

SOUTH DAKOTA BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF
THE LICENSE OF
BRYAN WILLIAMS, DC

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ORDER

Bryan Williams, DC having entered into a Consent Agreement, a copy of which is attached and incorporated by this reference, and the Board having fully considered the matter, it is hereby

ORDERED that the Consent Agreement is hereby adopted, in total, and that Dr.

Williams shall fully comply with the order set forth in the Consent Agreement.

Dated this 23rd day of January, 2014.

SOUTH DAKOTA BOARD OF
CHIROPRACTIC EXAMINERS

BY: Mark Bledsoe, D.C.

Mark Bledsoe, DC
President

SOUTH DAKOTA BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF)
THE LICENSE OF)
BRYAN WILLIAMS, DC)
)

CONSENT AGREEMENT

IT IS AGREED by the Disciplinary Committee of the South Dakota Board of Chiropractic Examiners (Committee) and Bryan Williams, DC (Dr. Williams) as follows:

1. Dr. Williams holds an active South Dakota license (license no. 1073) for the practice of chiropractic.

2. On or about November 12, 2013, the Board commenced a disciplinary action against Dr. Williams arising out of patient complaints and the Committee's review of six case files Dr. Williams voluntarily provided to the Committee.

3. The primary concerns that led the Committee to recommend disciplinary action include entering into contracts which obligate patients to pay for services to be rendered in the future, recommending and providing unnecessary patient visits, failing to attend patients in accordance with established best practices, engaging in conduct that might constitute a danger to the health or safety of patients, and not documenting complete examination and evaluation of patient's presenting symptoms.

4. Dr. Williams does not dispute that if the Board's allegations are proven that the Board would have authority to impose sanctions. However, Dr. Williams disputes the allegations and contends that if the matter were to proceed to a hearing that he would present evidence that he did not enter into contracts which obligate patients to pay for services to be rendered in the future; that he did not recommend or provide any unnecessary services or treatments; that he did not fail to attend patients in accordance with established best practices; that he did not engage in conduct that might constitute a danger to the health or safety of patients; and that he appropriately examined and evaluated each of the patients whose records the Committee reviewed.

5. Because Dr. Williams plans to sell his South Dakota practice and relocate to another jurisdiction, he wants to enter into an agreement with the Board to resolve the pending action in an economical and expeditious manner.

6. To resolve the pending action, Dr. Williams agrees to voluntarily surrender his South Dakota license for the practice of chiropractic on March 31, 2014. From the date of this Agreement to March 31, 2014, Dr. Williams' license will remain active, and he is permitted to

continue his practice with no limitations. Notwithstanding the foregoing, Dr. Williams agrees that he will comply with all statutory, administrative and ethical rules applicable to chiropractors with active South Dakota licenses and acknowledges that his failure to do so could result in the immediate suspension or revocation of license.

7. To alleviate any confusion or misunderstanding by his patients regarding the documentation of Dr. Williams' treatment recommendations and cost estimates, Dr. Williams agrees to provide his patients with a letter approved by the Committee confirming that the patients are not obligated to complete any treatment Dr. Williams recommends, may discontinue treatment at any time, are not billed or charged for any treatment until after the treatment is completed, and are not billed or charged for any treatment they do not receive.

8. Dr. Williams has cooperated fully with the Committee during the investigative process.

9. On the basis of the information the Committee received and reviewed, the Committee determined that there was a basis for commencement of disciplinary action, but the Committee was not planning to recommend or suggest that Dr. Williams' South Dakota license be revoked on the basis of the information the Committee has received and reviewed. The Committee did not suggest or recommend that Dr. Williams voluntarily surrender his license.

10. If Dr. Williams decides to return to South Dakota, this Agreement does not preclude Dr. Williams from applying for a South Dakota license.

11. Dr. Williams shall repay all expenses of the investigation of this case, including attorneys' fees, in the sum of \$4,400.00 within sixty (60) days of entry of the Board's final order.

Dr. Williams understands he has the right to consult with an attorney of his own choosing, which he has done, and has a right to an administrative hearing on the facts in this case. He understands and agrees that by signing this Agreement he is waiving his right to a hearing. He further understands and agrees that by signing this Agreement he is voluntarily giving up his right to present oral and documentary evidence, to present rebuttal evidence, to cross examine witnesses against him, and to appeal the Board's decision to circuit court. Dr. Williams also understands and agrees that this Agreement, and the Board's final decision and order, are public records of the Board and the State of South Dakota. This Agreement and the Board's final decision and order will be published on the Board's website, and reported to the National Data Bank, and all other entities deemed necessary by the Board in compliance with state and federal law.

By: Bryan Williams, DC

Date: 1-21-14

By: Melissa C. Hinton, Attorney for Dr. Williams

Date: 1/21/14

SOUTH DAKOTA BOARD OF CHIROPRACTIC EXAMINERS
DISCIPLINARY COMMITTEE

By: Marcia Walter, Executive Director

Date: 1/22/14

By: Dr. Jeffrey Kramer, Investigator

Date: 1-22-14

By: Craig A. Kennedy, Attorney for South Dakota Board of Chiropractic Examiners

Date: 1/22/14