

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
D E P A R T M E N T O F H E A L T H



Safe and Healthy Lives in Safe and Healthy Communities

Board of Chiropractic Examiners

**In the Matter of
David Cichy, D.C.**

Consent Order

The Board of Chiropractic Examiners received a complaint from an insurance liability carrier alleging that claims for reimbursement by the Respondent David Cichy, D.C. for treatments to four patients due to an injury in an automobile accident were not substantiated in patient records. The Board reviewed the chiropractic records of the Respondent related to the complaint

Findings of Fact

1. Respondent is a licensed Chiropractic Physician in the State of Rhode Island. The Board found that the records did not meet the minimal standards for evaluation and treatment of these patients.
2. The Board requested and received five additional patient records for its review. After review of the records of Respondent's patients the Board concluded that the documentation of patient evaluations and treatment did not meet the minimal standards as set forth in § 8.3 of the Rules and Regulations for Chiropractic Physicians (R5-30-CHI). Specifically, Respondent's records did not comply with the following requirement:

8.3 "Chiropractic medical records shall be legible and contain the identity of the chiropractic physician or physician extender and supervising chiropractic physician by name and professional title who is responsible for rendering,

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ordering, supervising or billing each diagnostic or treatment procedure. The records shall contain sufficient information to justify the course of treatment, including, but not limited to, patient histories, including medications, examination results, and test results leading to a differential diagnosis; and reports of consultations and hospitalizations.”

3. The Board finds the Respondent failed to meet the minimal standards for acceptable documentation in the charts reviewed by the Board. This violates § 8.3 of the Rules and Regulations for Chiropractic Physicians (R5-30-CHI).

The parties agree as follows:

The Respondent is a chiropractic physician in Rhode Island license number DCP 169. Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

- (1) Respondent hereby acknowledges and waives:
 - a. The right to appear personally or by counsel or both before the Board;
 - b. The right to produce witnesses and evidence in his behalf at a hearing;
 - c. The right to cross examine witnesses;
 - d. The right to have subpoenas issued by the Board;
 - e. The right to further procedural steps except for those specifically contained herein;
 - f. Any and all rights of appeal of this Consent Order;
 - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;

h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;

i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.

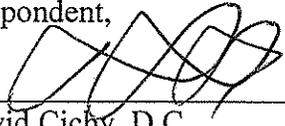
(2) Acceptance of this Consent Order constitutes an admission by the Respondent of the facts set forth herein.

(3) This Consent Order shall become part of the public record once it is accepted the by Board.

(4) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.

(5) Respondent voluntarily agrees to the disposition of this matter by virtue of a reprimand and a course in continuing education for documentation at the Case Western Reserve Medical School called "Intensive Course in Medical Record Keeping" November 4-5, 2004.

Respondent,



David Cichy, D.C.

For the Respondent

Henry Monti
Henry Monti, Esq.

For the Board of Chiropractic Physicians,

Alan Sowa D.C.
Alan Sowa, D.C.
Chairman

10/9/04
Date

CERTIFICATION

I hereby certify that a copy of this **ORDER** was sent to the David Cichy, D.C. via his attorney Henry Monti, Esq., 231 Reservoir Ave., Providence RI 02907 on this 4th day of October 2004.

Rinda Julian