

By: *Alina Saffo*
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF CHIROPRACTIC MEDICINE

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2006-20755

License No.: CH 8273

MATTHEW B. SYMONS, D.C.,

Respondent.

FINAL ORDER

THIS MATTER came before the Board of Chiropractic Medicine (hereinafter "Board") at a duly-noticed public meeting on November 3, 2006, in West Palm Beach, Florida. Petitioner filed an Administrative Complaint seeking disciplinary action against Respondent's license to practice as a chiropractic physician. A copy of the Administrative Complaint is attached to and incorporated as part of this Final Order. Petitioner was represented by Cynthia L. Jakeman, Assistant General Counsel. Respondent was present.

Petitioner and Respondent have stipulated to a disposition of this case. After considering the presentation of the parties and reviewing the record of the case, the Board voted to adopt the Settlement Stipulation as an appropriate settlement of the case. A copy of the Settlement Stipulation is attached to and made a part of this Final Order. Respondent shall submit documentation of completion of the required continuing education to the Board of Chiropractic Medicine Compliance Officer at the address listed in the paragraph below. The parties shall be governed accordingly.

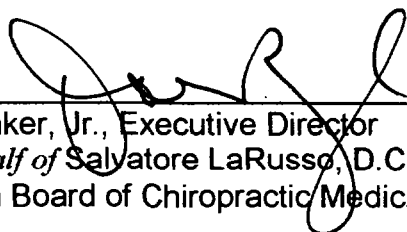
Pursuant to Section 456.072(4), Florida Statutes, the Department is required to collect costs for investigation and prosecution. The evidence presented to the Board was that the costs associated with this matter are \$787.97. Payment shall be made to the Department of Health, Board of Chiropractic Medicine Compliance Officer, P.O. Box 6320, Tallahassee, FL 32324-6320, in accordance with the terms of the Stipulation.

IT IS THEREFORE ORDERED that the Settlement Stipulation is adopted and Respondent is hereby ordered to reimburse the Department costs in the amount of **\$787.97**.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 14th day of Nov, 2006.

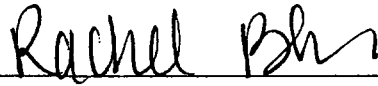
BOARD OF CHIROPRACTIC MEDICINE



Joe Baker, Jr., Executive Director
on behalf of Salvatore LaRusso, D.C., CHAIR
Florida Board of Chiropractic Medicine

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to **Matthew B. Symons, D.C.**, 1011 North State Road 7, Suite D, Royal Palm Beach, Florida 33411; and by interoffice mail to **Deborah Bartholow Loucks**, Assistant Attorney General, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; **Cynthia L. Jakeman**, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin # C-65, Tallahassee, Florida 32399-3265, on 14th November, 2006.



Deputy Agency Clerk

**STATE OF FLORIDA
DEPARTMENT OF HEALTH
BOARD OF CHIROPRACTIC MEDICINE**

DEPARTMENT OF HEALTH

Petitioner,

v.

CASE NO. 2006-20755

MATTHEW B. SYMONS, D.C.

Respondent,

MOTION FOR FINAL ORDER BY STIPULATION

Petitioner, Department of Health, by and through its undersigned counsel, moves the above-styled cause be scheduled before the Board of Chiropractic for consideration of the Stipulation entered into between the parties as settlement of this cause.

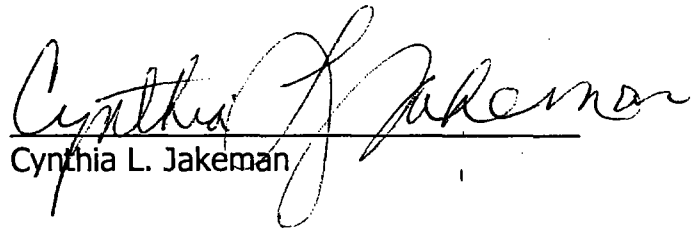
Respectfully submitted,



Cynthia L. Jakeman
Assistant General Counsel
Department of Health
Prosecution Services Unit
4052 Bald Cypress Way, Bin #C-65
Tallahassee, FL 323993265
(850) 245-4640 ext. 8133
Fax: (850) 245-4682
Florida Bar No. 0714690

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. Mail to: Matthew B. Symons, D.C., 1011 North State Road 7, Suite D, Royal Palm Beach, Florida, 33411, this 6th day of October, 2006.


