

**BEFORE THE STATE BOARD OF CHIROPRACTIC EXAMINERS
OF SOUTH CAROLINA**

In the Matter of:

GERALD V. LONG, D.C.,
License No. 896

CONSENT ORDER

(96-17)

Respondent.

By agreement of the State Board of Chiropractic Examiners of South Carolina (the Board) and the above-named Respondent, the following disposition of this matter is entered pursuant to the provisions of S.C. Code Ann. §1-23-320(f) (Supp. 1996) of the South Carolina Administrative Procedures Act:

FINDINGS OF FACT

1. Respondent admits that he is licensed to practice chiropractic in the State of South Carolina and was so licensed at all times relevant to the matters asserted in this case.
2. Respondent admits that, on or about June 11, 1993, [REDACTED] (patient) presented at Respondent's office for chiropractic treatment. It is further admitted that Respondent performed a cervical adjustment upon this patient when he was not fully aware that symptoms indicating severe neurological deterioration may have contraindicated the performance of said adjustment. These symptoms included, but were not limited to, exhibiting slow speech and a pale appearance, nausea, and projectile vomiting. *GVL*
3. Respondent admits that on or about June 11, 1993, he was faced with an emergency situation. The Board contends that Respondent failed to seek proper emergency assistance and Respondent specifically denies same or any other misconduct.
4. Respondent agrees that the conduct set forth above, if proven, would constitute a violation of S.C. Code Ann. §40-9-90(6)(11) (1986) and Regulations No. 25-5 (4) and 25-6 (C) (Supp. 1996), as alleged.
5. Respondent and Board continue to maintain their respective differences and agree to resolve this matter by entering into this Consent Order.
6. Respondent waives any further findings of fact with respect to this matter.

CONCLUSIONS OF LAW

1. Respondent consents to the imposition of disciplinary or corrective action under §40-9-90, *supra*. Respondent hereby waives any further conclusions of law with respect to this matter.

2. Respondent has full knowledge that he has the right to a hearing and to be represented by counsel in this matter, and freely, knowingly, and voluntarily waives such rights by entering into this Consent Order. Respondent understands and agrees that by entering into this Consent Order he voluntarily relinquishes any right to judicial review of Board action(s) which may be taken concerning any related matters. Respondent understands and agrees that this Consent Order will not become effective unless and until approved by the Board. Respondent understands and agrees that a representative of the General Counsel's Office and Respondent may be present during presentation of this Consent Order to the Board. Respondent understands and agrees that this Consent Order, if approved, will be disseminated as a public action of the Board in the manner provided by law. Respondent understands and agrees that if this Consent Order is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the Board to adjudicate this matter.

THEREFORE, IT IS ORDERED WITH RESPONDENT'S CONSENT THAT:

1. Respondent's license to practice chiropractic shall be immediately placed in a probationary status upon the following terms and conditions of probation, which shall remain in effect for one (1) year from the date of this Consent Order or until further Order of the Board:

- (a) Respondent shall pay a fine of One Thousand and No/100 (\$1,000.00) Dollars within thirty (30) days from the date this Order becomes final. Said fine shall not be deemed paid until received by the Board. Failure to pay within the prescribed thirty (30) day period shall result in the immediate temporary suspension of Respondent's license to practice chiropractic in this State until such time as full payment has been made by Respondent.
- (b) Respondent shall, within one (1) year from the date this Order becomes final, acquire and document twelve (12) hours of continuing education credits in the areas of neurological disorders and emergency response. All courses taken shall be pre-approved by the Board. This requirement shall be in addition to the twelve (12) hours mandated by Board Regulation No. 25-4 (D) of the Rules and Regulations of the Board. Respondent shall file written proof of compliance with the Board within one (1) year from the date this Order becomes final. Failure to acquire the required hours of continuing education credits within the one (1) year period shall result in the immediate temporary suspension of Respondent's license to practice chiropractic in this State until such time as full compliance has been made by Respondent.

- 9-1-73
- (c) Respondent shall appear and report to the Board as requested by the Board.
 - (d) Respondent shall promptly advise this Board in writing of any changes in address, practice, professional status, or compliance with this Consent Order. Correspondence and copies of reports and notices mentioned herein shall be directed to:

LLR-Board of Chiropractic Examiners
P.O. Box 11329
Columbia SC 29211-1329

2. Failure of Respondent to comply with any of the provisions of this Consent Order may result in the immediate temporary suspension of Respondent's license to practice chiropractic, pending hearing and until further Order of the Board.

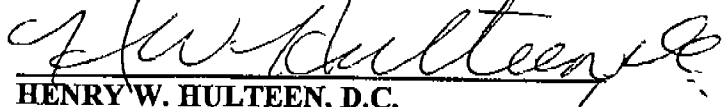
3. Pursuant to the South Carolina Freedom of Information Act, this Consent Order, with attachments, is a public document.

4. Respondent shall cooperate with the Board, its attorneys, investigators, and other representatives in the investigation of Respondent's practice and compliance with the provisions of this Consent Order. Respondent may be required to furnish the Board with additional information as may be deemed necessary by the Board or its representatives. In addition to such requests, the Board in its discretion may require Respondent to submit further documentation regarding Respondent's practice, and it is Respondent's responsibility to fully comply with all reasonable requests in a timely fashion. Failure to reasonably comply with such requests will be deemed a violation of this Consent Order.

5. This Consent Order shall take effect immediately upon receipt by Respondent or his counsel.

AND IT IS SO ORDERED.

STATE BOARD OF CHIROPRACTIC
EXAMINERS



HENRY W. HULTEEN, D.C.

Chairman of the Board

5/15, 1997.

WE CONSENT:

Gerald V. Long, D.C.

Gerald V. Long, D.C.

RESPONDENT

May 8, 1997
DATE

D. Michael Kelly, Esquire
ATTORNEY for Respondent

May 8, 1997
DATE

Richard W. Simmons, II, Esquire
STAFF ATTORNEY for the South Carolina
Department of Labor, Licensing & Regulation

May 13, 1997
DATE