

# EXHIBIT D-3



## Arkansas State Board of Chiropractic Examiners

101 East Capitol Ave., Suite 209

Little Rock, Arkansas 72201

P: (501) 682-9015 F: (501) 682-9016

www.arkansas.gov/asbce ASBCE@arkansas.gov

May 8, 2012

### License Verification

**Doctor's Name:** Travis Wyly, D.C.  
**Education:** Texas Chiropractic College  
**Date Graduated:** 5/15/1982  
**Felony Conviction:** Yes

**AR License #:** 999  
**Issue date:** 8/16/1982  
**Expiration Date:** 12/31/2012  
**Status:** Active  
**Position:** N/A  
**Complaints:** 1  
**Disciplinary Action:** Yes

*Please contact Board office for further information*

**Mailing Address:** P.O. Box 13

**City/State/Zip:** England, AR 72046  
**County:** Lonoke  
**Business Number:** (501) 842-1004  
**Fax Number:** (501) 842-1006

**Employer:** England Chiropractic Clinic  
218 N. Main St.  
**City/State/Zip:** England, AR 72046  
**County:** Lonoke  
**Employer Number:** (501) 842-1004  
**Fax Number:**  
**Dates Employed:** to

Date Printed: Tuesday, May 08, 2012



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Printed 8/23/2011

## FELONY CONVICTION REPORT

5

**First Name** Travis  
**Middle Name**  
**Last Name** Wyly  
**Lic Number** 999  
**Disciplined** Yes

**Felony Description** April 2000, pled guilty to 4 counts of carnal abuse, 1 count of sexual abuse. May 2000 sentenced to 3 yrs in prison

	Complaint #	Received Date	Complaint #	Received Date	Determination	Closed Date
Complaints: 1			137-7-12-99	07/12/1999	Consent Order	

**BEFORE THE ARKANSAS STATE BOARD  
OF CHIROPRACTIC EXAMINERS**

***IN THE MATTER OF:  
TRAVIS WYLY, D.C.***

**NO: 137-07-12-99**

**ORDER OF SUMMARY SUSPENSION INCLUDING  
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

On June 27, 2000, a summary hearing by telephone conference was held by the Arkansas State Board of Chiropractic Examiners (the 'Board') to determine whether the license issued to Travis Wyly, D.C. ("Respondent") to practice chiropractic medicine in the state of Arkansas should be summarily suspended pending formal hearing. The conference call meeting was held pursuant to Ark. Code Ann. 25-15-211(c) and Board Rule B(2) and commenced at 12:30 p.m.

Dr. Ralph Ungerank, acting Board President, called the meeting to order and conducted a roll call. All seven members of the Board were present by telephone. Present in the Board office and participating in the hearing were Carol Ann Gates, the Board's Executive Director, Ainsley H. Lang, Assistant Attorney General, representing the Board, and Gregory L. Crowe, hearing officer. A Notice of Hearing advising Dr. Wyly of the hearing was sent by mail to his current business address and by facsimile.

After hearing sworn testimony and reviewing documents received into evidence, the Board makes the following findings of fact and conclusions of law:

**FINDINGS OF FACT**

F.1. At all times pertinent to this hearing Respondent was licensed as a chiropractor and practicing chiropractic in the state of Arkansas.

F.2. On July 12, 1999, the Board convened in a special telephone conference meeting pursuant to Ark. Code Ann. §17-81-204(2) to determine whether the Board should, on its own motion, initiate a complaint against the Respondent. The meeting was convened after the Board learned that Respondent had been arrested and charged with one count of First-Degree Sexual Abuse and four counts of Carnal Abuse. At this meeting, the Board voted unanimously to request a response to the charges from Respondent.

F.3. On July 16, 1999, the Board received the response from Respondent. In his response, Respondent denied the allegations of Sexual Abuse and Carnal Abuse.

F.4. On April 19, 2000, the Respondent entered a plea of guilty to four counts of Carnal Abuse, which is a Class D Felony, and one count of Sexual Abuse, which is a Class C Felony. These pleas were entered in Case Nos. CR99-2839 and CR99-3551 pending in the Fourth Division of Pulaski County Circuit Court.