Cynthia L. Jakeman

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2006-20755

MATTHEW B. SYMONS, D.C.,

RESPONDENT,

_____ /

SETTLEMENT STIPULATION

Pursuant to Section 120.57(4), Florida Statutes, the above named parties hereby offer this Stipulation to the Board of Chiropractic Medicine as disposition of the Administrative Complaint, attached hereto as Exhibit "A," in lieu of any other administrative proceedings. The terms herein become effective only if and when a Final Order accepting the Settlement Stipulation is issued by the Board and filed. In considering this Stipulation, the Board may review all investigative materials regarding this case. If this Stipulation is rejected, it, and its presentation to the Board, shall not be used against either party.

STIPULATED FACTS

1. For all times pertinent herein, Respondent was a licensed Chiropractor in the State of Florida, having been issued license number CH 8273.


Initial

2. The Respondent was charged in an Administrative Complaint filed by the Board of Chiropractic Medicine and properly served upon Respondent with violations of Chapters 456 and/or 460, Florida Statutes. A true and correct copy of the Administrative Complaint is attached hereto and incorporated by reference as Exhibit A.

3. Respondent admits the factual allegations contained in the Administrative Complaint for the purposes of settlement in these administrative proceedings only.

STIPULATED LAW

1. Respondent admits that he is subject to the provisions of Chapters 456 and 460, Florida Statutes, and the jurisdiction of the Board and Department of Health.

2. Respondent admits that the stipulated facts, if proven true, constitute violations of laws.

3. Respondent admits that the stipulated disposition in this case is fair, appropriate, and acceptable to Respondent.

PROPOSED DISPOSITION

1. **Letter of Concern** - Respondent shall receive a Letter of Concern from the Board of Chiropractic Medicine.

2. **Fine**- The Board of Chiropractic Medicine shall impose an administrative fine in the amount of **two thousand, five hundred dollars (\$2,500.00)** against the Respondent, to be paid by Respondent to the Department of Health, HMQAMS/Client Services, Post Office Box 6320, Tallahassee, Florida 32314-6320, Attention: Board of Chiropractic Medicine Compliance Officer,


Initial

within twelve months of the Final Order accepting this Agreement. All fines shall be paid by check or money order.

3. **Reimbursement of Costs-** The Respondent shall reimburse the Board of Chiropractic Medicine for the actual cost for the investigation and prosecution of this case. Respondent will pay costs to the Department of Health, HMQAMS/Client Services, P.O. Box 6320, Tallahassee, Florida 32314-6320, Attention: Board of Chiropractic Medicine Compliance Officer within twelve months from the entry of the Final Order in this cause.

4. **Continuing Education** - Within one year of the date of the filing of a Final Order in this cause, Respondent shall attend 5 hours of Continuing Education, 2 of which must be in laws and rules regulating Chiropractic Medicine administered by either the Florida Chiropractic Association or the Florida Chiropractic Society. Respondent shall submit documentation in the form of certified copies of the receipts, vouchers, certificates, or other papers, such as recognition awards, documenting completion of this course within one (1) year of the entry of the Final Order in this matter. All such documentation shall be sent to the Board of Chiropractic Medicine, regardless of whether some or any of such documentation was provided previously during the course of any audit or discussion with counsel for the Department. These hours shall be in addition to those hours required for renewal of licensure. Unless otherwise approved by the Board, said continuing education course shall consist of a formal, live lecture format.


