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

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15 In the Matter of the Accusation Against:

Case No. AC-2025-2059

16 **CODY JAMES ALME**
2150 Scenic Dr.
Modesto, CA 95355

ACCUSATION

17 **Chiropractor License No. DC 34692**

18 Respondent.
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21 **PARTIES**

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

25 2. On or about November 20, 2019, the Board issued Chiropractor License Number DC
26 34692 to Cody James Alme (Respondent). The Chiropractor License was in full force and effect
27 at all times relevant to the charges brought herein and will expire on January 31, 2026, unless
28 renewed.

JURISDICTION

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

4. Section 477 of the Code provides, in pertinent part:

...

(b) "License" includes certificate, registration or other means to engage in a business or profession regulated by this code.

5. Section 10, subdivision (a) of the Act states:

The board may by rule or regulation adopt, amend or repeal rules of professional conduct appropriate to the establishment and maintenance of a high standard of professional service and the protection of the public. Such rules or regulations shall be adopted, amended, or repealed in accordance with the provisions of Chapter 4.5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of the Government Code as it now reads or as it may be hereafter amended by the Legislature.

6. California Code of Regulations, title 16 (CCR), 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.

REGULATORY PROVISIONS

7. CCR, section 317, provides, in pertinent part:

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

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

...

(b) Repeated negligent acts;

...

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 8. CCR, section 319.1, states:

2 (a) A licensed doctor of chiropractic shall verbally and in writing inform each
3 patient of the material risks of proposed care. "Material" shall be defined as a
4 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.

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

7 **COST RECOVERY**

8 9. CCR, section 317.5, subdivision (a), provides, in pertinent part:

9 In any order in resolution of a disciplinary proceeding before the Board of
10 Chiropractic Examiners, the board may request the administrative law judge to direct
11 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.

12 **FACTUAL ALLEGATIONS**

13 10. On or about September 23, 2024, patient J.N. received her first of three chiropractic
14 services from Respondent at the Lifetime Fitness facility in Folsom, California. J.N. complained
15 to Respondent of hip and low back pain. Respondent did not verbally or in writing obtain J.N.'s
16 informed consent regarding the material risks and dangers of chiropractic treatment, including the
17 potential for arterial dissection and stroke. During that first service, Respondent, among other
18 things, performed spinal manipulations of J.N.'s cervical spine, including performing diversified
19 manual manipulation at two separate vertebral levels. Respondent's medical records, referenced
20 below, were not signed by him until November 19, 2024.

21 11. Respondent's inquiry and assessment of patient J.N. was vague, superficial, non-
22 specific, and failed to elicit and document significant and/or material information for appropriate
23 chiropractic diagnoses and treatment including, but not limited to:

24 • Failing to ask appropriate questions and otherwise obtain patient J.N.'s fundamental
25 assessment information such as details of symptoms, date of onset, location, frequency, duration,
26 radiation, nature, severity, and provocative and palliative factors;

27 • Failing to ask appropriate questions and otherwise obtain patient J.N.'s historical and
28 clinical information, including past pain, symptoms and resolution, present/past medication

usage, chronic conditions, hospital/emergency visits, periods of hospitalization, unusual illnesses, prior trauma/accidents/injuries, and military and surgical history;

- Failing to perform and/or record an adequate physical examination process of J.N. in that Respondent's "Objective" notes lack those findings and procedures that would typically be associated with the physical examination of a patient presenting with complaints of back pain. Further, Respondent's findings do not provide information to support his "Assessment" notes that J.N. was suffering from vertebral subluxation complex (VSC) of the cervical, thoracic and lumbar spine. Respondent's objective findings lack sufficient relevant clinical details to support his recorded diagnoses of M54.5 (a non-specific CPT [Current Procedural Code] code that refers to low back pain), M99.02, M99.03, M99.04 and M99.05 (CPT codes referring to segmental and somatic dysfunction of the cervical, thoracic, lumbar and pelvic regions); and

- Failing to perform clinical examinations such as a verbal or visual pain scale (to qualify/quantify the patient's pain), a lower back functional assessment inquiry (such as the Oswestry Disability Index), and appropriate physical examination procedures, including general observation, postural assessment, inspection of the areas of complaint, digital palpitation/provocation, regional range of motion assessment, mechanical and provocative testing of related musculoskeletal structures and appropriate neurological and vascular testing.

12. J.N. returned to Respondent for chiropractic care and services twice more - on or about October 2 and 16, 2024. Respondent's corresponding chart notes contain equally vague comments, show a lack of details and objective findings, and fail to convey any clinically relevant information regarding J.N.'s response to treatment.

13. On or about October 21, 2024, J.N. began to feel what she describes as a "bubble going up behind [her] right eye", then severe migraine headaches, and her right eyelid began drooping. She went to the Mercy Folsom Medical Center emergency room, where she was then transferred for admission to Mercy San Juan Medical Center, where she stayed until discharge on October 25, 2024. J.N. was diagnosed with dissection of the right carotid artery that was noted to be related to her recent chiropractic manipulation. J.N. informed Respondent of her medical status and provided him updates.

14. On or about November 19, 2024, after suffering left side headache and tinnitus and following an abnormal Computer Tomography (CT) scan, J.N.'s primary care physician told her to go to the emergency room. J.N. was then admitted to Kaiser Permanente Sacramento - Morse Hospital, where she was released the following day with an additional diagnosis of dissection of the left carotid artery.

FIRST CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Repeated Negligent Acts)

15. Respondent is subject to disciplinary action under CCR, section 317, subdivision (b), in that Respondent committed repeated negligent acts constituting unprofessional conduct, including but not limited to: (1) neglecting to obtain and document relevant clinical information regarding patient J.N.'s chief complaint and past medical/health history; (2) neglecting to conduct and document an appropriate physical examination of patient J.N.; and (3) neglecting to appropriately assess and document patient J.N.'s progress in clinically relevant manner, all as set forth in paragraphs 10 through 14, incorporated herein.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Informed Consent)

16. Respondent is subject to disciplinary action under CCR, section 319.1, subdivision (a), in that Respondent committed acts of unprofessional conduct by failing in writing and verbally to inform patient J.N. of the material risks of Respondent's proposed care and services, including risk of arterial dissection and/or stroke, as set forth above in paragraphs 10 through 14 above, incorporated herein.

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 Chiropractor License Number DC 34692, issued to Cody James Alme;

2. Ordering Cody James Alme to pay the Board of Chiropractic Examiners the reasonable costs of the investigation and enforcement of this case, pursuant to Title 16, California

Code of Regulations, 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: 09/10/2025

Signature on File

KRISTIN WALKER

Executive Officer

Board of Chiropractic Examiners

Department of Consumer Affairs

State of California

Complainant

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