

IN THE MATTER OF
ERIC HUNTINGTON, D.C.
Respondent

* BEFORE THE
* STATE BOARD OF
* CHIROPRACTIC AND
* MASSAGE THERAPY EXAMINERS
*
* License Number: S02029 Case Number: 2007-48C

CONSENT ORDER

PROCEDURAL BACKGROUND

On December 15, 2008, the State Board of Chiropractic and Massage Therapy Examiners (the "Board")¹ charged Eric Huntington, D.C. (the "Respondent") (D.O.B. 07/31/75), License Number S02029, under the Maryland Chiropractic Act (the "Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 3-101 *et seq.* (2000 and 2005 Repl. Vols.) and Code Md. Regs. ("COMAR") tit. 10, § 43.07 *et seq.*, and tit. 10, § 43.14 *et seq.* (June 9, 2003, as amended, October 22, 2007).

The Board charged the Respondent with violating the following provisions of the Act under H.O. § 3-313, which provide the following:

H.O. § 3-313

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

- (8) Is unethical in the conduct of the practice of chiropractic;
- (15) Pays or agrees to pay any sum to any person for bringing or referring a patient;
- (16) Overutilizes health care services;

¹ Effective October 1, 2008, the State Board of Chiropractic Examiners was renamed the State Board of Chiropractic and Massage Therapy Examiners.

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- (18) Practices chiropractic with an unauthorized person or supervises or aids an unauthorized person in the practice of chiropractic;
- (19) Violates any rule or regulation in the practice of chiropractic;
- (20) Behaves immorally in the practice of chiropractic;
- (21) Commits an act of unprofessional conduct in the practice of chiropractic;
- (26) Misrepresents qualifications, education, training, or clinical experience; [and/or]
- (28) Violates any provision of this title.

The Board also charged that the Respondent violated the following COMAR provisions (effective June 9, 2003):

COMAR 10.43.07 CHIROPRACTIC ASSISTANTS

COMAR 10.43.07.01 Definitions.

B. Terms Defined.

- (1) "Applicant" means a person who is undergoing training to become a chiropractic assistant.
- (2) "Board" means the Board of Chiropractic Examiners.
- (3) "Chiropractic assistant" means an individual who is registered by the Board to perform the duties authorized under this chapter.
- (4) "Direct supervision" means supervision provided by a supervising chiropractor who is personally present and immediately available in the treatment area where the procedures are performed to give aid, direction, and instruction when certain procedures or activities are performed.
- (5) "Supervising chiropractor" means a chiropractor licensed by the Board in chiropractic with the right to practice physical therapy as set forth in Health Occupations Article, § 3-301(c),

Annotated Code of Maryland, and approved as a supervision chiropractor by the Board.

COMAR 10.43.07.02 Board Approval Required.

- A. A supervising chiropractor shall apply for and receive approval from the Board before undertaking to train or supervise a new applicant or chiropractic assistant.
- C. The approval of an application by the Board for the training and supervision of an applicant and chiropractic assistant are subject to compliance with guidelines in this chapter.

COMAR 10.43.07.03 Qualifications and Training.

- A. To qualify for registration, an applicant shall be an individual who meets the requirements of this regulation and the examination requirement of this regulation.
- B. An applicant shall:
 - (3) Receive, within 1 year, minimum training consisting of successfully passing the Board Chiropractic Assistant Examination and those activities and treatments under the regulations of this chapter, which include:
 - (a) 6 months in-service training of not less than 20 hours per week, under the supervising chiropractor in direct patient care or treatment of which the first 80 hours shall be observation of the procedures listed in Regulation .08 of this chapter; and
 - (b) 100 classroom hours that include:
 - i. 24 classroom hours in anatomy and terminology; and
 - (ii) 76 classroom hours in physical therapy modalities indications and contraindications.
- C. The Board shall approve the course content, instructors, and the appropriate reference materials to be used in conjunction with the training program under this regulation.

COMAR 10.43.07.06 Responsibilities of the Supervising Chiropractor.

- E. The supervising chiropractor shall submit to the Board a notice of chiropractic assistant training before any chiropractic assistant training.

COMAR 10.43.07.07 Supervision Requirements.

