

**STATE OF VERMONT
BOARD OF CHIROPRACTIC EXAMINATION AND REGISTRATION**

IN RE:)	
MAURICE CYR)	Docket No. CH02-1101
<u>License No: 06-0734</u>)	

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont through its Attorney General, William H. Sorrell, and Respondent, Maurice Cyr, who stipulate and agree as follows:

1. The Vermont Board of Chiropractic Examination and Registration has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by Chiropractic Physicians pursuant to 3 V.S.A. §§129, 129a; 26 V.S.A. §§521, 527, 529, 541 and; the Board's and the Office of Professional Regulation's Rules.
2. Respondent Maurice Cyr, of Rutland, Vermont, is a Chiropractic Physician holding license number 06-0734 issued by the State of Vermont. This license was originally issued on about January 24, 1984 and it is currently active.
3. Respondent admits that at times since 1989, he has advertised, including in telephone directories, that he had been awarded the Chiropractor of the Year, by the Vermont Chiropractic Association ("Association").
4. Respondent admits that the advertisements in the preceding paragraph potentially had a tendency to deceive in that it was not specified that he was the Association's Chiropractor of the Year in 1989 and that he did not receive this award in each of the intervening years, when the ads appeared.

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

5. Respondent admits that at times since early 2001, he has advertised, including in telephone directory and newspaper ads, that he was voted the Rutland-area's best chiropractor.
6. Respondent admits that the advertisements in the preceding paragraph potentially had a tendency to deceive in that not all ads identified the organization conducting the vote and not all ads identified the year of the vote. Specifically, the vote was part of a 2001 marketing survey, not a poll of chiropractic professionals or of chiropractic patients.
7. Respondent represents that he shall change future advertisements to specify the year he has won an honor or award (e.g. Chiropractor of the Year, 1989; Area's Best Chiropractor, 2001) and to specify the organization that bestowed such honor or award (e.g. Vermont Chiropractic Association; ABC Marketing Survey Company).
8. Respondent admits the unprofessional conduct as set forth herein and the conclusions and entry of the subsequent Order set forth below.
9. Respondent understands that the Board must review and accept the terms of this Stipulation and Consent Order. If the Board rejects any portion, the entire Stipulation and Consent Order shall be null and void.
10. Respondent waives any notification period and agrees to have this document reviewed by the Board during the next available meeting. 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.

11. Respondent is not under the influence of any drugs or alcohol at the time he signs this Stipulation and Consent Order.
12. Respondent waives his right to a contested hearing before the Board on any pending charges, if this stipulation is accepted by the Board.
13. Respondent has read and reviewed this entire document and agrees it contains the entire agreement between the parties.
14. Respondent agrees that the Board may set forth the order below.
15. Respondent voluntarily enters this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing this agreement.

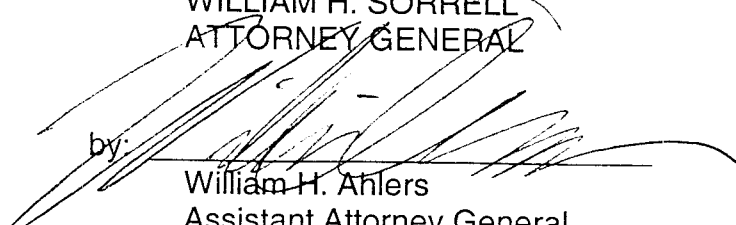
ORDER

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

- A. The above acts constitute unprofessional conduct pursuant to, and also violate: 3 V.S.A. §129a(a)(2) (Advertising that is intended or has a tendency to deceive) and 26 V.S.A. §541(b)(1) (Advertising or making a representation relating to chiropractic which is intended or has a tendency to deceive the public...).
- B. The Board of Chiropractic Examination and Registration issues a **WARNING** to Respondent.
- 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)(7).
- 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.

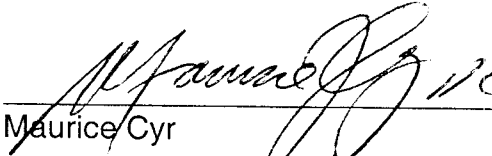
STATE OF VERMONT
WILLIAM H. SORRELL
ATTORNEY GENERAL

Date: 9/20/02

by: 
William H. Ahlers
Assistant Attorney General

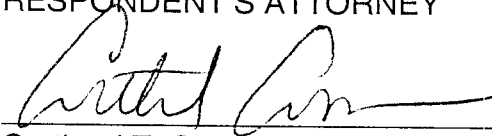
MAURICE CYR
RESPONDENT

Date: 9/20/02


Maurice Cyr

CORTLAND T. CORSONES, ESQ.
CORSONES & CORSONES
RESPONDENT'S ATTORNEY

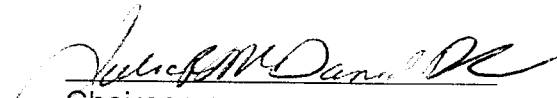
Approved as to Form:
Date: _____


Cortland T. Corsones, Esq.

APPROVED AND SO ORDERED:

BOARD OF CHIROPRACTIC
EXAMINATION AND REGISTRATION

Date: 10-1-02


Chairperson

Entry Date: 10/3/02