F.5. Certified copies of the Felony Information filed in CR99-2839 and CR99-3551 were attached to the Notice of Hearing as Exhibits 1 and 2.

F.6. Certified copies of the Plea Statement filed in CR99-2839 and CR99-3551 were attached to the Notice of Hearing as Exhibits 3 and 4.

#### **CONCLUSIONS OF LAW**

C.1. The Arkansas State Board of Chiropractic Examiners has the duty and responsibility to regulate the profession of chiropractic and specifically the authority to discipline chiropractic physicians for violations of the Arkansas Chiropractic Act and/or the Rules and Regulations of the Board.

C.2. Arkansas Code Ann. §25-15-211(c) and Board Rule B(2) provide that if the Board finds that the public health, safety or welfare imperatively requires emergency action,

and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action, which proceedings shall be promptly instituted and determined. The allegations stated above support such a finding warranting emergency action.

**FINDING OF AN EMERGENCY**

The Board hereby finds that allowing a doctor of chiropractic who has pled guilty to four counts of Carnal Abuse, a Class D Felony, and one count of Sexual Abuse, a Class C Felony, to continue to practice chiropractic constitutes an endangerment to the public health, safety and welfare which imperatively requires emergency action.

**ORDER**

The Board hereby concludes and orders that the license issued to Travis Wyly, D.C. to practice chiropractic in the State of Arkansas is summarily suspended as of June 27, 2000. This summary suspension is ordered pending proceedings for revocation or other action that will be noticed to Respondent in accordance with the Arkansas Administrative Procedures Act.

**ARKANSAS STATE BOARD OF  
CHIROPRACTIC EXAMINERS**

By:   
**CAROL ANN GATES**  
Executive Director

**BEFORE THE ARKANSAS STATE BOARD  
OF CHIROPRACTIC EXAMINERS**

**IN THE MATTER OF:  
TRAVIS WYLY, D.C.**

**NO: 137-07-12-99**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

On Tuesday, December 19, 2000, the Arkansas State Board of Chiropractic Examiners (the "Board") held a final hearing to determine whether the license issued to Travis Wyly, D.C. ("Respondent") to practice chiropractic in the State of Arkansas which was summarily suspended after a Summary Hearing by telephone conference should be placed on probation, suspended, revoked, and/or a civil penalty be imposed for alleged violation of the Arkansas Chiropractic Practices Act and the Rules and Regulations of the Board.

Respondent appeared personally. The case against Respondent was presented by Assistant Attorney General, Ainsley H. Lang. Present for the hearing were Board President Beverly Foster, D.C., and Board members, Michael Courtney, D.C., Larry Grinder, D.C., Robert Shackelford, D.C., and Harold Gunter. Larry Crane served as hearing officer.

After reviewing documents received into evidence, hearing sworn testimony and hearing arguments of counsel and Respondent, the Board makes the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

F.1. At all times pertinent to this hearing, Respondent was licensed as a chiropractor and practicing chiropractic in the state of Arkansas.

F.2. On July 12, 1999, the Board convened in a special telephone conference meeting pursuant to Ark. Code Ann. §17-81-204(2) to determine whether the Board should, on its own

motion, initiate a complaint against the Respondent. The meeting was convened after the Board learned that Respondent had been arrested and charged with one count of First-Degree Sexual Abuse and four counts of Carnal Abuse. At this meeting, the Board voted unanimously to request a response to the charges from Respondent.

F.3. On July 16, 1999, the Board received the response from Respondent. In his response, Respondent denied the allegations of Sexual Abuse and Carnal Abuse.

F.4. On April 19, 2000, the Respondent entered a plea of guilty to four counts of Carnal Abuse, which is a Class D Felony, and one count of Sexual Abuse, which is a Class C Felony. These pleas were entered in Case Nos. CR99-2839 and CR99-3551 pending in the Fourth Division of Pulaski County Circuit Court.

F.5. On June 27, 2000, the Board held a summary hearing by telephone conference to determine whether Respondent's license should be summarily suspended. After that hearing, the Board effected an emergency suspension of Respondent's license pursuant to Ark. Code Ann. §25-15-211(c).

