

BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
STATE OF OREGON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

In the Matter of)
Jeffrey Dougal, DC) STIPULATED FINAL ORDER
)
)
)
)
)
)
Licensee.) Case # 2016-1008

The Board of Chiropractic Examiners (Board) is the state agency responsible for licensing, regulating, and disciplining chiropractic physicians in the State of Oregon. Jeffrey Dougal, DC (Licensee), is licensed by the Board to practice as a chiropractic physician in the State of Oregon. The Board disciplines Licensee for the following reasons.

1.

The Board received a complaint as to treatment of Patient 1 regarding inappropriate conversations Licensee had with a female patient. The Board received patient records to review in regards to the complaint.

2.

After review of the patient charts, the Board finds the following:

The chart notes did not meet minimal competency for a chiropractor. On the initial date of service, there is a question as to the correct date of service. In some areas it was noted as November 10, others November 11, 2015. The patient intake form was undated. Although Licensee has a dual license of LMT and DC he does not distinguish which license he is providing services under. The patient history and symptoms forms do not have a date or any patient identifiers on them. Initial chart notes were hand written and had no patient name or date of service recorded on the document.

In intake information, Licensee does not record patient medications and, when use of recreational drugs was checked, the exact drugs were not recorded.

Review of records shows that on the initial visit, Licensee provided massage and spinal adjustments, but the chart notes do not show an adequate examination. There were no notes in the file about the patient's urgent care visit or what they had found. No urgent care records were in her file. No vitals were reflected in the record, no reflexes or motor function were assessed nor any spinal evaluation recorded. There was no treatment plan in the chart and Licensee stated he rarely has to see a patient more than once. The records failed to include relevant information such as height, weight, blood pressure and, in the interview, Licensee admitted he doesn't understand the rationale for including that type of information in the patient file.

1
2 On Patient 1's second visit, on February 8, 2016, she complained about radiating pain
3 into the right arm and thumb but the evaluation does not include any neurologic evaluation of
4 reflexes or motor function. A diagnosis of "torticollis" was noted and manipulation and massage
5 were provided but the charts do not indicate what was being manipulated.
6

7 When asked during the interview how he decided to proceed with massage, Licensee
8 stated massage was always safe, no matter what. When asked about potential contraindications
9 of providing massage, Licensee was unaware of the possibilities of blood thinning medications as
10 a contraindication to massage.
11

12 3.

13 As described in paragraph 2 above, the Board finds that the records provided by Licensee
14 are in violation of the following: ORS 684.100(1)(f)(A), OAR 811-015-0005(1), (a) and (b), (A),
15 (B), (C) (i), (ii) (iii), (D), (E) and (F) OAR 811-015-0010(1), (2), (3) and (4). Licensee neither
16 admits nor denies these conclusions, but stipulates to the terms in Paragraph 4 below.
17

18 4.

19 Due to the aforementioned violations, the OBCE requires probation for a one year period
20 where Licensee has a board approved mentor to meet at a minimum of once per month with
21 quarterly reports to the Board, and to complete 2 hours of continuing education in recordkeeping
22 and 2 hours of continuing education in appropriate patient boundary's within the next 90 days.
23 The education cannot be counted for education of licensure.
24

25 STIPULATIONS

26 4.

27 Due to the aforementioned allegations, the OBCE and Licensee agree to resolve this
28 complaint as follows:

29 a. Licensee is on probation for a period of one year from the date this order becomes
30 final. Licensee will meet with a Board approved mentor at a minimum of once a month, and will
31 ensure that the mentor submits quarterly reports to the Board.

32 b. Licensee will complete four hours of continuing education in addition to the hours
33 required for licensure. Two hours will be record keeping and two hours will be in boundaries.
34 The education must be completed within 6 months of entry of this order and proof of completion
35 must be submitted to the Board. Licensee has submitted proof of qualifying continuing
36 education to meet this requirement and has satisfied this requirement.

37 c. The Board waives all fees and costs pursuant to this proceeding.

38 d. If Licensee leaves the State of Oregon prior to completion of probation, that
39 probationary period is tolled.

40 e. Licensee agrees to the above sanctions without admitting or denying the Board's
41 findings.
42
43

