

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

STATE OF OKLAHOMA, ex rel.)
BOARD OF CHIROPRACTIC)
EXAMINERS,)
)
Plaintiff,)
)
v.)
)
John G. Carver, D.C.)
)
Respondent.)

Case No. 003-2009

FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER

On the 19th day of May, 2009, the Oklahoma State Board of Chiropractic Examiners (Board) heard the above styled and numbered administrative action. Members Gardner, Gilstrap, Javersak, Mead, Resler and Toy were present. President Tripp presided. Ms. P.K. 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 October 30, 2003, the Board approved with stipulations Respondent's request for non-attendance for continuing education as it applied to the 2004 renewal of Respondent's license. The Board ordered Respondent to attend two (2) continuing education courses in 2004. One course, to be completed by June 1, 2004, would apply to the 2004 license renewal. The

second course, to be completed by the end of the year, would apply to the 2005 renewal. See Exhibits 2 and 7.

2. On May 20, 2004, the Board approved Respondent's request for an extension of the June 1 deadline set forth in its Order of October 30, 2003. See Exhibit 3.

3. The Board approved Respondent's request for non-attendance for continuing education in 2004 as it applied to the 2005 renewal of Respondent's license. See Exhibit 5.

4. On January 18, 2006, the Board approved with stipulations Respondent's request for non-attendance for continuing education in 2005 as it applied to the 2006 renewal of Respondent's license. The Board ordered Respondent to attend two (2) continuing education courses in 2006. One course, to be completed by June 1, 2006, would apply to the 2006 license renewal. The second course, to be completed by the end of the year, would apply to the 2007 renewal. See Exhibit 4.

5. The renewal of Respondent's license for 2009 came due on January 1, 2009. However, Respondent failed to complete the necessary continuing education requirements in 2008. As a result, Respondent's license lapsed as of January 1, 2009. See Exhibit 6.

6. On January 9, 2009, Respondent submitted an application requesting that the Board approve the non-attendance of his continuing education requirements in 2008. See Exhibit 6.

7. Since 2005, Respondent had failed to make up 16 hours of continuing education as ordered by the Board. See Exhibit 5.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over the Respondent and the subject matter of this action pursuant to 59 O.S.Supp.2009, § 161.12.

2. Any Finding of Fact which is properly a Conclusion of Law is hereby incorporated by reference and vice versa.

3. Respondent has violated 59 O.S.Supp.2008, § 161.11(A)(2) by failing to provide satisfactory evidence of attendance of continuing education.

4. Based on the above Findings of Fact, the Board has authority to take action against Respondent pursuant to 59 O.S.Supp.2005, §161.12(A) and (B).

FINAL ORDER

1. Respondent is guilty on the one count in the Complaint.

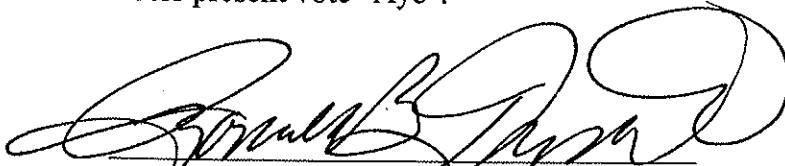
2. Respondent's license is hereby placed on probation for a period of three years until May 18, 2012, during which time Respondent shall timely complete all continuing education requirements.

3. Respondent is hereby ordered to complete all outstanding continuing education hours.

4. Respondent is hereby ordered to pay a fine of Five Hundred Dollars (\$500.00) prior to the Board's regularly scheduled June meeting.

Failure of Respondent to comply with the terms of this Order may result in further disciplinary action up to and including suspension or revocation of Respondent's license.

All members present vote "Aye".



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