

# EXHIBIT D-2



## Arkansas State Board of Chiropractic Examiners

101 East Capitol Ave., Suite 209

Little Rock, Arkansas 72201

P: (501) 682-9015 F: (501) 682-9016

www.arkansas.gov/asbce ASBCE@arkansas.gov

July 21, 2011

### License Verification

**Doctor's Name:** Ryan D. Monson, D.C.  
**Education:** Logan University - College of Chiropractic - MO  
**Date Graduated:** 12/16/1995  
**Felony Conviction:** Yes

**AR License #:** 1401  
**Issue date:** 1/6/1996  
**Expiration Date:** 12/31/2011  
**Status:** Suspended  
**Descriptor:**  
**Complaints:** 2  
**Disciplinary Action:** Yes

**Mailing Address:** 305 SW 11th St.

**City/State/Zip:** Bentonville, AR 72712  
**County:** Benton  
**Business Number:** (479) 273-7058  
**Fax Number:**

**Employer:** Northwest Arkansas Chiropractic

**City/State/Zip:**  
**County:**  
**Employer Number:** (479) 621-9006  
**Fax Number:**  
**Dates Employed:** 01/18/11 to 01/18/11

Date Printed: Thursday, July 21, 2011



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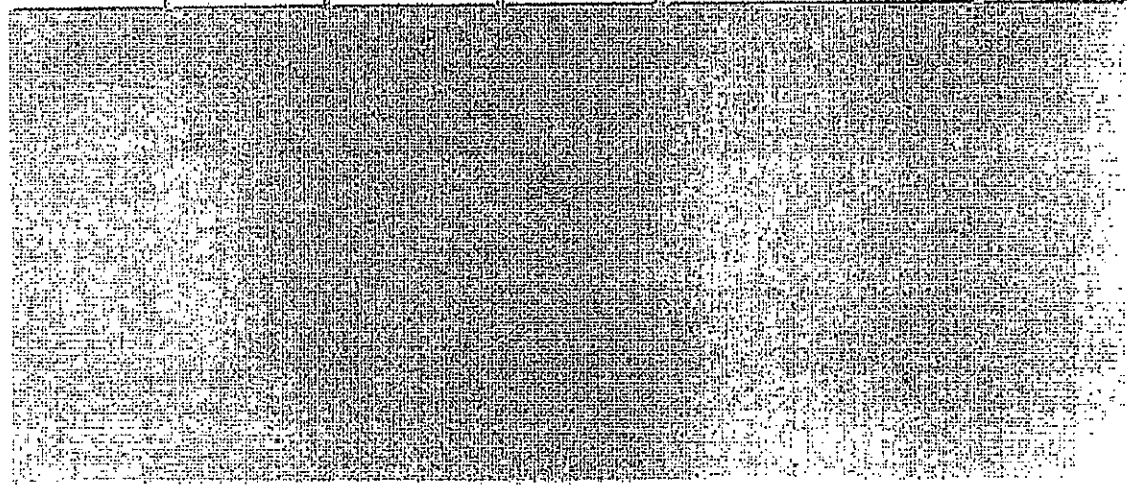
## FELONY CONVICTION REPORT

3

First Name Ryan  
Middle Name D.  
Last Name Monson  
Lic Number 1401  
Disciplined Yes

Felony Description 7-22-1997 Sexual Abuse First Degree, Class C felony

Complaint #	Received Date	Complaint #	Received Date	Determination	Closed Date
		406-12-16-10	12/16/2010	Consent Order	04/12/2011
		111-10-20-97	10/20/1997	Consent Order	





# COMPLAINT REPORT

Complaint # 111-10-20-97 | Date 10/20/1997

Total #  
of Complaints:

2

Doctor Ryan D. Monson

Lic\_# 1401

Address 1 305 SW 11th St.

Address 2 \_\_\_\_\_

City/state/zip Bentonville | AR | 72712

Complaint Filed By \_\_\_\_\_

Address \_\_\_\_\_

City / State / Zip \_\_\_\_\_

Email \_\_\_\_\_

Phone \_\_\_\_\_

Complaint Description Felony Conviction

Board Determination

Consent Order

Hearing Decision

Suspended/Fine/Probation

Discp Action Consent Order

**BEFORE THE ARKANSAS STATE BOARD OF CHIROPRACTIC EXAMINERS**

**IN THE MATTER OF:  
RYAN D. MONSON, D.C.**

**NO: 406-12-16-10**

**ORDER OF SUSPENSION**

On December 21, 2010 an emergency hearing was held by teleconference before the Arkansas State Board of Chiropractic Examiners pursuant to the provisions of the Arkansas Administrative Procedure Act, Ark. Code Ann. §25-15-201 *et seq.* Respondent, Ryan D. Monson was present and was represented by counsel, Colin Johnson. On the basis of the testimony, the Board made the following findings of fact, conclusions of law, and order:

**FINDINGS OF FACT**

1. Ryan D. Monson holds a chiropractic license issued by this Board, and he currently practices as a Doctor of Chiropractic in the State of Arkansas.
2. A complaint against Ryan Monson was received by the Board on December 16, 2010.
3. The complaint alleges Ryan Monson has engaged in sexual misconduct with a patient.
4. The complaint makes numerous allegations that, if proven true, represent unprofessional conduct on the part of Ryan Monson.
5. On July 22, 1997, Ryan Monson plead guilty to sexual abuse in the first degree, which is a Class C felony.
6. The Board held a hearing October 30, 1997, at which time Ryan Monson testified that he engaged in conduct with a minor female which was the basis of the

charge of which he was convicted. The Board suspended Ryan Monson's license for 90 days and placed him on probation for a period of 10 years. Ryan Monson was also ordered by the Board to pay a civil penalty of \$2,000 and to have an assistant present whenever he performs manipulations or adjustments.

7. The public health, safety and welfare imperatively requires emergency action on the part of the Board.

#### CONCLUSIONS OF LAW

1. Arkansas Code Annotated §25-15-211(c) authorizes the Board to summarily suspend a license upon finding that the public health, safety, or welfare imperative requires emergency action.

2. Board Regulation (C)(2)(p)(i) prohibits sexual misconduct defined as a "sexual violation."

3. Board Regulation (C)(2)(p)(ii) prohibits sexual misconduct defined as a "sexual impropriety."

#### ORDER

1. The Chiropractic license of Ryan Monson is suspended, effective immediately, pending a full hearing on the matter to be held January 20, 2011 at 2:00 pm.

IT IS SO ORDERED.

ARKANSAS STATE BOARD  
OF CHIROPRACTIC EXAMINERS

BY:

*Rebecca F. Wright*  
Rebecca F. Wright  
Executive Director

*12-29-2010*

BEFORE THE ARKANSAS STATE BOARD OF CHIROPRACTICE EXAMINERS

IN THE MATTER OF  
RYAN D. MONSON, D.C.  
No. 406-12-16-10

CONSENT ORDER

A complaint charging Ryan D. Monson, D.C., (hereinafter referred to as "Respondent") with violations of the Arkansas Chiropractic Practices Act has been received by the Arkansas State Board of Chiropractic Examiners (hereinafter referred to as "the Board"). An emergency hearing was held by the Board on December 21, 2010. The Board found that Respondent's conduct posed a risk to the public's health and safety and suspended his license temporarily pending a hearing. A notice of formal hearing on the issues has been served upon the Respondent. In lieu of a formal hearing on the issues in the notice of hearing, and in the interest of a prompt and speedy settlement of the above captioned matter consistent with the public interests, statutory requirements, and the responsibilities of the Board, the undersigned parties consent to the entry of this Order as a final disposition of this matter.

Based upon the evidence before it, the board makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. At all times relevant to this matter, Respondent has held a chiropractic license issued by this Board and practiced as a Doctor of Chiropractic in the State of Arkansas.
2. Kate Wilcox (hereinafter referred to as "Patient" or "Complainant"), an adult female, was provided chiropractic services by respondent between December, 2009 and July, 2010. An assistant was not present during office examinations.

3. On December 16, 2010, the Board received a complaint from Complainant's husband Kendall Wilcox, alleging that Respondent had engaged in sexual misconduct with the Complainant.

4. The Complainant alleged that respondent fondled her breasts and genitals and had sexual relations with her during the time she was a patient. The Complainant further alleged that Respondent lured her to a conference in Kansas City where he allegedly drugged her and sexually assaulted her repeatedly over a two day period.

#### CONCLUSIONS OF LAW

Respondent's conduct as described in the Findings of Fact, constitutes a violation of board regulations (c) (2)(p)(i) and (c)(2)(p)(ii).

Respondent's violation of the above referenced board regulations constitutes unprofessional conduct, which subjects him to disciplinary proceedings pursuant to Ark. Code Ann. §17-81-313(a)(6).

#### ORDER

1. In lieu of formal hearing on these issues, Respondent's consents to the issuance of this Order and waives all rights to a hearing, appeal, or judicial review relating to this proceeding.

2. Respondent's chiropractic license shall be suspended for a period of five years, beginning retroactively on December 21, 2010, the date of the emergency suspension hearing.

3. Respondent shall pay a civil penalty of \$5,000. Five Hundred Dollars shall be tendered on the date of this order and the balance to be paid in full within two years of the date of this order.