Initial

5. Modification of Current Advertisements- To the extent it is feasible, Respondent shall arrange to have all of his current advertisements modified to comply with the Board of Chiropractic Medicine.

STANDARD PROVISIONS

1. Appearance: The Respondent shall be present when this Stipulation is presented to the Board, and under oath shall answer questions by the Board concerning this case and the disposition thereof.

2. No force or effect until final order - It is expressly understood that this Agreement is subject to the approval of the Board and the Department. In this regard, the foregoing paragraphs (and only the foregoing paragraphs) shall have no force and effect unless the Board enters a Final Order incorporating the terms of this Agreement.

3. Addresses - Respondent must keep current residence and practice addresses on file with the Board. Respondent shall notify the Board within ten (10) days of any changes of said addresses.

4. Future Conduct - In the future, Respondent shall not violate Chapter 456 or 460 Florida Statutes, or the rules promulgated pursuant thereto, or any other state or federal law, rule, or regulation relating to the practice or the ability to practice chiropractic medicine. Prior to signing this agreement, the Respondent shall read Chapters 456 or 460 and the Rules of the Board of Chiropractic Medicine, at Chapter 64B2, Florida Administrative Code.


Initial

5. **Violation of terms considered** - It is expressly understood that a violation of the terms of this Agreement shall be considered a violation of a Final Order of the Board, for which disciplinary action may be initiated pursuant to Chapters 456 and 460, Florida Statutes.

6. **Purpose of Agreement** - Respondent, for the purpose of avoiding further administrative action with respect to this cause, executes this Agreement. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of the Agreement. Respondent agrees to support this Agreement at the time it is presented to the Board and shall offer no evidence, testimony or argument that disputes or contravenes any stipulated fact or conclusion of law. Furthermore, should this Agreement not be accepted by the Board, it is agreed that presentation to and consideration of this Agreement and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

7. **No preclusion of additional proceedings** - Respondent and the Department fully understand that this Agreement and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board and/or the Department against Respondent for acts or omissions not specifically set forth in the Administrative Complaint attached as Exhibit A.


Initial

8. Waiver of attorney's fees and costs - Upon the Board's adoption of this Agreement, the parties hereby agree that with the exception of costs noted above, the parties will bear their own attorney's fees and costs resulting from prosecution or defense of this matter. Respondent waives the right to seek any attorney's fees or costs from the Department and the Board in connection with this matter.

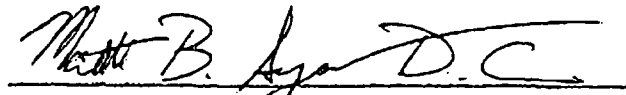
9. Waiver of further procedural steps - Upon the Board's adoption of this Agreement, Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of the Agreement and the Final Order of the Board incorporating said Agreement.



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WHEREFORE, the parties hereby request the Board to enter a Final Order accepting and implementing the terms contained herein.

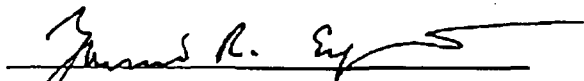
SIGNED this 6TH day of OCTOBER, 2006.



Matthew B. Symons, D.C.

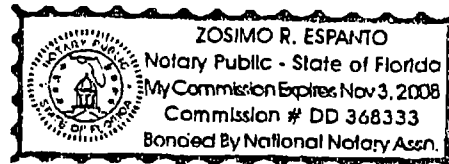
Before me personally appeared MATTHEW B SYMONS, whose identity is known to me by FL DRIVER'S LICENSE (type of identification), and who, under oath, acknowledges that his/her signature appears above.

Sworn to and subscribed by Respondent before me this 6TH day of OCTOBER, 2006.