- A. The supervising chiropractor shall ensure that a chiropractic assistant or an applicant performs the authorized procedures or activities under the direct supervision of the supervising chiropractor.

COMAR 10.43.07.08 Activities That May Be Performed by Chiropractic Assistants and Applicants Under Supervision.

A chiropractic assistant and an applicant may perform the following activities under direct supervision:

- A. Functional activities, such as activities of daily living;
- B. Gait practice and ambulation;
- C. Routine follow-up of specific exercise;
- D. Transfer;
- E. Contrast baths;
- F. Hot and cold packs;
- G. Hubbard tank;
- H. Infrared and ultraviolet irradiation;
- I. Muscle stimulation/electrotherapy;
- J. Paraffin baths;
- K. Traction therapy;
- L. Ultrasound;
- M. Whirlpool; and
- N. Diathermy.

COMAR 10.43.07.09 Prohibited Acts.

A chiropractic assistant and an applicant may not engage in the following activities:

- A. Communicate an evaluation to a patient or other parties without the authorization of the licensed chiropractor.
- B. Perform an act that requires the professional skill or judgment of a licensed chiropractor;
- C. Perform therapeutic massage; or
- D. Take x-rays.

COMAR 10.43.07.10 Practicing Without Registration.

Except as otherwise provided in these regulations, a person may not practice, attempt to practice, or offer to practice as a chiropractic assistant in this State unless registered by the Board.

COMAR 10.43.07.11 Penalties for Violations of This Chapter.

- A. Violations of these regulations may result in disciplinary actions against the supervising chiropractor as set forth in Health Occupations Article, § 3-313, Annotated Code of Maryland.

COMAR 10.43.14 CODE OF ETHICS

COMAR 10.43.14.03 Standards of Practice.

- A. A chiropractor and chiropractic assistant shall concern themselves primarily with the welfare of the patient.
- B. A chiropractor and chiropractic assistant shall:
 - (1) Be professional in conduct, with honesty, integrity, self-respect, and fairness;
 - (5) At all times respect the patient's dignity, autonomy, and privacy;

- (6) Practice chiropractic only as defined in the scope of practice set forth in Health Occupations Article, § 3-101(f) and (g), Annotated Code of Maryland;
- (7) Provide chiropractic assistance only within the parameters set forth in Health Occupations Article, § 3-404, Annotated Code of Maryland, and COMAR 10.43.07;

C. A chiropractor and chiropractic assistant may not:

- (1) Misrepresent credentials, qualifications, or affiliations and shall attempt to correct others who misrepresent the chiropractor's or the chiropractic assistant's credentials, qualifications, or affiliations;
- (2) Knowingly engage in or condone behavior that is fraudulent, dishonest, or deceitful, or involves moral turpitude.

The above regulations were revised, effective October 22, 2007. The Board charged the Respondent with violation of the following revised COMAR provisions:

COMAR 10.43.07 CHIROPRACTIC ASSISTANTS

COMAR 10.43.07.01 Definitions.

B. Terms Defined.

- (1) "Applicant" means a person who is undergoing training to become a chiropractic assistant.
- (2) "Board" means the Board of Chiropractic Examiners.
- (3) "Chiropractic assistant" means an individual who is registered by the Board to perform the duties authorized under this chapter.
- (4) "Direct supervision" means supervision provided by a supervising chiropractor who is personally present and immediately available in the treatment area where the procedures are performed to give aid, direction, and instruction when certain procedures or activities are performed.
- (5) "Supervising chiropractor" means a chiropractor licensed by the Board in chiropractic with the right to practice physical therapy as set forth in Health Occupations Article, § 3-301(c), Annotated

Code of Maryland, and approved as a supervision chiropractor by the Board.

COMAR 10.43.07.02 Requirements for Achieving Chiropractic Status.

- A. Only a supervising chiropractor may work with or train a chiropractic assistant or applicant.

COMAR 10.43.07.04 Supervising Chiropractor Prohibited Acts.

- A. The supervising chiropractor may not:
- (1) Delegate responsibilities in any manner to anyone not holding supervising chiropractor status;
 - (2) Leave the treatment area when:
 - (a) Treating a patient; or
 - (b) A chiropractic applicant or assistant is treating a patient; or
 - (3) Permit a chiropractic applicant or assistant to treat a patient without the presence of the supervising chiropractor in the treatment area.
- B. The license of a licensee who violates this regulation shall be subject to the penalties set forth in COMAR 10.43.10.

