

1 **BEFORE THE STATE OF ARIZONA BOARD**
2 **OF CHIROPRACTIC EXAMINERS**

3 In the Matter of:

) Case No.: 2017-048

4 Dean E. Burchenson, D.C.

) **CONSENT AGREEMENT AND**
) **FINDINGS OF FACT,**
) **CONCLUSIONS OF LAW AND**
) **ORDER OF PROBATION**

5 Holder of License No. 8493
6 For the Practice of Chiropractic
7 In the State of Arizona

8
9 Respondent

10 **CONSENT AGREEMENT**

11 **RECITALS**

12 In the interest of a prompt and judicious settlement of the above-captioned matter
13 before the State of Arizona Board of Chiropractic Examiners (“Board”) and consistent with
14 the public interest, statutory requirements, and responsibilities of the Board and pursuant to
15 A.R.S. §§ 41-1092.07(F)(5) and 32-924 *et seq.*, Dean E. Burchenson, D.C. (“Respondent”),
16 holder of license number 8493 to practice chiropractic in the State of Arizona, and the Board
17 enter into the following Recitals, Findings of Fact, Conclusions of Law, and Order (“Consent
18 Agreement”) as the final disposition of this matter.

19 1. Respondent has read and understands this Consent Agreement, and has had
20 the opportunity to discuss it with an attorney or has waived the opportunity. Respondent
21 voluntarily enters into this Consent Agreement for the purpose of avoiding the expense and
22 uncertainty of an administrative hearing.

23 2. Respondent understands that he has a right to a public administrative hearing
24 concerning each and every allegation set forth herein, at which time he could present
25 evidence, cross-examine witnesses, and make legal arguments. By entering into this Consent
26 Agreement, Respondent freely and voluntarily relinquishes all rights to such an
27 administrative hearing, as well as all rights of rehearing, review, reconsideration, appeal,
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1 judicial review, or any other administrative or judicial action concerning the matters set forth
2 herein. Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.

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4 3. Respondent agrees that the Board may adopt this Consent Agreement or any
5 part of it, under A.R.S. § 32-924. Respondent understands that the Board may consider this
6 Consent Agreement or any part of it in any future disciplinary action against him.

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8 4. Respondent understands that this Consent Agreement does not constitute a
9 dismissal or resolution of other matters currently pending before the Board, if any, and does
10 not constitute any waiver, express or implied, of the Board's statutory authority or
11 jurisdiction regarding any other pending or future investigation, action, or proceeding.
12 Respondent also understands that this Consent Agreement does not preclude any other
13 agency, subdivision, or officer of this state from instituting other civil or criminal
14 proceedings with respect to the conduct described herein.

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16 5. All admissions Respondent makes in this Consent Agreement are made
17 solely for the final disposition of this matter, and any related administrative proceedings or
18 civil litigation involving the Board and Respondent. This Consent Agreement is not to be
19 used for any other regulatory agency proceedings, or civil or criminal proceedings, whether
20 in the State of Arizona or any other state or federal court, except related to the enforcement
21 of this Consent Agreement.

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23 6. By agreeing to allow the Board to impose the discipline ordered herein,
24 Respondent acknowledges that the Board has evidence from which it could impose discipline
25 under A.R.S. § 32-924 (G).

