



Chiropractic Act, TEX. OCC. CODE §201.551, and 22 TEX. ADMIN. CODE §75.10(c), for practicing outside of scope and for deceptive/prohibited advertising.

### CONCLUSIONS OF LAW

1. R. Payne, D.C., Respondent, is subject to the jurisdiction of the Board and is required to comply with the Chiropractic Act and the Board's rules.
2. Respondent understands the allegations he was practicing outside the scope and for deceptive/prohibited advertising are a violation of Board rule 22 TEX. ADMIN. CODE §75.17(c)(4)(D) and §77.2(b), which states:

§75.17 Scope of Practice. (c) Examination and Evaluation. (4) Examination and evaluation services, and the equipment used for such services, which are outside the scope of chiropractic practice include: (D) other examination and evaluation services that are inconsistent with the practice of chiropractic and with the examination and evaluation services described under this subsection.

§77.2 Publicity. (b) In any form of public communication, a licensee or facility shall not describe services that are inconsistent with the practice of chiropractic as described under §75.17 of this title (relating to Scope of Practice).

3. On a determination that a person has violated the Chiropractic Act or Board rules, the Board is authorized pursuant to §201.501 of the Chiropractic Act to revoke or suspend the person's license, place on probation a person whose license has been suspended, reprimand a license holder, or impose an administrative penalty against the license holder.

NOW THEREFORE, it is the ORDER of the Texas Board of Chiropractic Examiners that:

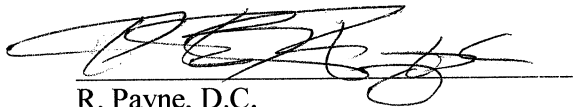
1. R. Payne, D.C., Respondent, shall:
  - a. pay an administrative penalty of \$1,500.00 within thirty days from the date the Board approves this Agreed Final Order;
  - b. and shall Cease and Desist practicing and advertising outside of scope immediately; and
  - c. shall retake the Jurisprudence, within six months from the date the Board approves this Agreed Final Order; and
  - d. comply with all provisions of the Chiropractic Act and the Board's rules in the future, or subject himself to further disciplinary action by the Board, including the possible revocation of his license to practice chiropractic.

2. Upon approval by the Board, the President of the Board (or Chair of the Enforcement Committee) and the Executive Director are authorized to sign this order on behalf of the Board.

By signing this Agreed Final Order, Respondent:

1. Agrees to its terms, acknowledges his understanding of it, and agrees that he will satisfactorily comply with the mandates of this Agreed Order in a timely manner or be subject to appropriate disciplinary action by the Board; and
2. Waives his rights to a formal hearing and any right to judicial review of this Order.

I, R. Payne, D.C., HAVE READ AND UNDERSTAND THE FOREGOING AGREED FINAL ORDER. I UNDERSTAND THAT BY SIGNING THIS AGREED FINAL ORDER, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WILLINGLY, AND KNOWINGLY. I UNDERSTAND THIS AGREED FINAL ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, ORAL, WRITTEN, OR OTHERWISE.



R. Payne, D.C.  
License No. 9817

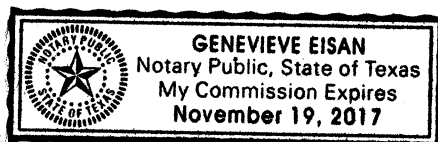
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STATE OF TEXAS

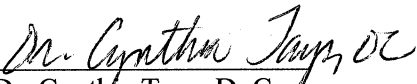
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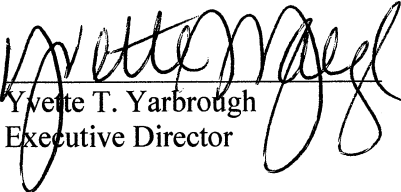
COUNTY OF Tarrant

Before me, the undersigned Notary Public, on this 28<sup>th</sup> day of April, 2014, personally appeared R. Payne, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

  
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Notary Public

Approved by a majority of the Texas Board of Chiropractic Examiners on this 21 day of August, 2014.

  
Dr. Cynthia Tays, D. C.  
President

  
Yvette T. Yarbrough  
Executive Director

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