COMAR 10.43.07.08 Activities That May Be Performed by Chiropractic Assistants and Applicants Under Direct Supervision of a Supervising Chiropractor.

A chiropractic assistant and an applicant may perform the following activities only under the direct supervision of a supervising chiropractor who is in the treatment area:

- A. Functional activities, such as activities of daily living;

- B. Gait practice and ambulation;
- C. Routine follow-up of specific exercise;
- D. Transfer;
- E. Contrast baths;
- F. Hot and cold packs;
- G. Hubbard tank;
- H. Infrared, ultraviolet irradiation and nonlaser light therapy;
- I. Muscle stimulation/electrotherapy;
- J. Electrotherapy;
- K. Paraffin baths;
- L. Traction therapy;
- M. Ultrasound;
- N. Whirlpool;
- O. Diathermy; and
- P. Therapeutic massage, if certified under Health Occupations Article, § 3-5A-01, Annotated Code of Maryland.

COMAR 10.43.07.10 Chiropractic Applicant or Assistant Prohibited Acts.

A chiropractic assistant and an applicant may not engage in the following activities:

- A. Communicate an evaluation to a patient or third parties;
- B. Perform an act that requires the professional skill or judgment of a licensed chiropractor;
- C. Perform therapeutic massage unless certified under Health Occupations Article, § 3-5A-01, Annotated Code of Maryland;
- D. Take x-rays or position patients for x-rays; or

- E. Laser and low-level laser treatment or therapy.

COMAR 10.43.07.12 Penalties for Violations of This Chapter.

- A. Violations of these regulations may result in disciplinary actions against the supervising chiropractor as set forth in Health Occupations Article, § 3-313, Annotated Code of Maryland.

COMAR 10.43.14 CODE OF ETHICS

COMAR 10.43.14.03 Standards of Practice.

- A. A chiropractor and chiropractic assistant shall concern themselves primarily with the welfare of the patient.

- C. A chiropractor and chiropractic assistant shall:

- (2) Be professional in conduct, with honesty, integrity, self-respect, and fairness;
- (3) Remain free from conflict of interest while fulfilling the objectives and maintaining the integrity of the chiropractic profession;
- (5) At all times respect the patient's dignity, autonomy, and privacy;
- (6) Practice chiropractic only as defined in the scope of practice set forth in Health Occupations Article, § 3-101(f) and (g), Annotated Code of Maryland;
- (7) Provide chiropractic assistance only within the parameters set forth in Health Occupations Article, § 3-404, Annotated Code of Maryland, and COMAR 10.43.07;

- D. A chiropractor and chiropractic assistant may not:

- (1) Misrepresent credentials, qualifications, or affiliations and shall attempt to correct others who misrepresent the chiropractor's or the chiropractic assistant's credentials, qualifications, or affiliations;

- (2) Knowingly engage in or condone behavior that is fraudulent, dishonest, or deceitful, or involves moral turpitude.

On March 12, 2009, a Case Resolution Conference was convened in this matter. Based on negotiations occurring as a result of this Case Resolution Conference, the Respondent agreed to enter into this Consent Order, consisting of Procedural Background, Findings of Fact, Conclusions of Law, Consent and Order.

FINDINGS OF FACT

The Board makes the following findings:

BACKGROUND FINDINGS

1. At all times relevant hereto, the Respondent was and is licensed to practice chiropractic in the State of Maryland. The Respondent was initially licensed to practice chiropractic in Maryland on May 1, 2001, under License Number S02029.

2. At all times relevant hereto, the Respondent operated the Living Wellness Center ("LWC"), an office for the practice of chiropractic at 220 West Cold Spring Lane, Baltimore, Maryland 21210.

