

STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF CHIROPRACTIC

IN RE:)
CHARLES VARTANIAN, D.C.)
License No. 006.0000747)

Docket No.: 2011-278

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney Edward Adrian, and the Respondent, Charles Vartanian, D.C., who stipulate and agree as follows:

Board Authority

1. The Vermont Board of Chiropractic has jurisdiction to investigate and adjudicate allegations of unprofessional conduct pursuant to 3 V.S.A. §§ 129 and 129a; 26 V.S.A. §§ 529 and 541; the Board of Chiropractic Laws and Rules ("BCLR"); and the Rules of the Office of Professional Regulation.

Stipulated Facts

2. Charles Vartanian, D.C., (the "Respondent"), of Morrisville Vermont, is a licensed chiropractic physician in the State of Vermont holding license number 006.0000747. This license was originally issued on or about July 18, 1984 and is set to expire on September 30, 2012.
3. At all times relevant, Respondent was working as chiropractic physician at Vartanian Clinic (the "Facility") located in Morrisville, Vermont.
4. On or about April 27, 2011, Respondent treated W.P. with electro-therapy. Respondent left the facility while W.P. was receiving the treatment and did not remove the electro-therapy device from W.P. before leaving the facility. W.P. was left unattended for approximately forty-five (45) minutes.

Violations

5. The acts, omissions, and/or circumstances described above, constitute unprofessional conduct in violation of:

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Prosecuting Attorney
Office of
Professional Regulation
National Life Building
Second Floor North
Montpelier, VT
05620-3602

- a. The State incorporates paragraph 4, 26 V.S.A. § 541(b)(14) (Notwithstanding the provisions of 3 V.S.A. § 129 a(a)(10), in the course of practice failure to use and exercise that degree of care, skill and proficiency which is commonly exercised by the ordinary skillful, careful, and prudent chiropractor engaged in similar practice under the same or similar conditions, whether or not actual injury to a patient has occurred); and,

Understandings

6. Respondent admits that the facts above are true.
7. Respondent understands that the Board of Chiropractic must review and accept the terms this Stipulation and Consent Order. If the Board rejects any portion, the entire Stipulation and Consent Order shall be null and void and no portion shall be offered as evidence at any hearing.
8. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced his rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board.
9. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
10. Respondent is not under the influence of any drugs or alcohol at the time he signs this Stipulation and Consent Order.
11. Respondent voluntarily enters into this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing this Stipulation and Consent Order.
12. Respondent voluntarily waives his right to a contested hearing before the Board of Chiropractic and waives any right to appeal from this Stipulation and Consent Order.
13. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Chiropractic hereby **WARNS** the Respondent's license.

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- B. Notwithstanding any provision above, the Respondent must continue to meet all Chiropractic Board requirements for maintaining a license, license renewal and license reinstatement.
- C. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).
- D. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

Dated: 8/29/12

STATE OF VERMONT
SECRETARY OF STATE

By: [Signature]

Edward Adrian
State Prosecuting Attorney

CHARLES VARTANIAN, D.C.
RESPONDENT

Dated: 8/28/2012

By: Charles Vartanian

Charles Vartanian

APPROVED AS TO FORM:

Dated: 8/28/12

ATTORNEY FOR RESPONDENT

By: [Signature]

Ritchie E. Berger, Esq.

APPROVED AND SO ORDERED:

Dated: 10/2/12

Date of Entry: 10/2/12

VERMONT BOARD OF
CHIROPRACTIC

By: [Signature]

Chairperson

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