

IN THE MATTER OF
Jimmy Labrecque D.C.
LICENSE NO. 8106

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BEFORE THE
TEXAS BOARD OF
CHIROPRACTIC EXAMINERS

AGREED FINAL ORDER

On this 13 day of November, 2014, the Texas Board of Chiropractic Examiners ("Board") considered the matter of the license of Jimmy Labrecque D.C., Respondent.

This agreed order is executed pursuant to the authority of the Administrative Procedure Act (APA), Texas Government Code § 2001.056, which authorizes the informal disposition of contested cases. In a desire to conclude this matter without further delay and expense, the Board and Respondent agree to resolve this matter by this Agreed Final Order. The Respondent agrees to this order for the purpose of resolving this proceeding only and without admitting or denying the findings of fact and conclusions of law set out in this order.

Upon recommendation of the Enforcement Committee, the Board makes the following findings of fact and conclusions of law and enters this order:

FINDINGS OF FACT

1. Jimmy Labrecque D.C., Respondent, is a chiropractor licensed by the Board to practice chiropractic in the State of Texas and is therefore subject to the jurisdiction of the Board; the Chiropractic Act, Texas Occupations Code, Chapter 201; and the Board's rules, Texas Administrative Code, Title 22, §§ 71.1-80.7.
1. On or about October 6, 2011, the Minnesota Board of Chiropractic Examiners suspended Jeffrey Michael Styba's license to practice chiropractic.
2. On or about May 23, 2013, Jeffrey Michael Styba caused or allowed himself to be identified on a youtube video, <http://www.youtube.com/watch?v=NF8ulkpb-cg>, as a doctor associated with Elevation Health.
3. On the same youtube video, Respondent caused or allowed himself to be identified as a co-founder of Elevation Health.
4. On the same youtube video, Respondent caused or allowed himself to be identified as a professional associate of Jeffrey Michael Styba.
5. On or about August 15, 2013, Respondent notified the Board that he had full knowledge that Jeffrey Michael Styba was not a licensed doctor of chiropractic.

6. On October 8, 2013, the Board's Enforcement Committee met and voted to recommend imposition of a Letter of Reprimand, as authorized by the Chiropractic Act, TEX. OCC. CODE § 201.551, and 22 TEX. ADMIN. CODE § 75.10(c), for employing and/or associating with an unlicensed person who commits an act constituting the practice of chiropractic.

CONCLUSIONS OF LAW

1. Jimmy Labrecque D.C., Respondent, is subject to the jurisdiction of the Board and is required to comply with the Chiropractic Act and the Board's rules.
2. By appearing on a youtube video in which he is identified as a doctor of chiropractic and co-founder of Elevation Health, and by engaging and professionally associating with a person whom he knew to have a suspended license and who identified himself as a doctor on the video, Respondent violated the Chiropractic Act, TEX. OCC. CODE § 201.502, which states:

§ Sec. 201.502. GROUNDS FOR REFUSAL, REVOCATION, OR SUSPENSION OF LICENSE. (a) The board may refuse to admit a person to examinations and may revoke or suspend a license or place a license holder on probation for a period determined by the board for: (10) directly or indirectly employing or associating with a person who, in the course of the person's employment, commits an act constituting the practice of chiropractic when the person is not licensed to practice chiropractic.

3. On a determination that a person has violated the Chiropractic Act or Board rules, the Board is authorized pursuant to § 201.501 of the Chiropractic Act to revoke or suspend the person's license, place on probation a person whose license has been suspended, reprimand a license holder, or impose an administrative penalty against the license holder.


NOW THEREFORE, it is the ORDER of the Texas Board of Chiropractic Examiners that:

1. Jimmy Labrecque D.C., Respondent, shall:
 - a. receive a Letter of Reprimand, within thirty days from the date the Board approves this Agreed Final Order; and
 - b. comply with all provisions of the Chiropractic Act and the Board's rules in the future, or subject himself to further disciplinary action by the Board, including the possible revocation of his license to practice chiropractic.
2. Upon approval by the Board, the President of the Board (or Chair of the Enforcement Committee) and the Executive Director are authorized to sign this order on behalf of the Board.

By signing this Agreed Final Order, Respondent:

1. Agrees to its terms, acknowledges his understanding of it, and agrees that he will satisfactorily comply with the mandates of this Agreed Order in a timely manner or be subject to appropriate disciplinary action by the Board; and
2. Waives his rights to a formal hearing and any right to judicial review of this Order.

I, Jimmy Labrecque D.C. D.C., HAVE READ AND UNDERSTAND THE FOREGOING AGREED FINAL ORDER. I UNDERSTAND THAT BY SIGNING THIS AGREED FINAL ORDER, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WILLINGLY, AND KNOWINGLY. I UNDERSTAND THIS AGREED FINAL ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, ORAL, WRITTEN, OR OTHERWISE.




 Jimmy Labrecque D.C.
 License No. 8106

DATE: 10-7-14

STATE OF TEXAS §
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 COUNTY OF Tarrant §

Before me, the undersigned Notary Public, on this 7th day of October, 2013, personally appeared Jimmy Labrecque, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

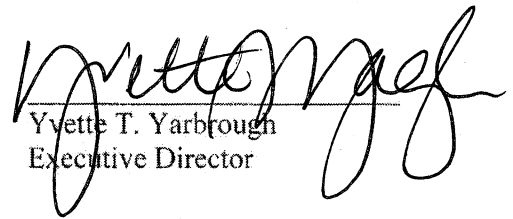


 Notary Public

Approved by a majority of the Texas Board of Chiropractic Examiners on this 13 day of November, 2014.



 Dr. Cynthia Tays D. C.
 President



 Yvette T. Yarbrough
 Executive Director

Texas Board of Chiropractic Examiners
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