3. The Board initiated an investigation of the Respondent after reviewing a complaint, dated July 31, 2007, about the Respondent/LWC from an individual (hereinafter, the "Complainant")² who was affiliated with a chiropractic practice located in Baltimore County, Maryland. The Complainant stated that in or about April 2007, she interviewed an individual (hereinafter, "Employee A") for the position of administrative assistant who stated that she had previously been employed as a receptionist at LWC, during which time she was being trained to show and review x-rays

² To ensure confidentiality, all individuals, other than the Respondent, are not identified in this Consent Order. The Respondent is aware of the identities of all individuals referenced in this Consent Order.

with patients during their "report of findings" visit. The Complainant expressed concerns about the extent to which administrative personnel at LWC were performing functions for which they were not qualified, trained or licensed.

4. The Board's investigative findings are set forth *infra*.

BOARD INVESTIGATIVE FINDINGS

5. From in or about 2004 to 2008, the Respondent unlawfully practiced with, aided or permitted chiropractic assistants, chiropractic assistant applicants and/or other unqualified staff at LWC to provide chiropractic services they were not authorized or registered to perform, in violation of the Act. The Respondent aided or permitted employees who were not registered as chiropractic assistants or chiropractic assistant applicants to provide services that can only be performed by chiropractors, registered chiropractic assistants or by chiropractic assistant applicants who are undergoing training. The Respondent permitted employees who were not chiropractors or registered chiropractic assistants to train and instruct chiropractic assistant applicants to perform chiropractic functions they were not authorized to perform. The Respondent failed to provide appropriate supervision to chiropractic assistants or chiropractic assistant applicants, and/or aided or permitted chiropractic assistants and chiropractic assistant applicants to provide chiropractic treatment without appropriate supervision. In addition, the Respondent provided financial inducements to his staff to encourage prospective chiropractic patients to undergo chiropractic treatment or enroll for additional chiropractic treatment, and held raffles to induce patients to undergo additional chiropractic treatment.

6. Examples of the above include, but are not limited to, authorizing, allowing or otherwise permitting chiropractic assistants, chiropractic assistant applicants or other unqualified staff to: communicate evaluations to patients, without appropriate supervision or authorization, or at the instruction or direction of other unqualified employees; discuss patient symptoms with patients in the context of treatment need; perform range-of-motion ("ROM") and other testing on patients; review radiographs (x-rays) with patients and discuss spine anatomy and pathology in the context of treatment need; perform postural analysis and discuss head-spine alignment with patients and demonstrate different aspects of spine alignment; and provide physical therapy without appropriate supervision, or under the supervision of chiropractors who were not registered as supervisory chiropractors. In addition, the Respondent violated the Act by: promoting in-office competitions among employees to enroll patients for chiropractic services; paying his employees financial bonuses for the number of chiropractic patients they were able to sign up during a designated period; and encouraging patients to undergo additional chiropractic treatment by offering inducements and rewards.

7. During its investigation, Board representatives interviewed employees at LWC who worked there at various times from 2004 to 2008.

8. Employee A worked for the Respondent at LWC from in or about May 2004 to October 2004. During this period, Employee A was not registered as a chiropractic assistant or a chiropractic assistant applicant. Employee A was hired as a receptionist and interviewed prospective patients who came into the office. Employee A was trained to conduct new patient interviews by Employee B, the office manager. Employee B was not a licensed chiropractor, registered chiropractic assistant or a

chiropractic assistant applicant during the time of Employee A's employment at LWC. The Respondent did not provide any training to Employee A. Employee A, who was involved in patient enrollment, interviewed prospective patients about their pain and symptoms. Employee A was taught to ask prospective patients about their symptoms and respond by advising them that their symptoms were "bad" and required chiropractic treatment. Employee A was instructed to characterize patient symptoms in a negative manner in order to pressure them to sign up for chiropractic treatment from LWC. Employee A was instructed to convince patients that they needed chiropractic treatment. Employee A used a spine model to explain the spine, vertebra and causes of back pain to prospective patients. Employee B trained Employee A to show patients their x-rays on their second, "report of findings" visit. Employee A was trained to provide diagnoses, discuss patient symptoms, effects of treatment and contraindications.