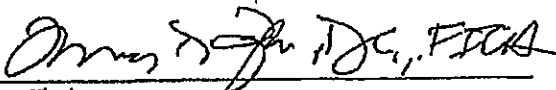


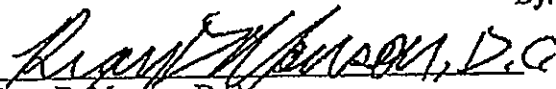
4. Reinstatement of licensure is governed by Ark. Code Ann. § 17-81-314(b) and will be contingent upon the Respondent's providing satisfactory assurance of proper conduct, filing a statement of intent, as well as his payment of a regular yearly renewal fee of \$200, his submission of a current criminal background check, payment in full of the \$5,000 civil penalty, and having complete 24 hours of continuing professional education, 12 hours of which must be in the area of boundary violations.


5. If Dr. Monson's license is reinstated, he must have an assistant present whenever he performs manipulations or adjustments.

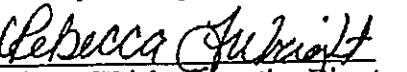
Arkansas State Board of Chiropractic Examiners

DATE: April 12, 2011.

  
By: Chairman

  
Ryan D. Monson, D.C.

  
Colin Johnson  
Attorney for Respondent

  
Rebecca Wright, Executive Director

COPY

BEFORE THE ARKANSAS STATE BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF: RYAN D. MONSON, D.C.  
LICENSE NO. 1401

FINDINGS OF FACTS, CONCLUSION OF LAW AND ORDER

On Thursday, October 30, 1997, the Arkansas State Board of Chiropractic Examiners (hereinafter "Board") held an adjudicatory hearing to determine whether the License issued to Ryan D. Monson, D.C. (hereinafter "Dr. Monson") to practice chiropractic medicine in the State of Arkansas should be placed under probation, suspended, revoked and/or a civil penalty be imposed for alleged violations of the Arkansas Chiropractic Practices Act.

Dr. Monson appeared personally and with his attorney. The Board's Staff was represented by Assistant Attorney General Arnold M. Jochums. After reviewing documents received in evidence, hearing, sworn testimony and arguments and statements of counsel, the Board makes the following findings of facts and conclusions of law and allegations.

FINDINGS OF FACT

1. That Dr. Monson was issued License No. 1401 on January 6, 1996.
2. That Dr. Monson is currently practicing chiropractic medicine in Bentonville, Arkansas in a solo private practice which is located in the same suite of offices with his father who is a marriage and family therapist.
3. That Dr. Monson plead guilty on July 22, 1997 to sexual abuse in the first degree which is a Class C felony.

4. That the Crawford County Circuit Court entered a 10-year suspended imposition of sentence which is conditioned upon Dr. Monson serving time in the county jail; remaining in and complying with a sexual offender treatment program; having no direct contact with two named females or their parents; not being alone with female children, not his own, or engage in work that requires being alone with female children under the age of 17, or be employed in an occupation whose primary clients are children; keeping the Prosecuting Attorney's office informed of his current address, telephone number and place of employment; and providing a release of information allowing exchange of information between the Prosecutor's office and treatment providers.

5. In testimony before the Board, Dr. Monson stated that in January 1996 he had engaged in conduct with a minor female which was the basis of the charge he was convicted of. He stated that he does not see any juveniles in his practice and that he has made arrangements to have an assistant present whenever he adjusts a female patient.

6. Dr. Monson is participating in ongoing counseling.

#### CONCLUSIONS OF LAW

Based on the findings made above, the Board concludes Dr. Monson is in violation of A.C.A. § 17-81-313(a)(2).

#### ORDER

The Board orders that Dr. Monson's license be suspended for 90 days. Dr. Monson is placed on probation for 10 years. Dr. Monson is ordered to pay a civil penalty in the amount of \$2,000 within one year of this date. The payment is to be made on or before October 30, 1998. Dr. Monson will be required to have an assistant present

whenever he performs manipulations or adjustments on clients whether they be male or female. It is the direction of the Board that the assistant not be a member of his family.

Dr. Monson may keep his practice open during the 90 day suspension if a licensed chiropractor, approved by the Board, performs all examinations and treatments

It is the responsibility of Dr. Monson to arrange to have his treating psychologist make a report to the Board every six months.

This is a final adjudicatory order of the Board and as such is subject to judicial review pursuant to procedures set out in the Arkansas Administrative Procedures Act at A.C.A. §25-15-212.

ARKANSAS BOARD OF CHIROPRACTIC  
EXAMINERS



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Dr. Tom Taylor  
Board President