

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: GLENN S. MULLER, D.C.
License No.: 0104-000474

ORDER

In accordance with Sections 54.1-2400(10), 2.2-4019 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), an informal conference was held with Glenn S. Muller, D.C., on December 28, 2011, in Henrico, Virginia. Members of the Virginia Board of Medicine ("Board") serving on the Special Conference Committee ("Committee") were: Valerie Hoffman, D.C., Chair; Claudette Dalton, M.D.; and Irena Farquhar, Ph.D. Dr. Muller appeared personally and was represented by legal counsel, Ramon Rodriguez III, M.D., Esquire. Melanie Pagano, Adjudication Specialist, was present as a representative for the Administrative Proceedings Division of the Department of Health Professions.

The purpose of the informal conference was to inquire into allegations that Dr. Muller may have violated certain laws governing the practice of chiropractic in the Commonwealth of Virginia, as set forth in a Notice of Informal Conference dated November 15, 2011.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Now, having properly considered the evidence and statements presented, the Committee makes the following Findings of Fact and Conclusions of Law:

1. Glenn S. Muller, D.C., was issued license number 0104-000474 by the Board to practice chiropractic in the Commonwealth of Virginia on January 23, 1984. Said license is currently active and will expire on May 31, 2012, unless renewed or otherwise acted upon.

2. Dr. Muller violated Section 54.1-2915.A(13) of the Code, in that, on June 5, 2010, Dr. Muller placed Patient A on a five-week weight loss program that included a five-day period of liquids-only detoxification, despite the fact that Patient A reported that she was being treated for atrial fibrillation. Dr. Muller failed to consider the potential impact of this diet on Patient A's electrolyte balance and cardiac function.

3. Dr. Muller violated Sections 54.1-2915.A(12), (15), (16), and (18), and Section 54.1-2403 of the Code, and 18VAC85-20-30.E of the Board of Medicine General Regulations, in that he made statements pertaining to his weight loss program that were false, misleading and deceptive. Specifically:

a. Dr. Muller introduced himself on his website as "Dr. Muller" without clarifying that he is licensed to practice chiropractic.

b. Dr. Muller referred to his program as a "Doctor recommended weight loss program."

c. Dr. Muller stated that he has had "years of researching and studying and working with these problems."

d. Dr. Muller stated, "Our doctor's [sic] have spent over 20 years researching and testing methods with thousands and thousands of patients."

4. Dr. Muller stipulated to the inaccuracy of the statements in Finding of Fact #3 above. He stated that he did not thoroughly review the packaged advertising that accompanied the weight loss program he offered to patients. Dr. Muller further stated that he does not utilize advertising for his chiropractic practice since most patients are referred to him.

5. Dr. Muller stated to the Committee that he stopped offering weight loss services in March, 2011, and that he has no plans to offer such services again in the future.

ORDER

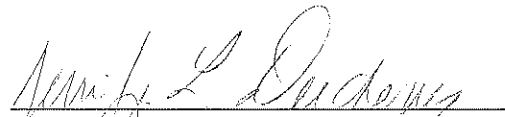
WHEREFORE, based on the above Findings of Fact and Conclusions of Law, it is hereby ORDERED that Dr. Muller be, and hereby is, issued a REPRIMAND.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Section 54.1-2400(10) of the Code, Dr. Muller may, not later than 5:00 p.m. on February 2, 2012, notify William L. Harp, M.D., Executive Director, Board of Medicine, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

Therefore, this Order shall become final on February 2, 2012; unless a request for a formal administrative hearing is received as described above.

FOR THE BOARD



William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

ENTERED: 1/3/2012