9. Employee B worked for the Respondent at LWC from in or about May 2004 to March 2007. Employee B was not a licensed chiropractor or registered chiropractic assistant. For a one year period beginning on or about October 1, 2005, a chiropractor from LWC (not the Respondent) submitted a chiropractic assistant application in Employee B's name to the Board. LWC initially hired Employee B as a receptionist but then transferred her to promoting enrollment of chiropractic services for LWC. In this position, Employee B was instructed to convince prospective patients of the need to get chiropractic treatment from LWC. Employee B was taught to ask prospective patients about their symptoms and respond by advising them that their symptoms were "bad" and required chiropractic treatment. Employee B was instructed

to characterize patient symptoms with "negative acknowledgments," in order to pressure them to sign up for chiropractic treatment from LWC. On the initial visit, Employee B conducted ROM tests and recorded them on a consultation sheet. Employee B used the ROM findings to encourage prospective patients to get chiropractic treatment from LWC. Employee B also asked prospective patients about their levels of pain and recorded this information on the consultation sheet. Employee B was instructed to strongly encourage prospective patients to return for a follow up, or "report of findings" visit, at which point she would review the patients' x-rays with them, which were taken on the initial visit. On this next visit, Employee B was instructed to discuss the prospective patients' x-ray findings with them and answer questions about spine pathology using pamphlets provided by the office and other materials. Employee B used the prospective patients' x-ray findings to encourage them to obtain chiropractic treatment. Employee B answered questions about the patients' x-rays in the context of their spinal pathology and the need for chiropractic. Employee B was also instructed to demonstrate proper head and spine alignment using a bowling ball or shot put. The Respondent paid Employee B cash bonuses if she enrolled over a certain number of prospective patients for chiropractic treatment during a given time period. The Respondent conducted weekly meetings in which he implored Employee B and other employees to enroll patients.

10. Employee C worked for the Respondent at LWC from in or about March 2006 to January 2008. Employee C started as a chiropractic assistant applicant and then became registered as a chiropractic assistant in or about July 2007. Employee C was also involved in enrollment of prospective patients. Employee C interviewed

prospective patients and discussed their symptoms with them, and was instructed to advise them that their symptoms were "bad" and required chiropractic treatment. Employee C was instructed to characterize patient symptoms in a negative manner in order to pressure them to sign up for chiropractic treatment from LWC. The Respondent paid Employee C cash bonuses for enrolling over a certain number of prospective patients for chiropractic treatment during a given time period. Employee C reported that the Respondent held promotions for patients, including an office raffle in which patients received a ticket every time they came into LWC for treatment. If patients accumulated a certain number of tickets, the patient who was referred received a prize, consisting of a therapeutic pillow or BioFreeze. If patients referred other patients for chiropractic treatment, they received a gift card for a consultation, x-rays or hydro massage. Employee C performed physical therapy at LWC, without appropriate supervision. Employee C's activities included but were not limited to placing patients in traction, performing physical therapy exercises and providing hydrotherapy.

11. Employee D worked for the Respondent at LWC in 2004 for approximately ten months. During his employment, Employee D was not a chiropractor, registered chiropractic assistant or chiropractic assistant applicant. Employee D performed postural analysis on the Respondent's patients, performed ROM testing, and reviewed patients' x-rays with them and compared them to photographs of normal spine views using a pamphlet. Employee D also set up approximately 300 patients per week on traction using weights and pulleys.

12. The Respondent's actions, as described above, constitute the following violations of the Act: Practices chiropractic with an unauthorized person or supervises

or aids an unauthorized person in the practice of chiropractic, in violation of H.O. § 3-313(18); Violates any rule or regulation in the practice of chiropractic, in violation of H.O. § 3-313(19); and Commits an act of unprofessional conduct in the practice of chiropractic, in violation of H.O. § 3-313(21).

13. The Respondent's actions, as described above, constitute violations of the following COMAR provisions, effective June 9, 2003: 10.43.07.02, 10.43.07.06, 10.43.07.07, 10.43.07.09 and/or 10.43.14.03. The Respondent failed to comply with reporting requirements, in violation of COMAR 10.43.07.02. The Respondent failed to submit to the Board notices of chiropractic assistant training before providing chiropractic assistant training, in violation of COMAR 10.43.07.06. The Respondent failed to provide appropriate supervision to chiropractic assistants, chiropractic assistant applicants and other non-qualified staff, in violation of COMAR 10.43.07.07. The Respondent permitted or otherwise allowed chiropractic assistants and applicants to engage in prohibited acts, in violation of COMAR 10.43.07.09. The Respondent's actions, as described above, violated the Board's Code of Ethics, found at COMAR 10.43.14.03.