F.6. On September 22, 2000, Respondent was sentenced to sixty (60) months at the Arkansas Department of Correction based upon his guilty pleas referenced in paragraph F.4. above, with twenty-four (24) months of the sentence to be suspended.

F.7. Certified copies of the Felony Information filed in CR99-2839 and CR99-3551 were attached to the Notice of Final Hearing as Exhibits 1 and 2.

F.8. Certified copies of the Plea Statement filed in CR99-2839 and CR99-3551 were attached to the Notice of Final Hearing as Exhibits 3 and 4.

F.9. Certified copies of the Departure Report, Conditions of Release on Probation and Information for Sex and Child Offender Registrants filed in CR99-2839 and CR99-3551 were attached to the Notice of Final Hearing as Collective Exhibits 5 and 6.

### CONCLUSIONS OF LAW

C.1. The Arkansas State Board of Chiropractic Examiners has the duty and responsibility to regulate the profession of chiropractic and specifically the authority to discipline chiropractic physicians for violations of the Arkansas Chiropractic Act and/or the Rules and Regulations of the Board. The grounds upon which the Board may revoke or suspend a license, place a license on probation, and/or levy a civil penalty are set out in Ark. Code Ann. §17-81-313.

C.2. Respondent's actions of pleading guilty to four counts of Carnal Abuse, a Class D Felony, and one count of Sexual Abuse, a Class C Felony, and being sentenced by the Court for these guilty pleas constitute violations of Ark. Code Ann. §17-81-313(a)(2), (3) and/or (6), in that Respondent:

(a)(2) Is guilty of crime or gross immorality;

(a)(3) Is unfit or incompetent by reason of negligence, habits or other causes; and/or

(a)(6) Is guilty of unprofessional conduct.

C.3. Respondent's violations of Ark. Code Ann. §17-81-313(a)(2), (3) and/or (6) constitute grounds for the Board to levy a civil penalty of not more than five thousand dollars (\$5,000) nor less than one thousand dollars (\$1,000) for each violation, or to place under probation, suspend, or revoke Respondent's license to practice chiropractic or to otherwise discipline Respondent.



**ORDER**

Based on the Findings of Fact and Conclusions of Law above, the Board hereby orders that Respondent's license to practice chiropractic in the State of Arkansas is suspended for five years beginning December 19, 2000. During this five-year period of suspension, Respondent shall not engage in the practice of chiropractic. At the conclusion of the five-year suspension, Respondent shall appear before the Board, in order for the Board to decide whether Respondent's license should be reinstated or revoked and whether the license, if reinstated, should be placed on probation for a period of time. At this time, Respondent may present evidence to the Board of treatment received during the time of suspension. In the event the Board does determine Respondent's license should be reinstated after the five-year period of suspension, the following conditions shall apply whether the license is reinstated with or without probation:

1. Respondent shall treat only adults in his practice.
2. There shall be a second individual in the examining room with Respondent and his patient at all times.

This is a final order of the Board and, as such, it is subject to judicial review pursuant to the Arkansas Administrative Procedures Act, Ark. Code Ann. §25-15-201, et. seq. Any appeal of this final Order shall be filed within thirty days of Respondent's receipt of the Order.

Entered this 05 day of January, 2001.

ARKANSAS STATE BOARD OF  
CHIROPRACTIC EXAMINERS

BY: \_\_\_\_\_

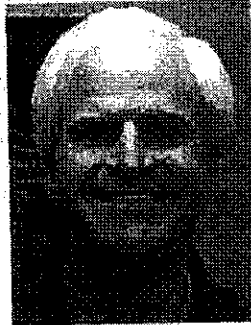
Beverly Foster, D.C.  
President

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### Travis Wyly, DC

#### England Chiropractic Clinic

At the age of 16, as a student attending high school in England, Arkansas, Dr. Wyly made a decision to become a Chiropractor. After completing his pre-chiropractic studies at the University of Central Arkansas he attended the Texas Chiropractic College in Pasadena, Texas. He graduated in 1982 and opened his first practice six months later.

