

IN THE MATTER OF

DIANA GRIFFIN

APPLICANT

* BEFORE THE

* STATE BOARD OF

* CHIROPRACTIC EXAMINERS

* Case No: 20-26 C

* * * * *

**FINAL ORDER OF DENIAL FOR APPLICATION
FOR CHIROPRACTIC ASSISTANT REGISTRATION**

On MARCH 24, 2022, the State Board of Chiropractic Examiners (the "Board"), notified DIANA GRIFFIN (the "Applicant"), of its Intent to Deny her application for registration in Maryland as a Registered Chiropractic Assistant ("CA") under the Maryland Chiropractic Examiners Act (the "Act"), Md. Code Ann., Health Occupations ("Health Occ.") §§ 3-101, *et seq.* (2021 Repl. Vol.) and Code of Maryland Regulations (COMAR) 10.43.07. The Notice also informed the Respondent that, unless she requested a hearing in writing within 30 days of receipt of said Notice, the Board would sign the Final Order, which was enclosed. More than 30 days have elapsed, and the Applicant failed to timely request a hearing. Therefore, this denial is final.

The basis of the Board's action was pursuant to the following provisions of the Act and COMAR:

Health Occ. § 3-205. Miscellaneous powers and duties

- (a) Powers. -- In addition to the powers set forth elsewhere in this title, the Board may:
 - (1) Adopt rules and regulations to carry out the provisions of this title;

§ 10.43.07.16. Penalties for Violations of This Chapter

- C. A chiropractic assistant and an applicant for registration is subject to the Board's disciplinary authority under Health Occupations Article, §3-313, Annotated Code of Maryland.

Health Occ. § 3-313:

Subject to the hearing provisions of § 3-315 of this subtitle, the Board may deny a license to any applicant, reprimand any licensee, place any licensee on probation, with or without conditions, or suspend or revoke a license, or any combination thereof, if the applicant or licensee:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;
- (5) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;
- (17) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted by a court of any state or country for an act that would be grounds for disciplinary action under this section;

COMAR 10.43.07.02 Chiropractic Assistants:

§ 10.43.07.02. Chiropractic Applicant or Assistant Qualifications and Training

- A. At the time of application on the Request to Employ form for training, an applicant shall:
 - (2) Be of good moral character;

FINDINGS OF FACT

The Board finds:

1. On or about August 12, 2020, the Board received an Application for CA Training Program, hereinafter the "Application" from the Applicant.

2. The Applicant answered "Yes" to Question Number 2 which asks:

Have you ever been arrested, charged with a crime, or pled guilty, *nolo contendere* (*sic*), no contest, or been convicted or received probation before judgment for any criminal act, including DWI or DUI? (If yes, an applicant was to obtain court records and provide information in a letter attached to the application regarding the case(s).

3. The Applicant failed to provide documentation as required.

4. The Board's Investigator subsequently notified the Applicant, requesting an explanation regarding the criminal charges, pursuant to the Application.

5. On September 16, 2020, the Applicant provided an email explanation and admitted to drug and alcohol addiction, which contradicted her "no" response to Question Number 7, which states:

Have you ever been an abuser of or dependent on alcohol, prescription medication or illegal controlled substances?

6. The Applicant's "Letter of Explanation" acknowledges that she used to use drugs, but now she claims that she does not; however, she still failed to detail her arrests/convictions, as required.

7. Based upon the above, the Applicant attempted to obtain a registration by deceit in that she either falsely or deceitfully answered the question regarding her

alcohol or drug use, in violation of Section 3-313 (1) and/or (5) and/or (17);

8. As set forth above, by failing to respond truthfully to the questions asked on the Application and/or complete the Application fully, the Applicant lacks the good moral character to become a Chiropractic Assistant, in violation of COMAR 10.43.07.02 a. (2).

BASIS OF DENIAL

9. The Applicant's conduct, as described above, in whole or in part, constitutes violations of the § 3-313 (1), (5) and (17) of the Act, and COMAR 10.43.07.02 a. (2) which are a bases on which to deny her Application.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that the Respondent violated Md. Code Ann., Health Occ. § § 3-313 (1), (5) and (17) and COMAR 10.43.07.02 A. (2).

ORDER

As set forth above, the Board hereby Orders that the application to practice as a Chiropractic Assistant in Maryland by **DIANA GRIFFIN**, be and is **DENIED**, and that this Order is public, pursuant to Md. Code Ann., General Provisions §§4-101 *et seq.* (2019 Vol. and 2021 Supp.).

5/13/2022
Date

Sharon Oliver
Sharon Oliver, MBA
Executive Director
MD Board of Chiropractic Examiners

NOTICE OF RIGHT OF APPEAL

In accordance with § 3-316 of the Act and Md. Code. Ann., State Government, §§10-201, *et seq.*, (2021 Repl. Vol.), you have a right to a direct judicial appeal of this decision. A petition for appeal of the Final Board Order shall be filed within thirty days from your receipt of this Final Order and shall be made in accordance with the aforecited authority.