14. The Respondent's actions, as described above, constitute violations of the following revised COMAR provisions, effective October 22, 2007: 10.43.07.02, 10.43.07.04, 10.43.07.07.10 and/or 10.43.14.03. The Respondent permitted chiropractors in his office who were not designated supervisors to work with chiropractic assistants, chiropractic assistant applicants or other non-qualified staff, in violation of COMAR 10.43.07.02. The Respondent delegated responsibilities for supervision of chiropractic assistants, chiropractic assistant applicants or other non-qualified staff to

chiropractors who did not hold supervisory chiropractor status, in violation of COMAR 10.43.07.04. The Respondent failed to submit to the Board notices of chiropractic assistant training before providing chiropractic assistant training, in violation of COMAR 10.43.07.06. The Respondent failed to provide appropriate supervision to chiropractic assistants, chiropractic assistant applicants and other staff, in violation of COMAR 10.43.07.07. The Respondent permitted or otherwise allowed chiropractic assistants, chiropractic assistant applicants and other staff to engage in prohibited acts, in violation of COMAR 10.43.07.09. The Respondent's actions, as described above, violated the Board's Code of Ethics, found at COMAR 10.43.14.03.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated the following provisions of H.O. § 3-313: Practices chiropractic with an unauthorized person or supervises or aids an unauthorized person in the practice of chiropractic, in violation of H.O. § 3-313(18); Violates any rule or regulation in the practice of chiropractic, in violation of H.O. § 3-313(19); and Commits an act of unprofessional conduct in the practice of chiropractic, in violation of H.O. § 3-313(21).

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated the following COMAR provisions, effective June 9, 2003: 10.43.07.02, 10.43.07.06, 10.43.07.07, 10.43.07.09 and/or 10.43.14.03. The Respondent failed to comply with reporting requirements, in violation of COMAR 10.43.07.02. The Respondent failed to submit to the Board notices of chiropractic assistant training before providing chiropractic assistant training, in violation of COMAR

10.43.07.06. The Respondent failed to provide appropriate supervision to chiropractic assistants, chiropractic assistant applicants and other non-qualified staff, in violation of COMAR 10.43.07.07. The Respondent permitted or otherwise allowed chiropractic assistants and applicants to engage in prohibited acts, in violation of COMAR 10.43.07.09. The Respondent's actions, as described above, violated the Board's Code of Ethics, found at COMAR 10.43.14.03.

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent violated the following COMAR provisions, effective October 22, 2007: 10.43.07.02, 10.43.07.04, 10.43.07.07.10 and/or 10.43.14.03. The Respondent permitted chiropractors in his office who were not designated supervisors to work with chiropractic assistants, chiropractic assistant applicants or other non-qualified staff, in violation of COMAR 10.43.07.02. The Respondent delegated responsibilities for supervision of chiropractic assistants, chiropractic assistant applicants or other non-qualified staff to chiropractors who did not hold supervisory chiropractor status, in violation of COMAR 10.43.07.04. The Respondent failed to submit to the Board notices of chiropractic assistant training before providing chiropractic assistant training, in violation of COMAR 10.43.07.06. The Respondent failed to provide appropriate supervision to chiropractic assistants, chiropractic assistant applicants and other staff, in violation of COMAR 10.43.07.07. The Respondent permitted or otherwise allowed chiropractic assistants, chiropractic assistant applicants and other staff to engage in prohibited acts, in violation of COMAR 10.43.07.09. The Respondent's actions, as described above, violated the Board's Code of Ethics, found at COMAR 10.43.14.03.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that the Respondent's Maryland license to practice chiropractic is hereby **REPRIMANDED**; and be it further

ORDERED that the Respondent shall be placed on probation for a period of **EIGHTEEN (18) MONTHS**, to commence on the date the Board executes this Consent Order, subject to the following terms and conditions:

1. Within six (6) months of the date the Board executes this Consent Order, the Respondent shall pay a fine in the amount of five thousand (\$5000.00) dollars, by certified check or money order, payable to the Maryland State Board of Chiropractic and Massage Therapy Examiners.