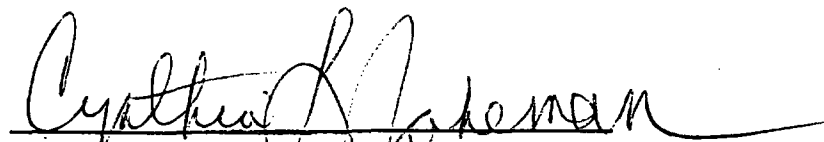
Notary Public

My Commission Expires: NOV 3, 2007



APPROVED this 6TH day of OCTOBER, 2006.

M. Rony François, M.D., M.S.P.H., Ph.D.
Secretary, Department of Health



COUNSEL FOR PETITIONER:

Cynthia L. Jakeman

Assistant General Counsel

(850) 245-4640 ext. 8133


Initial

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2006-20755

MATTHEW B. SYMONS, D.C.,

RESPONDENT.

**WAIVER OF FINDING OF PROBABLE CAUSE
AND WAIVER OF CONFIDENTIALITY**

1. A confidential Uniform Complaint Form was filed in the referenced case with the Department of Health on July 5, 2006. An Administrative Complaint, which will be filed, along with this waiver, with the office of the agency clerk of the Department of Health, is attached as Exhibit A.

2. Pursuant to Section 456.073(10), Florida Statutes, I, **Matthew B. Symons, D.C.**, license number CH-8273, have been advised of my right to a finding of probable cause and of the confidentiality provisions of Section 456.073(4) and (10), Florida Statutes. I understand that if I choose not to waive the privilege of confidentiality or the right to a


Initials

determination of probable cause by the Probable Cause Panel or by the Department, the complaint and all information obtained pursuant to the department's investigation would be confidential until 10 days after probable cause has been found to exist by the Probable Cause Panel or by the Department. I also understand that if there is no finding by a Probable Cause Panel or the Department that probable cause exists, then in the absence of my waiver of probable cause and waiver of confidentiality, the complaint and all information obtained pursuant to the investigation would remain confidential.

3. I, **Matthew B. Symons, D.C.**, being fully advised of the consequences of so doing, hereby admit probable cause exists for a violation of Sections 460.413(1)(d),(e),(ff),(cc) and Section 456.062, Florida Statutes (2006); waive the statutory privilege of confidentiality; and waive the right to a determination of probable cause by the Probable Cause Panel, or the Department when appropriate, regarding the complaint, the investigative report of the Department of Health, and all other information obtained pursuant to the Department's investigation in the above-styled action in order to expedite consideration and resolution of this action by the Florida Board of Chiropractic Medicine in a public meeting.

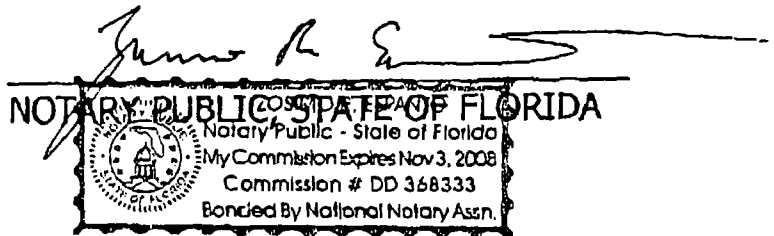
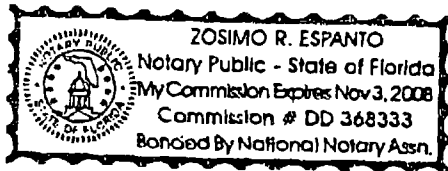
By signing this waiver, I, **Matthew B. Symons, D.C.**, understand that the complaint and all information obtained pursuant to the investigation by the Department, as well as the Administrative Complaint, will immediately become a public record that is immediately accessible to the public; Section 456.073(10) Florida Statutes.

I AFFIRM THAT I HAVE READ AND UNDERSTOOD THE FOREGOING AND CONSENT TO ALL TERMS HEREIN.

Matthew B. Symons, D.C.
Matthew B. Symons, D.C.

