

**BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS**

In the Matter of)
)
DAVID JEFFREY AUXIER, D.C.)
Applicant for Licensure)

FILED

MAR 03 1999

**KANSAS STATE BOARD OF
HEALING ARTS**

FINAL ORDER

NOW ON THIS 13th day of February, 1999, comes on before the Kansas State Board of Healing Arts ("Board) the application for licensure of David Jeffrey Auxier, D.C. ("Applicant") to practice chiropractic in the state of Kansas. Stacy Cook, Litigation Counsel, and Charlene Abbott, Licensing Administrator, presented information before the Board. Dr. Auxier appeared *pro se*.

After reviewing the file, hearing statements from the parties and being duly advised in the premises, the Board finds:

1. Applicant filed an Application for Licensure to practice chiropractic in the state of Kansas on January 27, 1999.
2. In his application, Applicant provided information that he had graduated from chiropractic college on December 19, 1997.
3. According to the Board requirements, the Part IV Practical Examination administered by the National Board of Chiropractic Examiners is required to be taken and passed by applicants who graduated after April 1997. Applicant has requested the Board waive the requirement of passage of Part IV.
4. Applicant has not taken nor passed the Part IV Practical Examination of the NBCE and his application is therefore considered to be incomplete and his request for waiver of taking and passing Part IV is denied.

5. Applicant has waived notice of hearing on the factual information contained in Count I of the Answer to Applicant's Application and has agreed to proceeding to a Conference Hearing on whether such facts constitute grounds for denial of Applicant's application.

6. The facts set forth in the Answer to Applicant's Application constitute municipal court cases from 1987 through 1991 and no court records are available pertaining to such cases.

7. The factual information set forth in the Answer to Applicant's Application do not constitute grounds for denial of Applicant's application.

8. Upon providing proof of passage of Part IV Practical Examination of the NBCE and otherwise fully completing the application, a license to practice chiropractic may be issued to Applicant.

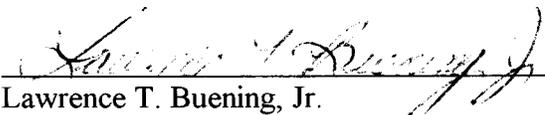
IT IS THEREFORE ORDERED AS FOLLOWS:

1. That Applicant's request for waiver of Part IV Practical Examination of the National Board of Chiropractic Examiners is **DENIED** and that Applicant's Application for Licensure is deemed incomplete until proof of passage of Part IV is submitted to the Board.

IT IS THEREFORE ORDERED that upon submission of a fully completed application, a license to practice chiropractic may be issued to Applicant without further hearing.

DATED this 30 day of March, 1999.

KANSAS STATE BOARD OF HEALING ARTS



Lawrence T. Buening, Jr.
Executive Director

CERTIFICATE OF SERVICE

I, Lawrence T. Buening, Jr., Executive Director, Kansas State Board of Healing Arts, do hereby certify that on the 2nd day of March, 1999, a true and correct copy of the above and foregoing FINAL ORDER was deposited in the United States mail, first class postage prepaid to the following:

David J. Auxier, D.C.
415 Mason Road
St. Joseph, MO 64504

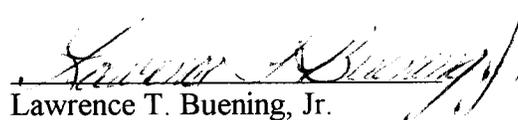
and a copy hand delivered to:

Charlene K. Abbott
Licensing Administrator
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603

Stacy Cook
Litigation Counsel
Kansas State Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603

and the original was hand-delivered to:

Lawrence T. Buening, Jr.
Executive Director
Kansas Board of Healing Arts
235 S. Topeka Boulevard
Topeka, Kansas 66603


Lawrence T. Buening, Jr.
Executive Director
(785) 296-3680

LTB40/Auxier.Final Order