

IN THE MATTER OF

Peter Osborne, D.C.

LICENSE NO. 8910

§
§
§
§
§

BEFORE THE

TEXAS BOARD OF

CHIROPRACTIC EXAMINERS

AGREED FINAL ORDER

On this 20 day of August 2015, the Texas Board of Chiropractic Examiners ("Board") considered the matter of the license of Peter Osborne, D.C., Respondent.

This agreed order is executed pursuant to the authority of the Administrative Procedure Act (APA), Texas Government Code §2001.056, which authorizes the informal disposition of contested cases. In a desire to conclude this matter without further delay and expense, the Board and Respondent agree to resolve this matter by this Agreed Final Order. The Respondent agrees to this order for the purpose of resolving this proceeding only and without admitting or denying the findings of fact and conclusions of law set out in this order.

Upon recommendation of the Enforcement Committee, the Board makes the following findings of fact and conclusions of law and enters this order:

FINDINGS OF FACT

1. Peter Osborne, D.C., Respondent, is a chiropractor licensed by the Board to practice chiropractic in the State of Texas and is therefore subject to the jurisdiction of the Board; the Chiropractic Act, Texas Occupations Code, Chapter 201; and the Board's rules, Texas Administrative Code, Title 22, §§71.1-80.7.
2. On or about November 25, 2013, Respondent's web site advertised services inconsistent with the practice of chiropractic, including MUA as chiropractic treatment modality, as described under §75.17 of this title (relating to Scope of Practice).
3. On or about November 25, 2013, Respondent identified himself as a functional medicine physician.
4. On February 19, 2014, the Board's Enforcement Committee met and voted to recommend imposition of an administrative penalty of \$1,750.00, as authorized by the Chiropractic Act, TEX. OCC. CODE §201.551, and 22 TEX. ADMIN. CODE §75.10(c), for advertising and offering services which are outside the scope of practice, and identifying himself as a functional medicine physician.
5. On or about May 18, 2015, Respondent's web site was compliant with the Board's current rules.

CONCLUSIONS OF LAW

1. Peter Osborne, 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. By advertising services which are outside the scope of practice, including the use of MUA as a chiropractic treatment modality, and identifying himself as a functional medicine physician, Respondent violated the Chiropractic Act, TEX. OCC. CODE §201.502(22) and Board rule 22 TEX. ADMIN. CODE §77.2(b), which states:

§201.502. GROUNDS FOR REFUSAL, REVOCATION, OR SUSPENSION OF LICENSE. (22) advertising using the term "physician" or "chiropractic physician" or any combination or derivation of the term "physician."

§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. Peter Osborne, D.C., Respondent, shall:
 - a. pay an administrative penalty of \$1,750.00 within thirty days from the date the Board approves this Agreed Final Order; and
 - b. 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 receipt by the Board and signature of the Executive Director, the Agreed Final Order shall become immediately effective.

By signing this Agreed Final Order, Respondent:

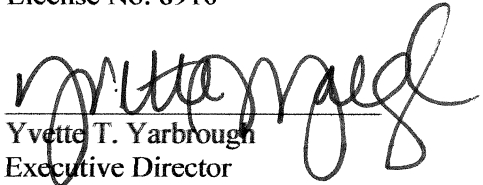
1. Agrees to its terms, acknowledges his understanding of it, and agrees that he will satisfactorily comply with the mandates of this Agreed Order or be subject to appropriate disciplinary action by the Board; and
2. Waives his rights to a formal hearing and any right to judicial review of this Order.

I, Peter Osborne, 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.



Peter Osborne, D.C.
License No. 8910

DATE: 5-21-15



Yvette T. Yarbrough
Executive Director
Texas Board of Chiropractic Examiners
333 Guadalupe
Tower III, Ste. 3-825
Austin, TX 78701

I acknowledge that Peter Osborne, D.C. signed this document in my presence, Dated this 21st day of May, 2015.

*Lisa Anne Andreason
Notary State of Texas*

