

- a. Although his chiropractic license did not allow him to do so, from June to November 2005 Dr. Wynn performed sports physical examinations upon approximately 40 high school students;
- b. Dr. Wynn performed a deficient examination upon one student and cleared her to participate in sports without restriction even though she had a cardiac condition that limited her full participation.
- c. A number of Dr. Wynn's examination forms were deficient in several respects, including failure to obtain parental consent, failure to have parents complete the medical history portion of the form, failure to indicate whether he was approving a student's participation in athletics and failure to clearly identify himself on the form as a chiropractic physician.

4. On September 30, 2011, Dr. Wynn was interviewed by Dr. Brown and Dr. Estramonte, both current Board members, for the purpose of determining whether Dr. Wynn's disciplinary history in Virginia would disqualify him from chiropractic licensure in North Carolina. In all other respects, Dr. Wynn has satisfied North Carolina's licensure requirements.

5. Based on the September 30th interview, the Board staff recommends that Dr. Wynn be allowed to receive a North Carolina license but be placed on probationary status according to the terms and conditions noted at the conclusion of this Order.

BASED ON THE FOREGOING Findings of Fact, the Board of Examiners enters the following:

Conclusions of Law

1. The Board is duly constituted and has jurisdiction of subject matter and of the person of the applicant.
2. N.C.G.S. 90-143 requires all applicants for licensure to submit satisfactory evidence of good moral character.
3. N.C.G.S. 90-154(a) authorizes the Board to impose disciplinary sanctions, including probation, when it finds that a practitioner or applicant for licensure is guilty of violating any provision of N.C.G.S. 90-154(b).
4. N.C.G.S. 90-154(b)(21) states that committing an act which demonstrates a lack of good moral character is grounds for disciplinary action by the Board.
5. The totality of misconduct for which Dr. Wynn was disciplined on two occasions by the Virginia Board of Medicine is sufficient to support the conclusion that he has failed to demonstrate good moral character and is therefore ineligible for North

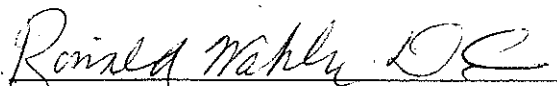
Carolina licensure. However, the Board, in the exercise of discretion, has the authority to issue a license and simultaneously place Dr. Wynn on probation, thereby providing him with the opportunity to demonstrate good moral character over the course of the probationary period.

WHEREFORE, for good cause shown, and with the consent of the applicant, it is ordered, adjudged and decreed that:

1. Dr. Arnie M. Wynn shall be and is hereby licensed to practice chiropractic in the State of North Carolina. (By statute, Dr. Wynn's license shall expire on December 31, 2012 unless he makes timely application for renewal.)
2. Dr. Wynn is immediately placed on probationary status for a period of thirty six (36) consecutive months under the following terms and conditions:
 - a. He shall provide to the Board at all times a current mailing address, physical address and telephone number for both his office and his home; and further, he shall confirm the accuracy of such contact information at least quarterly, regardless of whether or not any of the information has changed.
 - b. He shall allow a representative of the Board to examine his patient records at any time and without prior notice to determine whether said records are adequate and complete.
 - c. He shall notify the Board in advance prior to his removal of any patient record from his office location.
3. Dr. Wynn shall abide by all statutes and rules governing the practice of chiropractic in North Carolina.

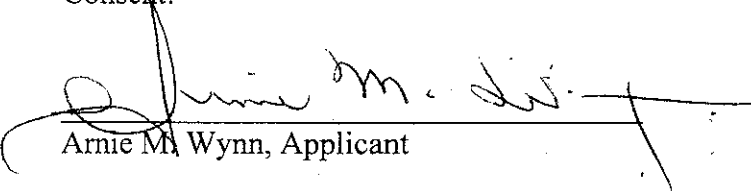
THIS IS the 17th day of January, 2012.

N.C. BOARD OF CHIROPRACTIC EXAMINERS



Ronald Wahler, DC, President

Consent:



Arnie M. Wynn, Applicant