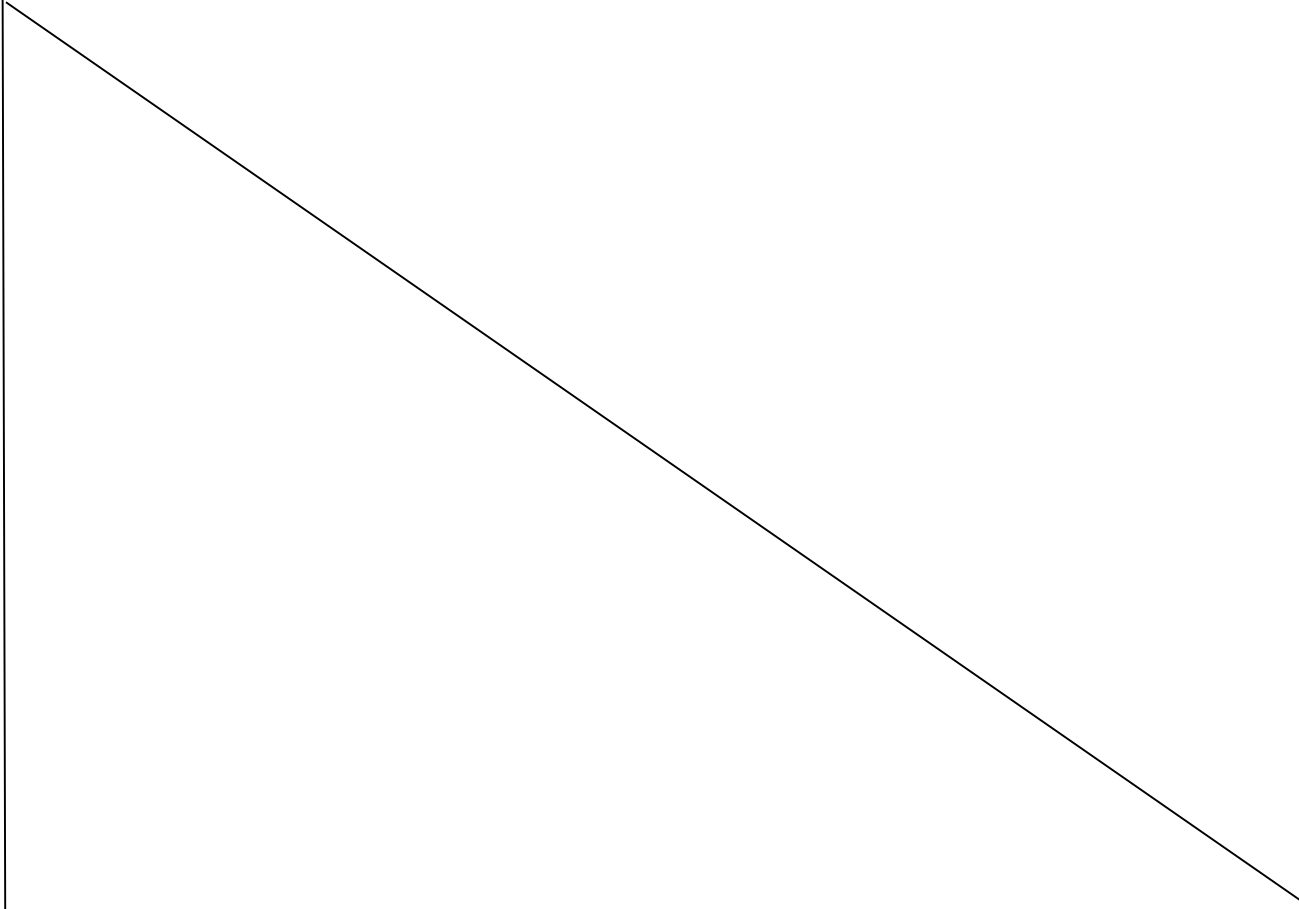
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27 7. Respondent acknowledges and agrees that, upon signing this Consent
28 Agreement and returning it to the Board, Respondent may not revoke his acceptance of the
Consent Agreement or make any modifications to the document. Any modification to this
Consent Agreement is ineffective and void unless mutually approved by the parties in
writing.

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probation. In the event the Respondent fails to renew his license prior to January 1, the Board shall consider it an act of noncompliance with this order, which may result in additional disciplinary action including all other disciplinary options including suspension and revocation.

5. Respondent shall obey all federal, state and local laws and all rules governing the practice of chiropractic in Arizona. The Board shall consider any violation of this paragraph as a separate violation of the Chiropractic Practice Act.

6. The Board retains jurisdiction over Respondent and may take additional remedial or disciplinary action against him if it determines that he has committed subsequent violations of this order or of the chiropractic practice act. Respondent shall appear in person before the Board to respond to questions or concerns regarding his compliance with this order when requested.



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2 **DATED AND EFFECTIVE** this 4th of May, 2018

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4 STATE OF ARIZONA BOARD OF
5 CHIROPRACTIC EXAMINERS



By James Badge, D.C.

James Badge, D.C., Chair
State of Arizona Board of
Chiropractic Examiners

10 **Original** of the foregoing filed this
11 4th of May, 2018, with:

12 State of Arizona Board of Chiropractic Examiners
13 1740 W. Adams, Suite 2430
14 Phoenix, AZ 85007

15 **Executed Copy** of the foregoing mailed by U.S. Certified mail
16 this 15th of May, 2018, to:

17 Dean E. Burchenson, D.C.
18 1655 West Chandler Blvd., Suite 4
19 Chandler, Arizona 85224

20 **Respondent**
Certificate No. 7015 3430 0000 3430 4616

21 **Executed Copy** of the foregoing e-mailed
22 this 15th of May, 2018 to:

23 Michael Raine, Assistant Attorney General
24 Michael.Raine@azag.gov

25 Justin Bohall, Executive Director
26 Board Operations