STATE OF FLORIDA
COUNTY OF PALM BEACH

Sworn to and subscribed before me this 6TH day of OCTOBER, 2006, by MATTHEW B SYMONS who is personally known to me or who had produced FLORIDA DRIVER'S LIC (type of identification) as Identification.



(Print, Type of Stamp Commissioned Name of Notary Public)

MS
Initials

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2006-20755

MATTHEW B. SYMONS, D.C.

RESPONDENT.

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Chiropractic Medicine against Respondent, Matthew B. Symons, D.C., and in support thereof alleges:

1. Petitioner is the state department charged with regulating the practice of chiropractic medicine pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 460, Florida Statutes.
2. At all times material to this order, Respondent was licensed to practice chiropractic medicine in the State of Florida, having been issued license number CH 8273 on or about June 28, 2001.
3. Respondent's address of record is 1011 North State Road 7,

Suite D, Royal Palm Beach, Florida, 33411.

4. Respondent placed an advertisement in The Palm Beach Post on May 31, 2006, offering a free report about a space age technology for the treatment of low back pain.

5. Respondent failed to identify himself as a chiropractic physician when he advertised in the May 31, 2006, edition of The Palm Beach Post.

6. Respondent's free report offered treatment with the DRX 9000 system.

7. The DRX 9000 system provides a program of treatments for relief from pain for those suffering from low back pain. Each treatment consists of a physician prescribed treatment period on the DRX 900 system and is designed to provide static, intermittent and cycling distraction forces to relieve pressures on structures that may be causing low back pain.

8. Respondent's free report made many claims concerning the DRX 9000 which overstated the potential benefits of the DRX 9000 system to prospective patients. For instance, the free report stated that the Respondent "wants to give you the DRX 9000 experience before it's too late, before.....you loose (sic) your career....before you become a surgical

statistic and end up in a wheel chair....before you live your entire life in misery....before you are beyond help.”

9. Respondent's free report claimed that the DRX 9000 system was FDA approved.

10. The Food and Drug Administration has “cleared” the DRX 9000 but has not “approved” the DRX 9000.

11. Respondent's free report also claimed that the DRX 9000 system was shown in clinical studies to have an 86% success rate in patients with herniated discs and degenerative joint disease.

12. Respondent's claim that the DRX 9000 is 86% effective has not been generally accepted by the scientific community.

13. In addition, Respondent's free report offered a free “Back Pain/DRX 9000 Evaluation,” but failed to include the required disclaimer language when offering a free or discounted service.

14. Respondent also issued a May 2006 newsletter regarding the DRX 9000 system which again claimed that the DRX 9000 was FDA approved.

15. Respondent's May 2006 newsletter also offered a free consultation, but failed to include the regular price for such services. In

addition, Respondent's newsletter failed to identify him as a chiropractic physician and to include the required disclaimer language when offering a free or discounted service.

16. Respondent also issued a flyer regarding the DRX 9000 system which also offered a free non-surgical spinal decompression qualification evaluation. Respondent's flyer again failed to identify him as a chiropractic physician and to include the required disclaimer language when offering a free or discounted service.

17. Respondent placed two advertisements for the DRX 9000 system in the Valpak mailer. Respondent's mailers claimed that the DRX 9000 was 86% effective. In the advertisement, Respondent failed to identify himself as a chiropractic physician and failed to indicate that his clinic, Florida D.I.S.C. (Disc Injury and Sciatic Center) provided chiropractic services.

18. One of the mailers offered a free consultation but failed to include the regular price for such services and to include the required disclaimer language when offering a free or discounted service.

Count One

19. Petitioner re-alleges and incorporates paragraphs one (1) through eighteen (18) as if set forth fully herein.

20. Section 460.413(1)(d), Florida Statutes (2006), subjects a chiropractic physician to discipline for false, deceptive or misleading advertising.

