BEFORE THE INDIANA BOARD OF
CHIROPRACTIC EXAMINERS
CAUSE NO. 96 IBCE 003

STATE OF INDIANA,

Petitioner,

v.

PHILLIP SPRINKLE, D.C.,
License number 08000633,

Respondent.

FILED
JUL 16 1998
HEALTH PROFESSIONS BUREAU

NOTICE OF PROPOSED DEFAULT ORDER

An administrative hearing was held on July 9, 1998, before the Indiana Board of Chiropractic Examiners ("Board") in Room 041 of the Indiana Government Center, 402 West Washington Street, Indianapolis, Indiana, 46204 to determine whether to continue the summary suspension and whether to impose additional discipline against the probationary chiropractic license of Phillip Sprinkle, D.C. ("Respondent"), for Respondent's failure to comply with the terms of his probation.

The State of Indiana was represented by James R. Oliver, Deputy Attorney General. Respondent was not present and was not represented by counsel.

The Board, after taking official notice of its file in this matter and pursuant to Indiana Code 4-21.5-3-24, by a vote of 6-0 issues this Notice of Proposed Default Order on the following grounds:

FINDINGS OF FACT

1. Respondent's address is P.O. Box 161, Spencer, Indiana, 46460, and he is a duly licensed chiropractor in the State of Indiana holding license number 08000633.

2. On May 21, 1998, the Board issued an Order to Show Cause for Respondent's noncompliance with the Board's Order of February 12, 1998 which placed his chiropractic license on probation. The Order to Show Cause set a hearing for June 11, 1998 at 9:30 a.m.
3. On June 10, 1998, Respondent sent, by facsimile, a letter to the Board indicating that he knew of the hearing on June 11, 1998, but would not attend.
4. Respondent did not appear for the Show Cause hearing, and the Board summarily suspended his license to practice chiropractic.
5. On June 19, 1998, the Board issued Preliminary Hearing Notice to determine whether to void, terminate, modify, stay or continue the summary suspension of Respondent's license. The Notice set a hearing for July 9, 1998 at 9:30 a.m.
6. Respondent failed to appear on July 9, 1998.
7. Pursuant to Indiana Code 4-21.5-3-20, Respondent was provided adequate notice of the final hearing date and failed to appear for the scheduled hearing on June 11, 1998, and for the scheduled hearing on July 9, 1998.

ORDER

Based upon the above Findings of Fact, due to Respondent's failure to appear for his scheduled hearing dates, the Board issues this Notice of Proposed Default.

In accordance with Indiana Code §4-21.5-3-24, Respondent must file a written motion within seven days of service of this order requesting that the Board not enter a default order in this case and stating the reasons relied upon for his request. Failure of Respondent to file such a written motion within seven days shall result in the issuance of a default order. If Respondent timely files a motion, the Board shall consider said motion

along with any other relevant facts in determining whether a default order should be entered. Should a default order be entered against Respondent, the Board may hold further proceedings it deems appropriate to complete this case, including imposing additional sanctions upon Respondent's license, without the participation of Respondent.

SO ORDERED, this 16th day of July, 1998.

INDIANA BOARD OF CHIROPRACTIC EXAMINERS

By: Laura Langford
Laura Langford
Executive Director
Health Professions Bureau

copies to:

Dr. Phillip Sprinkle, D.C.
Sprinkle Chiropractic
PO Box 161
Spencer, IN 46460
SENT CERTIFIED MAIL NO. Z 218 665 884
RETURN RECEIPT REQUESTED.

Deputy Attorney General James R. Oliver
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IGCS 5th Floor
402 W. Washington St.
Indianapolis, IN 46204

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