

**BEFORE THE STATE OF NEW MEXICO
BOARD OF CHIROPRACTIC EXAMINERS**

IN THE MATTER OF:)
)
MICHAEL BROWN) CASE NO. C-COM-14-10-03
LICENSE # 569)
)
Respondent.)

STIPULATED SETTLEMENT AGREEMENT

WHEREAS the New Mexico Board of Chiropractic Examiners ("the Board") received a complaint against Michael Brown ("Respondent") on October 22, 2014, stating that Respondent acted unprofessionally by engaging in sexual misconduct; and

WHEREAS, Respondent is willing to resolve this matter in an amicable fashion and without the need for a formal hearing; and

WHEREAS, the Board believes that this Stipulated Agreement ("Agreement") is appropriate and in the best interests of both the Board and Respondent,

IT IS HEREBY AGREED AS FOLLOWS:

1. Respondent is licensed under the Chiropractic Physician Practice Act, NMSA 1978, Sections 61-4-1 to -17 (2009) ("Act") and pursuant to the regulations of the New Mexico Board of Chiropractic Examiners, 16.4.1 through 16.4.22 NMAC ("Board Rules") and is subject to the jurisdiction of the Board.

2. Respondent acknowledges that this Agreement constitutes disciplinary action for an alleged violation of NMSA 1978, Section 61-4-10(A)(16)(p) and (q) and Board Rules 16.4.8.10 (B)(10) NMAC.

3. By entering this Agreement, Respondent does not admit any liability of any kind regarding the allegations contained in the Notice of Contemplated Action ("NCA"). Furthermore, the Board makes no findings with regard to the allegations. Respondent has at all times fully denied any liability, and that the settlement evidenced herein is a compromise to avoid further expense of litigation and to terminate all controversy and/or claims brought against him by the Board regarding the allegations contained in the NCA.

4. **Disciplinary Board Action:** To resolve these matters, and if the Board accepts this Agreement, Respondent agrees to submit to the following disciplinary action:

a. The Board shall provide Respondent with a *Letter of Reprimand* regarding the allegations pursuant to 16.4.8.10 (B)(10) and NMAC.

b. Respondent shall take an ethics course through the Federation of Chiropractic Licensing Board (FCLB) within six (6) months of the Board's execution of this Agreement. Respondent is required to pay for the ethic course at his own expense and cannot use the ethic course for the renewal of his license.

c. Upon providing Respondent with the *Letter of Reprimand*, and Respondent fulfilling the ethic course obligation, the Board will consider this matter closed and will contemplate no further action against Respondent's license for the conduct made the subject matter of this case.

4. Respondent agrees to the following waivers:

A. Respondent has waived the time limitations set forth in the Uniform Licensing Act;

B. Respondent understands that he has a statutory right to a hearing on the charges made in the complaint against him, and that he would have the right to appeal any decision of the Board following such hearings, and he hereby waives these rights;

C. Respondent waives his right to assert a claim of bias or move to excuse any Board member based on the Board member's consideration of this Settlement Agreement;

D. Respondent's waiver of these rights is made knowingly, intentionally, and voluntarily.

5. Respondent has the right to representation by an attorney.

6. Respondent has knowingly, intentionally, and voluntarily executed this Settlement Agreement.

7. Upon execution of this Agreement, Respondent releases the Board from any and all claims arising out of the Board's decision to investigate the complaint, propose to file a NCA, and take the actions described herein.

8. This Settlement Agreement is subject to approval by the Board.

9. This Settlement Agreement is binding upon the Board and Respondent.

10. This Settlement Agreement is a settlement of Board Case Number C-COM-14-10-03, and only for the specific allegations contained therein. The Board reserves the right to initiate proceedings for any other violations of the Act or the Board Rules adopted pursuant to that Act.

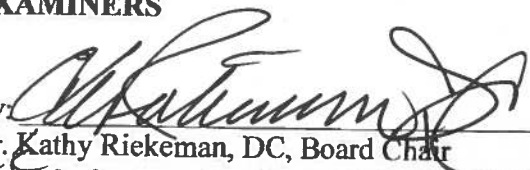
11. The complaint and this Settlement Agreement are public records within the meaning of the Inspection of Public Records Act, NMSA 1978, § 14-2-6(E). Other

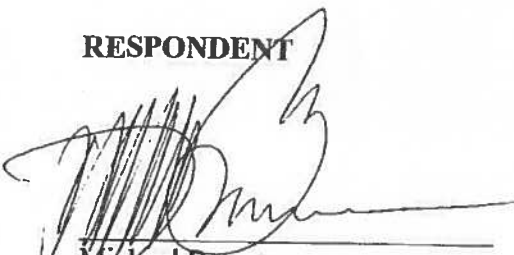
data, communications, and information acquired by the Board relating to this matter shall be public as provided by the Chiropractic Physician Practice Act.

IT IS THEREFORE SO ORDERED.

**STATE OF NEW MEXICO
BOARD OF CHIROPRACTIC
EXAMINERS**

RESPONDENT

By: 
Dr. Kathy Riekeman, DC, Board Chair
New Mexico Board of Chiropractic Examiners
P.O. Box 25101
Santa Fe, New Mexico 87505
(505) 476-4680


Michael Brown
755 Telshor Blvd., Suite 102-B
Las Cruces, New Mexico 88011
(575) 522-8085

Date of Signature: 5-18-17

Date of Signature: 1-2-2017