21. Rule 64B2-15.001(1)(c), Florida Administrative Code (F.A.C.), states that any advertisement shall be deemed by the Board to be false, deceptive or misleading if it creates false, or unjustified expectations of beneficial treatment or successful cures.

22. Respondent's advertisements created false or unjustified expectations of beneficial treatment or successful cures in one or more of the following ways:

- a. When Respondent's advertisements indicated that DRX 9000 system was FDA approved;
- b. When Respondent's advertisements indicated that the DRX 9000 system was 86% effective.

23. Based on the Foregoing, the Respondent violated Section 460.413(1)(d), Florida Statutes (2006), by false, deceptive, or misleading advertising.

Count Two

24. Petitioner re-alleges and incorporates paragraphs one (1) through eighteen (18) as if set forth fully herein.

25. Section 460.413(1)(cc), Florida Statutes (2006), subjects a chiropractic physician to discipline for advertising free or discounted services without including the regular price for such services.

26. Respondent failed to include the regular price in his advertisement in the May 2006 newsletter for a free consultation.

27. Based upon the foregoing, Respondent has violated Section 460.413(1)(cc), Florida Statutes (2006), by advertising free or discounted services without including the regular price for such services.

Count Three

28. Petitioner re-alleges and incorporates paragraphs one (1) through eighteen (18) as if set forth fully herein.

29. Section 460.413(1)(e) Florida Statutes (2006), subjects a chiropractic physician to discipline when a practitioner causes to be advertised, by any means whatsoever, any advertisement which does not contain an assertion or statement which would identify herself or himself as a chiropractic physician or identify such chiropractic clinic or related institution in which she or he practices or in which she or he is owner, in whole or in part, as a chiropractic institution.

30. Respondent failed to identify himself as a chiropractic physician and failed to identify his clinic, Florida D.I.S.C. (Disc Injury and Sciatic Center), as a facility that offered chiropractic services when he advertised in the May 31, 2006, edition of The Palm Beach Post as well as the Valpak mailer, "the Free Report", the May 2006 newsletter and the flyer.

31. Based on the foregoing, Respondent has violated Section 460.413(1)(e), Florida Statutes (2006), by causing to be advertised, by any means whatsoever, any advertisement which does not contain an assertion or statement which would identify herself or himself as a chiropractic physician or identify such chiropractic clinic or related institution in which she or he practices or in which she or he is owner, in whole or in part, as a chiropractic institution.

Count Four

32. Petitioner re-alleges and incorporates paragraphs one (1) through eighteen (18) as if set forth fully herein.

33. Section 460.413(1)(ff), Florida Statutes (2006), provides that violating any provision of Chapter 456 Florida Statutes is grounds for disciplinary action by the Board of Chiropractic Medicine.

34. Section 456.062, Florida Statutes (2006), requires that in any advertisement for a free, discounted fee, or reduced fee service, examination, or treatment by a chiropractic physician, the following statement shall appear in capital letters clearly distinguishable from the rest of the text: THE PATIENT AND ANY OTHER PERSON RESPONSIBLE FOR PAYMENT HAS A RIGHT TO REFUSE TO PAY, CANCEL PAYMENT, OR BE REIMBURSED FOR PAYMENT FOR ANY OTHER SERVICE, EXAMINATION, OR TREATMENT THAT IS PERFORMED AS A RESULT OF AND WITHIN 72 HOURS OF RESPONDING TO THE ADVERTISEMENT FOR THE FREE, DISCOUNTED FEE, OR REDUCED FEE SERVICE, EXAMINATION, OR TREATMENT.

35. Respondent failed to include the disclaimer language required by Section 456.062, Florida Statutes (2006), in the advertisements placed

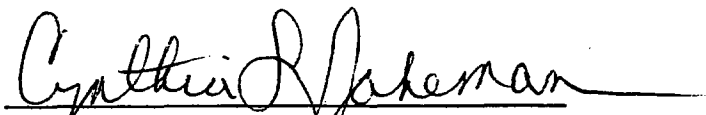
in the "Free Report" as well as the flyer, the Valpak mailer, and the May 2006 newsletter.

