161.1, et seq.
2. Respondent is a licensed chiropractor in the State of Oklahoma, holding License Number 2585, and was at all times relevant engaged in practice in the State of Oklahoma.
3. Respondent submitted a letter on June 5, 2022, admitting to performing hormone pellet therapy utilizing a trochanter and that the procedure is minor surgery, which is not within the licensure scope of a chiropractor in Oklahoma.
4. Respondent admitted to performing hormone pellet therapy monthly for multiple years.
5. The Respondent's admitted conduct violated the Oklahoma Chiropractic Practice Act and the applicable Oklahoma Administrative Rules.

#### CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter and Respondent pursuant to 59 O.S. § 161.12(B)(5), (7), (12), and (13) of the Oklahoma Chiropractic Practice Act and may discipline a licensee for the following:
  - B. The following acts or occurrences by a chiropractic physician shall constitute grounds for which the penalties specified in subsection A of this section may be imposed by order of the Board:
    5. Performing or attempting to perform major or minor surgery in this state, or using electricity in any form for surgical purposes, including cauterization;

7. Unlawfully possessing, prescribing or administering any drug, medicine, serum or vaccine. This section shall not prevent a chiropractic physician from possessing, prescribing or administering, by a needle or otherwise, vitamins, minerals or nutritional supplements, or from practicing within the scope of the science and art of chiropractic as defined in Section 161.2 of this title;

12. Violating any provision of the Oklahoma Chiropractic Practice Act; or

13. Violating any of the rules of the Board.

2. The Oklahoma Board of Chiropractic Examiners' rules which are applicable include, but are not limited to, the following:

**OAC 140:15-7-5. Code of Ethics**

There is hereby created the "Oklahoma Chiropractic Code of Ethics". This Code of Ethics is based upon the fundamental principle that the ultimate end and objective of the chiropractic physician's professional services and effort should be: "The greatest good for the patient."

(6) Chiropractic physicians shall maintain the highest standards of professional and personal conduct. Chiropractic physicians shall refrain from all illegal or morally reprehensible conduct;

(8) Chiropractic physicians shall observe the appropriate laws, decisions and rules of state and federal governmental agencies of the United States and the State of Oklahoma and cooperate with the pertinent activities.

**OAC 140:15-5-1**

No chiropractic physician shall administer or cause to be used any injectable vitamins, minerals or nutritional supplements unless said chiropractic physician is authorized by the Board pronouncing that said chiropractic physician is proficient in the administration and use of such injectables.

3. Any person determined by the Board to have violated any provision of the Oklahoma Chiropractic Practice Act or any Rule may be subject to the penalties provided in 59 O.S. § 161.12(A), which are as follows:

A. The Board of Chiropractic Examiners is authorized, after notice and an opportunity for a hearing pursuant to Article II of the Administrative Procedures Act, to issue an order imposing one or more of the following penalties whenever the Board finds, by clear and convincing evidence, that a chiropractic physician has committed any of the acts or occurrences set forth in subsection B of this section:

1. Disapproval of an application for a renewal license;

2. Revocation or suspension of an original license or renewal license, or both;
  3. Restriction of the practice of a chiropractic physician under such terms and conditions as deemed appropriate by the Board;
  4. An administrative fine not to exceed One Thousand Dollars (\$1,000.00) for each count or separate violation;
  5. A censure or reprimand;
  6. Placement of a chiropractic physician on probation for a period of time and under such terms and conditions as the Board may specify, including requiring the chiropractic physician to submit to treatment, to attend continuing education courses, to submit to reexamination, or to work under the supervision of another chiropractic physician; and
  7. The assessment of costs expended by the Board in investigating and prosecuting a violation. The costs may include, but are not limited to, staff time, salary and travel expenses, witness fees and attorney fees, and shall be considered part of the order of the Board.
4. The Board found that Petitioner has proven by clear and convincing evidence that the Respondent is guilty of the violation described in the Amended Notice of Hearing and Statement of Complaint, as follows:
    - a. Respondent performed hormone pellet therapy utilizing a trochanter on multiple occasions which is not within the licensure scope of a chiropractor in Oklahoma.
  5. The Board further found that Respondent be subject to probation for three (3) years under such terms and conditions as deemed appropriate by the Board.
  6. The Board further found that Respondent's injectable certification be suspended for one (1) year.

#### ORDER


**IT IS THEREFORE ORDERED** by the Board of Chiropractic Examiners as follows:

1. Viki White Resler, License No. 2585 is hereby on PROBATION for THREE (3) YEARS and under the following terms and condition:
  - a. Respondent shall be placed on three (3) years' probation commencing upon the date this Order becomes final. Respondent shall be under the supervision of a licensed chiropractic physician. The Board's Executive Director shall coordinate a supervisor and establish a supervision agreement. The supervision agreement shall be in place no later than sixty (60) days after the date this Order becomes final;

- b. Respondent shall pay an Administrative Fine of Five Thousand Dollars (\$5,000.00) to be paid to the Oklahoma Board of Chiropractic Examiners; and
  - c. Respondent shall, at her own expense, successfully complete the Professional Standards portion of the Ethics and Boundaries Assessment Examination recommended by Petitioner and shall submit to the Board's Executive Director satisfactory verification of Respondent's passing score.
2. The injectable certificate of Viki White is hereby SUSPENDED for one (1) year.
  3. The Board is required to report this adverse action to the Federation of Chiropractic Licensing Boards which in turn reports it to the National Practitioner Data Bank.
  4. Failure of the Respondent to comply with any of the terms of this Order may result in further disciplinary action as allowed by any applicable law and/or rules.
  5. A copy of this order shall be provided to Respondent as soon as it is processed.

**This Order is subject to review and approval by the Oklahoma Attorney General, and this Order shall become final upon completion of the review by the Oklahoma Attorney General unless disapproved, in which case this Order shall be null and void.**

Dates this 18<sup>th</sup> day of December, 2023.

  
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Dr. Lance Hoese, Board President  
Board of Chiropractic Examiners

**Certificate of Service**

This is to certify that on the 20<sup>th</sup> day of December, 2023, the foregoing instrument was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail return receipt requested

Dr. Viki White  
3126 Clairemont Street  
Enid, Oklahoma 73703

***Respondent***

U.S. First Class Mail and Email

David C. Henneke, Attorney at Law  
P.O. Box 3624  
Enid, Oklahoma 73702  
henneke1@suddenlink.net

***Attorney for Respondent***

  
Beth Kidd, Executive Director