

**BEFORE THE OKLAHOMA BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, <i>ex rel.</i>)	
BOARD OF CHIROPRACTIC EXAMINERS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 021-2009
)	
TIMOTY CLAWSON, D.C.,)	
)	
Respondent.)	

FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER

On October 16, 2012, The Oklahoma State Board of Chiropractic Examiners (Board) heard the above styled and numbered administrative action. Members Gardner, Howard, Javersak, Mead and Waddell were present. President Javersak presided. Ms. P. Kay Floyd prosecuted for the Board. The Respondent appeared but was not represented by counsel. The Board heard witnesses, received evidence and was fully apprised of the facts and allegations.

The Complaint in the instant matter is hereby incorporated by reference.

FINDINGS OF FACT

1. On December 16, 2010, the Board issued its first Order in Case No. 021-2009, finding that Respondent had treated at least 28 patients with 935 treatments and had billed insurance for approximately \$35,000.00, between January 1, 2008, and September 25, 2008, during which time Respondent's license was administratively suspended for failure to comply with Oklahoma Tax Commission liabilities. The Board fined Respondent \$16,700.00.

2. In June of 2011, Board staff agreed to allow Respondent to pay his fine in monthly installments of \$500.00.

3. As of March, 2012, Respondent had paid a total of \$3,500.00 in fines. Respondent has failed to make any payment on the fine since March of 2012.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over Respondent and the subject matter of this action pursuant to 59 O.S. § 161.12.

2. Respondent has violated OAC 140:15-7-5(14) by failing to comply with the Board's Final Order of December 16, 2010.

3. Respondent is subject to disciplinary action pursuant to 59 O.S. § 161.12(B)(13) by failing to abide by the Rules of the Board.

4. Any Conclusion of Law that is properly a Finding of Fact is hereby incorporated and *vice versa*.

FINAL ORDER

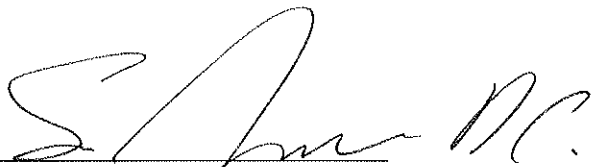
1. Respondent has violated OAC 140:15-7-5(14) by failing to comply with the Board's Final Order of December 16, 2010, and is subject to disciplinary action pursuant to 59 O.S. § 161.12(B)(13).

2. Respondent is hereby fined \$1,000.00, which shall be added to the outstanding fine of 13,200 from the Order of December 16, 2010, for a total fine due of \$14,200.00.

3. Beginning January 17, 2013, Respondent shall make monthly payments of \$500.00 on the outstanding fines owed. Payment shall be made on the 17th of each month. If the 17th falls

on a weekend, payment shall due on the following Monday. Failure to make any payment shall constitute a failure to comply with the terms of this Order and may result in further disciplinary action up to and including revocation of Respondent's license. This Order is effective the date of the hearing.

All members present vote "Aye".



Shayne Javersak, D.C., President
Oklahoma Board of Chiropractic Examiners