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8 **BEFORE THE**
9 **BOARD OF CHIROPRACTIC EXAMINERS**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. AC 2024-2047

13 **STEVEN L. KOOYERS**
14 **780 N. State Street, Ste B**
15 **Ukiah, CA, 95482**

ACCUSATION

16 **Chiropractic License No. DC 11956**

Respondent.

17 **PARTIES**

18 1. Kristin Walker (Complainant) brings this Accusation solely in her official capacity as
19 the Executive Officer of the Board of Chiropractic Examiners (Board), Department of Consumer
20 Affairs.

21 2. On or about January 16, 1978, the Board issued Chiropractic License Number DC
22 11956 to Steven L. Kooyers (Respondent). The Chiropractic License was in full force and effect
23 at all times relevant to the charges brought herein and will expire on December 31, 2025, unless
24 renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Chiropractic Examiners (Board), under the authority of the following sections of the Chiropractic Act (Act).¹

4. Section 10 of the Act states, in pertinent part, that the Board may suspend or revoke a license to practice chiropractic or may place the license on probation for violations of the rules and regulations adopted by the Board or for any cause specified in the Chiropractic Initiative Act.

5. California Code of Regulations, title 16, section 372 states:

The suspension, expiration, or forfeiture by operation of law of a license issued by the board, or its suspension, or forfeiture by order of the board or by order of a court of law, or its surrender without the written consent of the board shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.

STATUTORY PROVISIONS

6. Code section 726 states:

(a) The commission of any act of sexual abuse, misconduct, or relations with a patient, client, or customer constitutes unprofessional conduct and grounds for disciplinary action for any person licensed under this or under any initiative act referred to in this division.

(b) This section shall not apply to consensual sexual contact between a licensee and his or her spouse or person in an equivalent domestic relationship when that licensee provides medical treatment, to his or her spouse or person in an equivalent domestic relationship.

REGULATORY PROVISIONS

7. California Code of Regulations, title 16, section 316, states:

...

(c) The commission of any act of sexual abuse, sexual misconduct, or sexual relations by a licensee with a patient, client, customer or employee is unprofessional conduct and cause for disciplinary action. This conduct is substantially related to the qualifications, functions, or duties of a chiropractic license.

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¹ The Chiropractic Act, an initiative measure approved by the electors on November 7, 1922, while not included in the Business and Professions Code by the legislature, is set out in West's Annotated California Codes as sections 1000-1 to 1000-19, and is included in Deering's California Codes as Appendix I, for convenient reference.

1 This section shall not apply to sexual contact between a licensed chiropractor
2 and his or her spouse or person in an equivalent domestic relationship when that
chiropractor provides professional treatment.

3 8. California Code of Regulations, title 16, section 316.5, states:

4 (a) For the purposes of the denial, suspension or revocation of a license
5 pursuant to Section 141 of the Business and Professions Code, Division 1.5
6 (commencing with Section 475) of the Business and Professions Code, or a violation
7 of Section 10(b) of the Chiropractic Initiative Act of California, a crime, professional
8 misconduct, or act shall be considered substantially related to the qualifications,
functions or duties of a licensee, if, to a substantial degree, it evidences present or
potential unfitness of a person holding a license to perform the functions authorized
by the license in a manner consistent with the public health, safety or welfare.

9 . . .

10 9. California Code of Regulations, title 16, section 317, states:

11 The board shall take action against any holder of a license who is guilty of
12 unprofessional conduct which has been brought to its attention, or whose license has
been procured by fraud or misrepresentation or issued by mistake.

13 Unprofessional conduct includes, but is not limited to, the following:

14 (a) Gross negligence;

15 (b) Repeated negligent acts;

16 (c) Incompetence;

17 (d) The administration of treatment or the use of diagnostic procedures which
18 are clearly excessive as determined by the customary practice and standards of the
local community of licensees;

19 (e) Any conduct which has endangered or is likely to endanger the health,
20 welfare, or safety of the public;

21 . . .

22 (k) The commission of any act involving moral turpitude, dishonesty, or
corruption, whether the act is committed in the course of the individual's activities as
23 a license holder, or otherwise;

24 . . .

