

SOUTH DAKOTA DEPARTMENT OF HEALTH

BOARD OF CHIROPRACTORS

IN THE MATTER OF THE)	BOC File # 05-2023
LICENSURE PROCEEDINGS OF)	
JOEL CHRISTIAN WOO MARTENS,)	CONSENT TO VOLUNTARILY
DC)	SURRENDER LICENSE
)	

WHEREAS, Dr. Joel Christian Woo Martens ("Licensee") is licensed to practice as a chiropractor in the state of South Dakota and holds license number 1327;

WHEREAS, Licensee is currently under investigation for complaints before the South Dakota Board of Chiropractors ("Board") relating to pending criminal charges of offenses of a sexual nature; and failing to respond to the complaint filed against him within the 20-day time limit; and ethics violations, if proven true, may constitute violations of SDCL §§ 36-5-16, 36-1C-3; ARSD 20:41:10:03 and 20:41:10:05.02(1), (7), and (12); and subject Licensee to the disciplinary sanctions enumerated in SDCL 36-5-16 and 16.1.

WHEREAS, Licensee has decided to voluntarily surrender Licensee's South Dakota license in lieu of a formal hearing on the charges discussed below; and

WHEREAS, Licensee agrees to voluntarily surrender Licensee's South Dakota license.

THEREFORE, it is hereby stipulated and agreed as follows:

1. The Board has jurisdiction over the person of the Licensee and the subject matter of this Consent to Voluntarily Surrender License ("Consent").
2. Licensee represents to the Board that Licensee is surrendering to avoid further disciplinary action relating to the following allegations, which the Board has the burden of proving by clear and convincing evidence:
 - a. Criminal charges of two counts of Rape, Second Degree (Class 1 felony), twelve counts of Sexual Contact with Child Under 18 (Position of Authority) (Class 6 felony), two counts of Possession of Child Pornography (Class 4 felony), and one count of Sexual Exploitation of a Minor (Class 6 felony). The above charges, if proven true, constitute violations of SDCL 22-22-1(2), SDCL 22-22-7.8, SDCL 22-24A-3(2), and SDCL 22-22-24.3(2).
 - b. If convicted, Licensee would also be in violation of SDCL 36-5-16, ARSD 20:41:10:05.02(01), (07), and (12)
 - c. Failing to respond within twenty days to a complaint filed against him regarding said criminal charges. This constitutes incompetence under ARSD 20:41:10:03 and is also a violation SDCL 36-1C-3. Licensee is also in violation of ARSD 20:41:09:04 and ARSD 20:41:10:05.02(4).
3. The Consent is a disciplinary action and is subject to reporting to the National Practitioner Databank and any other Board or entity deemed necessary by the Board pursuant to State and Federal law.
4. Licensee agrees to voluntarily surrender Licensee's South Dakota license by signing this Consent.
5. Licensee agrees and stipulates that this Consent is being entered into voluntarily by the Licensee and without threats or coercion and is entered into after the Licensee has been given ample opportunity to consider these matters and to discuss this Consent with an attorney of Licensee's choice and that the

Licensee has a full understanding of the legal consequences of this Consent, which rights are hereby waived by the signing of this Consent.

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04/26/23

6. Licensee acknowledges that by entering this Consent, Licensee knowingly and voluntarily waives all rights available pursuant to SDCL chs. 1-26, 36-1C, and 36-~~2A~~⁵. These rights specifically include, but are not limited to, the right to be represented by counsel; the right to notice and a due process hearing at which Licensee has the right to introduce evidence and testimony on his behalf, to call witnesses and cross-examine any adverse witness; and the right to appeal the Board's decision to a South Dakota Circuit Court and the South Dakota Supreme Court.

7. Licensee agrees that this Consent is subject to approval by the Board. Licensee further agrees that in the event the Board does not approve this Consent, any argument that the Board members considering this matter should be disqualified from later rendering a decision in any subsequent contested case hearing regarding the complaint is hereby waived.

NOW, THEREFORE, the foregoing Consent to Voluntarily Surrender License is entered into and is respectfully submitted to the Board.

Dated this 13th day of September, 2023.

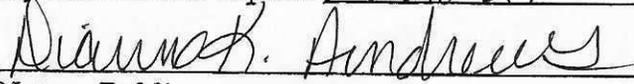


Dr. Joel Christian Woo Martens, Licensee

Date: 9/13/2023

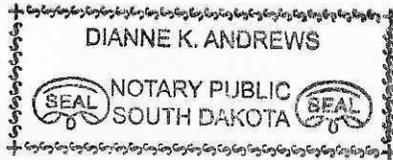
Subscribed and sworn to before me this 13th day of September, 2023.

My commission expires 8-20-24



Dianne K. Andrews

Notary Public
(SEAL)



SOUTH DAKOTA DEPARTMENT OF HEALTH

BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE)	
LICENSURE PROCEEDINGS)	BOC File # 05-2023
RE: JOEL CHRISTIAN WOO)	
MARTENS)	CONSENT ORDER
(License no. 1327))	

The above-captioned matter came before the South Dakota Board of Chiropractic Examiners (Board) on September 28, 2023. Dr. Joel Christian Woo Martens (Licensee) did not appear personally or through counsel. Board staff was present and represented by Assistant Attorney General Stephen G. Gemar. The Board being otherwise fully informed of the facts and issues pertinent to this matter issues the following:

The Board hereby

FINDS that on September 13, 2023, Licensee signed a Consent to Voluntarily Surrender (Consent) his South Dakota Chiropractic license number 1327.

Based on the foregoing, it is hereby

ORDERED that the Board accepts the voluntary surrender of the South Dakota Chiropractic license number 1327 of Licensee. Said license is deemed to be surrendered effective September 13, 2023, pursuant to the terms of the Consent.

It is further

ORDERED that the Board adopts the terms of both the consent to voluntarily surrender, incorporated herein by reference, and that the parties are bound by the terms set forth therein. It is further

ORDERED that the Board will therefore close its file regarding the pending complaint proceedings without further action and shall report the Order as necessary or deemed appropriate by the Board in accordance with State and Federal law.

Dated this 28th day of September, 2023.

Jay Ortman D.C.
Jay Ortman, DC
Vice President