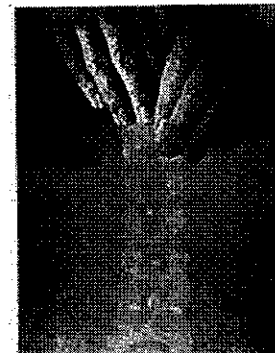
#### The Power That Made the Body, Heals the Body

At the England Chiropractic Clinic, they believe that when it comes to health and healing, the body doesn't need any help, it just doesn't need any interference! The body already knows how to heal a broken bone, how to cure a cold or infection, or how to maintain normal blood pressure and cholesterol levels. Within every human being there is the power of life and healing. In Chiropractic, we call this power the *Innate Intelligence* of the body. It is the power that made the body and it is the same power that heals the body.

Sickness, disease and poor health can result when the *Innate Intelligence* of the body is unable to do its job. This can occur when there is interference to the nervous system due to spinal misalignment, also called *subluxation*. If the body does not have the proper nutrients needed for health, then the *Innate Intelligence* is unable to repair damaged tissues or build healthy cells. When facing a health challenge, the first and most important approach should be to address any interference to this power that heals the body. Correct any misalignment that may be present, give the body the nutrition it needs, exercise the body to increase vitality, drink clean, healthy water to keep the body hydrated.

At the England Chiropractic Clinic, we help our patients maintain a healthy spine and body by taking a multi-faceted natural approach which includes:

**Chiropractic Care:** There is a condition in the spine known as "Vertebral Subluxation" that can cause a lowered state of health in the body by effecting the various components of the vertebral spinal joints. Subluxation can effect the nerves that leave the spinal cord and pass between the vertebrae. This can lead to symptoms of what is sometimes called a "pinched nerve". It can also effect the joints of the vertebra causing restricted or painful motion. Over time, subluxation may stress the intervertebral disc, which cushions between the vertebral bones. This can contribute to degeneration and arthritic type conditions. Finally, subluxation effects the soft tissues which support the spine including the muscles, tendons, and ligaments. This can result in muscle spasms or weak muscles that are too loose.



Chiropractors treat subluxation by means of the *Chiropractic Adjustment*, sometimes called Spinal Manipulation. Dr. Wyly utilizes a variety of Chiropractic techniques to treat

subluxation including Diversified Technique, Thompson Technique, Advanced Biostructural Correction and Activator. He also uses a variety of physical therapy modalities that are especially helpful in dealing with the soft tissue component of the subluxation complex and in helping reduce pain or inflammation.

**Therapeutic Nutrition** using natural, organic whole-food nutritional supplements as well as herbal and homeopathic remedies. They begin with a thorough nutritional evaluation that includes a detailed Symptom Survey of bodily systems, a comprehensive Case History of past and present medical conditions including medications, and a Toxicity Questionnaire to evaluate the possible need for detoxification processes. When needed, we utilize Mineral Hair Analysis, Saliva Testing and Muscle Testing to further evaluate the status of the patient.

**Exercise** is an important part of any health care program. They offer recommendations for stretching and flexibility exercises as well as strengthening and cardiovascular exercises.

**Stress Management** is another vital role in building and maintaining good health. This can include anything from relaxation exercises that calm the mind and body to a more spiritual approach using meditation to tips on developing and maintaining a positive attitude.



### **Health is a Journey, Not a Destination!**

At the England Chiropractic Clinic we believe that good health is more than just an absence of symptoms or pain. Good health is a state of being in which all the organs and systems of the body are functioning as close to 100% as possible for each individual. It can be hard to navigate the road to health on your own. There is so much information available through the media and the Internet that it can all be very confusing. England Chiropractic Clinic can help you make the best decisions for your health and wellness.

**For more information contact:**  
England Chiropractic Clinic  
218 No. Main St.  
England, AR 72046  
Ph: 501-842-1004  
Email: [ECC@englandchiropractic.com](mailto:ECC@englandchiropractic.com)  
Website: [www.englandchiropractic.com](http://www.englandchiropractic.com)

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