25 (m) Violating or attempting to violate, directly or indirectly, or assisting in or
26 abetting in the violation of, or conspiring to violate any provision or term of the Act
or the regulations adopted by the board thereunder;

27 . . .

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10. California Code of Regulations, title 16, section 318, states:

(a) Chiropractic Patient Records. Each licensed chiropractor is required to maintain all active and inactive chiropractic patient records for five years from the date of the doctor's last treatment of the patient unless state or federal laws require a longer period of retention. Active chiropractic records are all chiropractic records of patients treated within the last 12 months. Chiropractic patient records shall be classified as inactive when there has elapsed a period of more than 12 months since the date of the last patient treatment.

All chiropractic patient records shall be available to any representative of the Board upon presentation of patient's written consent or a valid legal order. Active chiropractic patient records shall be immediately available to any representative of the Board at the chiropractic office where the patient has been or is being treated. Inactive chiropractic patient records shall be available upon ten days notice to any representative of the Board. The location of said inactive records shall be reported immediately upon request.

Active and inactive chiropractic patient records must include all of the following:

- (1) Patient's full name, date of birth, and social security number (if available);
- (2) Patient gender, height and weight. An estimated height and weight is acceptable where the physical condition of the patient prevents actual measurement;
- (3) Patient history, complaint, diagnosis/analysis, and treatment must be signed by the primary treating doctor. Thereafter, any treatment rendered by any other doctor must be signed or initialed by said doctor;
- (4) Signature of patient;
- (5) Date of each and every patient visit;
- ...
- (7) Signed written informed consent as specified in Section 319.1.
- ...

11. California Code of Regulations, title 16, section 319.1, states:

(a) A licensed doctor of chiropractic shall verbally and in writing inform each patient of the material risks of proposed care. "Material" shall be defined as a procedure inherently involving known risk of serious bodily harm. The chiropractor shall obtain the patient's written informed consent prior to initiating clinical care. The signed written consent shall become part of the patient's record.

(b) A violation of this section constitutes unprofessional conduct and may subject the licensee to disciplinary action.

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1 **COST RECOVERY**

2 12. California Code of Regulations, title 16, section 317.5, subdivision (a), states, in
3 pertinent part:

4 In any order in resolution of a disciplinary proceeding before the Board of
5 Chiropractic Examiners, the board may request the administrative law judge to direct
6 a licensee found to have committed a violation or violations of the Chiropractic
Initiative Act to pay a sum not to exceed the reasonable costs of the investigation and
enforcement of the case.

7
8 **FACTUAL ALLEGATIONS**

9 13. Respondent owns and operates a private chiropractic practice in Ukiah, California.

10 14. On or about March 31, 2023, Patient 1 went to Respondent's chiropractic office for
11 treatment of sciatica, lower lumbar arthritis, and neck pain due to arthritis and an injured disc.
12 Patient 1 had been a client of Respondent's for approximately one year.

13 15. During the March 31, 2023 visit, Respondent put his bare hands down Patient 1's
14 pants without warning or consent, and groped Patient 1's buttocks. Patient 1 physically cringed,
15 and Respondent removed his hands.

16 16. Respondent's conduct made Patient 1 feel extremely uncomfortable, and she did not
17 return to Respondent for further treatment.

18 17. On or about June 2, 2023, Patient 2 went to Respondent's chiropractic office for
19 treatment of back, neck, and right shoulder pain. Patient 2 had been receiving treatments from
20 Respondent for several years, as had several members of her family and her pet dog.

21 18. During the June 2, 2023 visit, Respondent put his bare hands down Patient 2's pants
22 without warning or consent, and rubbed each of her bare buttocks. Respondent then stated,
23 "Wow, I'd better get back to your treatment," and removed his hands from Patient 2's pants.

24 19. Respondent's conduct made Patient 2 extremely uncomfortable, and she did not
25 return to Respondent for further treatment.

26 20. Patients 1 and 2 both filed complaints to the Board about Respondent's conduct. The
27 Board thereafter instigated an investigation, which included an unannounced visit by an
28 investigator to Respondent's chiropractic office on or about December 5, 2023.

1 21. Respondent told the investigator that he could not recall a time when his hand made
2 skin to skin contact with a patient's buttocks, but he might have.

