

BEFORE THE BOARD OF CHIROPRACTIC EXAMINERS  
STATE OF OKLAHOMA

State of Oklahoma, ex rel. Oklahoma )  
Board of Chiropractic Examiners, )  
Plaintiff, )  
v. )  
Ricky Wiersig, D.C., License No. 3048, )  
Respondent. )

023-2007  
Case No. 023-2007

FINAL ORDER

On this 29<sup>th</sup> day of January, 2008, the Oklahoma State Board of Chiropractic Examiners (hereinafter "the Board") by and through its legal counsel, P. Kay Floyd, and Respondent, pro se, do hereby submit the following Consent Agreement, Findings of Fact, Conclusions of Law and Final Order (collectively the "Final Order") to the Board and request the acceptance of the same pursuant to 75 O.S. Section 308 (a) *et seq.*, 59 O.S. Section 161 *et seq.* and OAC 140: 1-1-1 *et seq.*

CONSENT AGREEMENT

Respondent, Ricky Wiersig, D.C., holder of license no. 3048 to practice chiropractic in the State of Oklahoma understands and agrees that:

1. Respondent has the right to a formal administrative hearing at which time he can present evidence and cross examine the Board's witnesses. Respondent hereby irrevocably waives his right to such formal hearing concerning these allegations and irrevocably waives his right to any rehearing or judicial review relating to the allegations contained in this Final Order
2. Respondent has the right to consult with an attorney prior to entering into this Final

Order

3. The findings contained in the Findings of Fact portion of this Final Order are conclusive evidence of the facts stated herein and may be used for purposes of determining sanctions in any future disciplinary matter.

4. This Final Order is subject to the Board's approval and will be effective only when the Board accepts it. Should the Board, in its discretion, not approve this Final Order, this Final Order is withdrawn and shall be of no evidentiary value, nor shall it be allowed upon or introduced in any disciplinary action by any party hereto, except that Respondent agrees that should the Board reject the Final Order and this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its review and discussion of this document or of any records relating thereto.

5. Respondent understands that once the Board approves and signs this Final Order, it shall constitute a public record that may be disseminated as a formal action of the Board.

6. Any record prepared in the matter, all investigative materials prepared or received by the Board concerning the allegations, and all related materials and exhibits may be retained in the Board's file.

### FINDINGS OF FACT

1. Respondent holds an original Oklahoma license no. 3048 issued by the Board.
2. Respondent was licensed to practice chiropractic in the State of Oklahoma in the year 2006.
3. Chiropractors in the State of Oklahoma are required to renew their license to practice chiropractic annually.

4. Respondent failed to renew his license to practice chiropractic in the State of Oklahoma for the calendar year 2007 on or before January 1<sup>st</sup>, 2007 as required by state statute and Board rule.

5. Respondents license lapsed January 1, 2007 and was administratively suspended March 1, 2007. Responded continued to practice chiropractic in Oklahoma after January 1, 2007

6. Respondents license was reinstated effective June 25, 2007.

### CONCLUSIONS OF LAW

1. The Board has jurisdiction over the parties and the subject matter of this action pursuant to 59 O.S. 2005, §161.1 et seq.

2. Any finding of fact which is properly a conclusion of law is hereby incorporated herein as a conclusion of law.

3. Respondent has violated OAC 140:10-5-1 and 59 O.S. §161.11 by failing to renew his license.

4. Respondent has violated 59 O.S. §161.11 by practicing chiropractic after his original license had been suspended.

5. Based on the above findings of fact, the Board has the authority to take action against the Respondent pursuant to OAC 140:10-5-3 and 59 O.S. § 161.12.

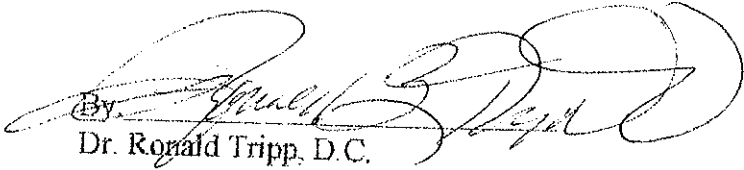
### ORDER

Based on the Findings of Fact and Conclusions of Law, the following Order is issued:

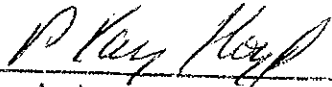
Respondent is hereby ordered to pay \$5,000.00 in fines and costs. Such payment is to be made to the Board by February 28, 2008.

In the event the Respondent fails to pay the \$5000., the Board, after conducting a formal administrative hearing, may take further disciplinary action as authorized by law.

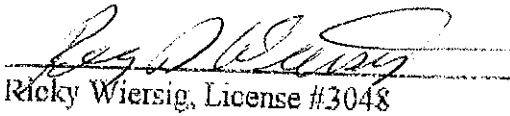
This Final Order shall be effective on the date entered below.



By  
Dr. Ronald Tripp, D.C.  
President, Oklahoma Board of Chiropractic Examiners



P. Kay Floyd, Attorney for the Board



Ricky Wiersig, License #3048

Dated and entered this 25<sup>th</sup> day of January, 2008.