36. Based on the foregoing, Respondent has violated Section 460.413(1)(ff), Florida Statutes (2006), through a violation of Section 456.062, Florida Statutes (2006), by failing to include the required disclaimer language in advertisements for free and discounted services.

WHEREFORE, the Petitioner respectfully requests that the Board of Chiropractic Medicine enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 6th day of October, 2006.

M. Rony François, M.D., M.S.P.H., Ph.D.
Secretary, Department of Health



Cynthia L. Jakeman
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, FL 32399
Florida Bar # 0714690
(850) 245-4640 ext. 8133

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK: *Alicia Taylor*
DATE 10/9/06

PCP: Waived
PCP Members: N/A

NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2006-20755

MATTHEW B. SYMONS, D.C.,

RESPONDENT.

**WAIVER OF FINDING OF PROBABLE CAUSE
AND WAIVER OF CONFIDENTIALITY**

1. A confidential Uniform Complaint Form was filed in the referenced case with the Department of Health on July 5, 2006. An Administrative Complaint, which will be filed, along with this waiver, with the office of the agency clerk of the Department of Health, is attached as Exhibit A.

2. Pursuant to Section 456.073(10), Florida Statutes, I, **Matthew B. Symons, D.C.**, license number CH-8273, have been advised of my right to a finding of probable cause and of the confidentiality provisions of Section 456.073(4) and (10), Florida Statutes. I understand that if I choose not to waive the privilege of confidentiality or the right to a


Initials

determination of probable cause by the Probable Cause Panel or by the Department, the complaint and all information obtained pursuant to the department's investigation would be confidential until 10 days after probable cause has been found to exist by the Probable Cause Panel or by the Department. I also understand that if there is no finding by a Probable Cause Panel or the Department that probable cause exists, then in the absence of my waiver of probable cause and waiver of confidentiality, the complaint and all information obtained pursuant to the investigation would remain confidential.

3. I, **Matthew B. Symons, D.C.**, being fully advised of the consequences of so doing, hereby admit probable cause exists for a violation of Sections 460.413(1)(d),(e),(ff),(cc) and Section 456.062, Florida Statutes (2006); waive the statutory privilege of confidentiality; and waive the right to a determination of probable cause by the Probable Cause Panel, or the Department when appropriate, regarding the complaint, the investigative report of the Department of Health, and all other information obtained pursuant to the Department's investigation in the above-styled action in order to expedite consideration and resolution of this action by the Florida Board of Chiropractic Medicine in a public meeting.


Initials

By signing this waver, I, **Matthew B. Symons, D.C.**, understand that the complaint and all information obtained pursuant to the investigation by the Department, as well as the Administrative Complaint, will immediately become a public record that is immediately accessible to the public; Section 456.073(10) Florida Statutes.

I AFFIRM THAT I HAVE READ AND UNDERSTOOD THE FOREGOING AND CONSENT TO ALL TERMS HEREIN.

Matthew B. Symons, D.C.
Matthew B. Symons, D.C.

STATE OF FLORIDA
COUNTY OF PALM BEACH

Sworn to and subscribed before me this 6TH day of OCTOBER, 2006, by MATTHEW B SYMONS who is personally known to me or who had produced FLORIDA DRIVER'S LIC (type of identification) as identification.

James R. Espanto

NOTARY PUBLIC - STATE OF FLORIDA
Notary Public - State of Florida
My Commission Expires Nov 3, 2008
Commission # DD 368333
Bonded By National Notary Assn.

ZOSIMO R. ESPANTO
Notary Public - State of Florida
My Commission Expires Nov 3, 2008
Commission # DD 368333
Bonded By National Notary Assn.

(Print, Type of Stamp Commissioned Name of Notary Public)

MS
Initials