3 22. When asked about Patient 1, Respondent stated that he had no recollection of treating
4 her.

5 23. When asked about Patient 2, Respondent stated that her name "rings a bell," but that
6 he had no recollection of what he was treating her for. Later, after Respondent's wife/front office
7 attendant reminded Respondent that Patient 2 was the spouse of someone they knew, Respondent
8 stated that he had been seeing Patient 2 for 10-12 years for spinal adjustments.

9 24. The investigator asked Respondent's wife whether she could provide records for
10 Patients 1 and 2 for purposes of the interview. Respondent's wife indicated that she could not,
11 and that finding the records could take "several hours," or words to that effect.

12 25. Respondent stated that he did not keep records for longtime patients, and that his
13 office purges records every three years, especially for inactive patients. Respondent further stated
14 that he was "bad" at recordkeeping, or words to that effect, and that he did not have a
15 standardized practice for keeping patient records.

16 26. When the investigator presented Respondent with signed authorizations for release of
17 information for Patients 1 and 2, Respondent stated that he was not sure he had records for either
18 patient. Respondent stated that he was aware of requirements regarding recordkeeping and
19 warnings about risks of care, but admitted he was not in compliance with either requirement.

20 27. Respondent's wife stated that patient records were "inconsistent," and that each
21 patient visit did not generate a new record.

22 28. On or about December 11, 2023, Respondent responded to the two authorizations for
23 release of information. In regard to Patient 1, Respondent provided a single document dated
24 April 20, 2022. The document contains Patient 1's name, address, phone number, birthdate, and
25 signature, and states that Patient 1's main complaints are "lower back, stiff neck, upper right
26 arm." Under the heading "Major Imbalance" is written "L5 L5 rt. deltoid." The document
27 contains no further information regarding Patient 1 or any treatments performed.

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1 29. In response to the authorization for release of information for Patient 2, Respondent
2 certified that he had no responsive records.

3 **FIRST CAUSE FOR DISCIPLINE**

4 (Sexual Misconduct)

5 30. Respondent subjected his Chiropractic License to disciplinary action under Code
6 section 726 and Act section 10, in conjunction with California Code of Regulations, title 16,
7 sections 316, subdivision (c), and 317. As described in paragraphs 14-19 above, Respondent
8 committed sexual misconduct during his treatments of Patients 1 and 2.

9 **SECOND CAUSE FOR DISCIPLINE**

10 (Failure to Maintain Records)

11 31. Respondent subjected his Chiropractic License to disciplinary action under Act
12 section 10, in conjunction with California Code of Regulations, title 16, sections 317 and 318. As
13 described in paragraphs 20-29 above, Respondent failed to maintain patient records as required
14 by law. Specifically, Respondent admitted that he did not maintain all active and inactive patient
15 records for five years from the date of the patients' last treatments; was unable to immediately
16 provide Patient 1 and 2's records to a Board representative visiting his office; did not maintain
17 records for Patient 1 that contained the information required by law (such as Patient 1's
18 height/weight, diagnosis, or treatments); and did not maintain any records for Patient 2.

19 **THIRD CAUSE FOR DISCIPLINE**

20 (Failure to Obtain Informed Consent)

21 32. Respondent subjected his Chiropractic License to disciplinary action under Act
22 section 10, in conjunction with California Code of Regulations, title 16, sections 317 and 319.1.
23 As described in paragraphs 20-29 above, Respondent did not obtain written informed consent
24 from Patients 1 and 2 prior to initiating clinical care, and did not maintain this required written
25 consent in the patients' records.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Chiropractic Examiners issue a decision:

1. Revoking or suspending Chiropractic License Number DC 11956, issued to Steven L. Kooyers;

2. Ordering Steven L. Kooyers to pay the Board of Chiropractic Examiners the reasonable costs of the investigation and enforcement of this case, pursuant to California Code of Regulations, title 16, section 317.5, and if placed on probation, the costs of probation monitoring; and,

3. Taking such other and further action as deemed necessary and proper.

DATED: June 9, 2025

Signature on File

KRISTIN WALKER

Executive Officer

Board of Chiropractic Examiners

Department of Consumer Affairs

State of California

Complainant

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