BEFORE THE BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel., OKLAHOMA BOARD OF CHIROPRACTIC EXAMINERS	)	
IN THE MATTER OF THE COMPLAINT AGAINST:	)	**Complaint No. 015-2020**
JAMES WARREN, D.C. LICENSE NO. 3444	)	
Respondent.	)	

CONSENT ORDER

On the 28th day of October, 2021, the Oklahoma State Board of Chiropractic Examiners (hereinafter the "Board") by and through its legal counsel, Assistant Attorney General Liz Stevens, and Respondent, being present and represented by legal counsel, do hereby submit the following Consent Agreement, Stipulation of Facts, Conclusions of Law, and Order (collectively "Consent Order") to the Board and request the acceptance of 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 understands and agrees that:

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

2. This Consent 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 Should the Board, in its discretion, not approve this Consent Order, the Consent Order is withdrawn and shall be of no evidentiary value, nor shall it be relied upon or introduced

in any disciplinary action by any party hereto, except that Respondent agrees that should the Board reject the Consent 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 any records relating thereto.

3. Respondent has the right to a formal administrative hearing at which he may present 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 Consent Order.

4. Respondent has the right to consult an attorney prior to entering into this Consent Order and Respondent has done so.

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

6. Respondent understands that once the Board approves and adopts this Consent Order, it shall constitute a public record that may be disseminated as a formal action by the Board.

STUIPULATION OF FACTS

1. On or about March 15, 2019, Respondent treated Patient K. L. with several injections of stem cells along both sides of her spine and in her left thigh. Patient paid Respondent fourteen thousand and seven hundred dollars ($14,700) in cash. Additionally, on or about April 5, 2019, Respondent treated Patient with several injections of stem cells in her right knee. Patient paid Respondent five thousand dollars ($5,000) by check.

CONCLUSIONS OF LAW

2. The Board has jurisdiction over the parties and subject matter of this action pursuant to The

Oklahoma Chiropractic Examiners Act 59 O.S. § 161.1 *et seq.*

3. The Conduct and circumstances described in paragraph 1 of the Stipulation of Facts constitutes violations by Respondent of the following:

Violation of Title 59 O.S. § 161.12(B)(7)

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:

> 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;

Violation of Title 59 O.S. § 161.12(B)(13)

> 13. Violating any of the rules of the Board.

Violation of the Code of Ethics OAC 140:15-7-5 (5).

Chiropractic physicians shall maintain the highest standards of professional and personal conduct. Chiropractic physicians shall refrain from all illegal and morally reprehensible conduct.

4. Any stipulation of fact which is properly a conclusion of law is incorporated herein as a conclusion of law.

ORDER

Based upon the above Consent Agreement, Stipulation of Facts and Conclusions of Law,

the following Order is issued:

1. Respondent's injectable certification is suspended for a period of nine (9) months, effective with issuing of this Order.

2. Respondent is ordered to pay an administrative penalty of ten thousand dollars ($10,000) within one (1) year of the issuing of this Order. Respondent shall make quarterly payments in the amount of two-thousand and five hundred dollars ($2,500) on or before January 28, 2022, April 28, 2022, and July 28, 2022, and October 28, 2022.

3. Respondent shall complete the Ethics and Boundaries Assessment Services (EBAS) Ethics and Boundaries Essay Examination. Respondent shall complete one (1) essay focusing on the area of Professional Standards and one (1) essay focusing on the area of Unprofessional Conduct. Respondent must receive a passing score on each essay prior to suspension of his injectable certification being lifted.

4. Respondent is ordered to pay $1,168.75 in attorney's fees to the Board within one (1) year of the issuing of this Order. Respondent shall make quarterly payments in the amount of $290.18 on or before January 28, 2022, April 28, 2022, and July 28, 2022, and October 28, 2022.

5. Respondent understands and agrees that the Board reserves the right to prosecute any future violations of the Oklahoma Chiropractic Examiners Act or the Oklahoma Administrative Code, and to consider this Consent Order as a factor in the determination of any sanctions and penalties, if any, should the Board determine any violation has occurred.

6. Failure to comply with any of the terms of this Order may result in further

disciplinary action against Respondent.

7. This Consent Order shall be effective on the date of entry and signature set forth below.

IT IS SO ORDERED ON THIS 28th DAY OF OCTOBER 2021.

Dr. Heath Travis, President
Oklahoma Board of Chiropractic Examiners

Liz Stevens, Attorney for the Board
OBA Number 34185

W. Michael Hill, Attorney for Respondent James Warren
OBA Number 4213

James Warren, D.C.