2. Within six (6) months of the date the Board executes this Consent Order, the Respondent shall take and successfully pass the Board's Jurisprudence Examination. The Respondent shall bear all responsibility for scheduling coordination with the Board and for all costs/fees associated with this examination.

3. Within six (6) months of the date this Consent Order is executed by the Board, the Respondent shall enroll in and successfully complete a Board-approved course in professional ethics. The Respondent shall bear all responsibility for scheduling coordination with the instructor, paying all costs/fees associated with the course, and submitting a written certificate of successful completion of the course in a timely manner to the Board. The Respondent may not use any continuing education credits earned through this coursework to fulfill any continuing education requirements

mandated under law or for renewal of licensure. The Respondent shall be responsible for all costs/fees associated with enrolling in and completing this course.

AND BE IT FURTHER ORDERED that the Board shall dismiss the following charges: Is unethical in the conduct of the practice of chiropractic, in violation of H.O. § 3-313(8); Pays or agrees to pay any sum to any person for bringing or referring a patient, in violation of H.O. § 3-313(15); Overutilizes health care services, in violation of H.O. § 3-313(16); Behaves immorally in the practice of chiropractic, in violation of H.O. § 3-313(20); Misrepresents qualifications, education, training, or clinical experience, in violation of H.O. § 3-313(26); and Violates any provision of this title, in violation of H.O. § 3-313(28); and be it further

ORDERED that if the Respondent violates any of the terms and conditions of this Consent Order, the Board, after notice and an opportunity for a hearing, may impose any other disciplinary sanctions it deems appropriate, including but not limited to, suspension or revocation, said violation being proven by a preponderance of the evidence; and be it further

ORDERED that the Respondent shall not apply for early termination of his probation; and be it further

ORDERED that after the conclusion of the entire **EIGHTEEN (18) MONTH PERIOD OF PROBATION**, the Respondent may file a written petition for termination of his probationary status without further conditions or restrictions, but only if he has satisfactorily complied with all conditions of this Consent Order, including all terms and conditions of probation, and including the expiration of the **EIGHTEEN (18) MONTH**

period of probation, and if there are no pending complaints against him before the Board; and be it further

ORDERED that the Respondent shall be responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and be it further

ORDERED that this Consent Order is considered a **PUBLIC DOCUMENT** pursuant to Md. State Gov't Code Ann. §§ 10-611 *et seq.* (2004 Repl. Vol.).

IT IS SO ORDERED this 14th day of May 2009.



Duane R. Sadula, D.C., President
Board of Chiropractic Examiners

CONSENT

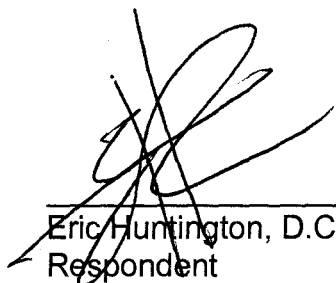
I, Eric Huntington, D.C., acknowledge that I have had the opportunity to consult with counsel before signing this document. By this Consent, I agree to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections as provided by law. I

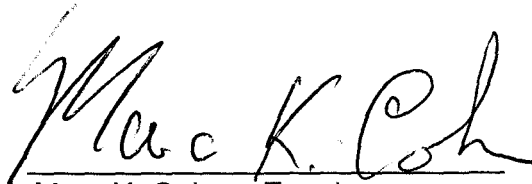
acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order after having had an opportunity to consult with counsel, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Order, and understand its meaning and effect.

4/28/09
Date


Eric Huntington, D.C.
Respondent

Read and approved:
4-5-09
Date


Marc K. Cohen, Esquire
Counsel for Eric Huntington, D.C.

NOTARY

STATE OF Maryland
CITY/COUNTY OF: Baltimore City

I HEREBY CERTIFY that on this 28th day of April, 2009, before me, a Notary Public of the State and County aforesaid, personally appeared Eric Huntington, D.C., and gave oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS, my hand and Notary Seal.

Diann M. Braswell
Notary Public

DIANN M. BRASWELL
NOTARY PUBLIC, STATE OF MARYLAND
CITY OF BALTIMORE
COMMISSION EXPIRES APRIL 1, 2010

My commission expires: April 1, 2010