



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
Olympia, Washington 98504

RE: Barbara Loran, DC  
Docket No.: 05-04-A-1066CH  
Document: Statement of Charges

Regarding your request for information about the above-named practitioner, certain information may have been withheld pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld:

The identity of the complainant if the person is a consumer, health care provider, or employee, pursuant to RCW 43.70.075 (Identity of Whistleblower Protected) and/or the identity of a patient, pursuant to RCW 70.02.020 (Medical Records - Health Care Information Access and Disclosure)

If you have any questions or need additional information regarding the information that was withheld, please contact:

Adjudicative Clerk Office  
P.O. Box 47879  
Olympia, WA 98504-7879  
Phone: (360) 236-4677  
Fax: (360) 586-2171

You may appeal the decision to withhold any information by writing to the Deputy Secretary, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890.

**STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
CHIROPRACTIC QUALITY ASSURANCE COMMISSION**

|  |   |                                  |
|--|---|----------------------------------|
| In the Matter of the License to Practice as a Chiropractor of: | ) |                                  |
|  | ) | <b>Docket No. 05-04-A-1066CH</b> |
|  | ) |                                  |
| <b>BARBARA LORAN, DC</b>                                       | ) | <b>STATEMENT OF CHARGES</b>      |
| License No. CH00002715   | ) |                                  |
|  | ) |                                  |
| Respondent.  | ) |                                  |

---

The Program Manager of the Chiropractic Quality Assurance Commission (Commission), on designation by the Commission, makes the allegations below, which are supported by evidence contained in program case file no. 2004-02-0003. Patients referred to in this Statement of Charges are identified in an attached Confidential Schedule.

**Section 1: ALLEGED FACTS**

1.1 Barbara Loran (Respondent) was issued a license to practice as a chiropractor by the state of Washington in July 1992. Respondent's most recent chiropractic license has an expiration date of October 18, 2005.

1.2 Respondent was issued a license to practice as a Naturopathic Physician by the state of Washington in March 2000. Respondent's most recent naturopathy license has an expiration date of October 18, 2005.

1.3 James King has never been credentialed as a health care provider in the state of Washington.

1.4 Respondent allowed James King to perform chiropractic adjustments to multiple patients on separate occasions in her presence between 1992 to the present.

Such chiropractic adjustments by James King mentioned below occurred at Respondent's place of business and/or at a residence shared by Respondent and James King, both located in the vicinity of Bellevue, Washington.

1.5 Between October 2001 and mid January 2005, Respondent provided chiropractic treatment to Patient 1. During the course of such treatment:

1.5.1 Patient 1 was from [REDACTED] years of age;

1.5.2 Respondent had sexual contact with Patient 1 during a portion of the time frame when Patient 1 was [REDACTED] years old;

1.5.3 James King had sexual contact with Patient 1 in Respondent's presence during a portion of the time frame that Patient 1 was [REDACTED] years old.;

1.5.4 King provided chiropractic treatments to Patient 1 in Respondent's presence by manually adjusting Patient 1's neck, ankle, hips, and shoulder; emitting popping and cracking sounds, and by stretching and bending her limbs.

1.6 Beginning in approximately 2001 Respondent provided chiropractic treatment to Patient 2. During the course of such treatment:

1.6.1 James King propositioned Patient 2 in Respondent's presence to have three-way sexual relations with Respondent and James King.

1.6.2 James King provided chiropractic treatment to Patient 2 in Respondent's presence by manually pushing, pulling, and twisting the leg, neck, and head for the purpose of aligning the spine, emitting popping or cracking sounds, and by extending and bending the back, legs and arms of Patient 2.

1.7 Between March 2002 and the present Respondent provided chiropractic treatment to Patient 3. During the course of such treatment:

1.7.1 James King provided chiropractic treatments to Patient 3 in Respondent's presence by manually exerting pressure to the back, ankle, and neck of Patient 3 for the purpose of changing the bone alignment, emitting popping and cracking sounds, in addition to moving and stretching the range of motion of the limbs.

1.8 Between August 1994 and the present Respondent provided chiropractic treatment to Patient 4. During the course of such treatment:

1.8.1 James King provided chiropractic treatments to Patient 4 in Respondent's presence by manually manipulating the spine, emitting popping and cracking sounds;

1.9 Between 1997 and the present Respondent provided chiropractic treatment to Patient 5. During the course of such treatment:

1.9.1 James King provided chiropractic treatments to Patient 5 in Respondent's presence by manually applying corrective force to the body of Patient 5.

1.10 Between approximately October of 2000 and approximately October of 2004 Respondent provided chiropractic and naturopathic treatment to Patient 6. During the course of such treatment:

1.10.1. Respondent and James King both had sexual contact with Patient 6 in each other's presence;

1.11 Respondent's recordkeeping for Patient 1 was insufficient to document the chiropractic services provided to this patient, in that the last recorded treatment session is April 1, 2004.

1.12 Respondent shared the confidential medical information of Patient 4 with King without that patient's permission.

1.13 Respondent assisted King in his provision of an invasive procedure, which he called "Soma Nova" to patients within Washington state. This included inserting balloons into the patient's nasal cavity and then inflating them to alter the skeletal structure from within. Because King held no health care credential, this amounted to the unlicensed practice of medicine on his part.

## Section 2: ALLEGED VIOLATIONS

2.1 The violations alleged in this section constitute grounds for disciplinary action pursuant to RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

2.2 The facts alleged in section 1 constitute unprofessional conduct in violation of RCW 18.130.180(1), (4), (7), (10), (14), and (24), RCW 18.25.011, RCW 18.25.005, WAC 246-808-320, WAC 246-808-390, WAC 246-808-535, WAC 246-808-590, WAC 246-808-560, WAC 246-808-650, RCW 18.71.011, and RCW 18.71.021, which provide:

**RCW 18.130.180 Unprofessional conduct.** The following conduct, acts, or conditions constitute unprofessional conduct for any license holder or applicant under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder or applicant of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this

section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

...

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

...

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

...

(10) Aiding or abetting an unlicensed person to practice when a license is required;

...

(14) Failure to adequately supervise auxiliary staff to the extent that the consumer's health or safety is at risk;

...

(24) Abuse of a client or patient or sexual contact with a client or patient;

...

**RCW 18.25.011 License required.** It is a violation of RCW 18.130.190 for any person to practice chiropractic in this state unless the person has obtained a license as provided in this chapter.

**RCW 18.25.005 "Chiropractic" defined.**

...

(2) Chiropractic treatment or care includes the use of procedures involving spinal adjustments and extremity manipulation.

...

**WAC246-808-320 Privileged communications.** A chiropractor shall not, without the consent of the patient, reveal any information acquired in attending such patient, which was necessary to enable the chiropractor to treat the patient. This shall not apply to the release of information in an official proceeding where the release of information may be compelled by law.

...

**WAC 246-808-390 Illegal practitioners.**

Chiropractors shall safeguard their profession by exposing those who might attempt to practice without proper credentials, and by reporting violations of the laws regulating chiropractic to the proper authorities.

...

**WAC 246-808-535 Delegation of services to auxiliary staff and graduate doctors of chiropractic.**

(1) A licensed chiropractor may, within the confines of this section, delegate certain services to auxiliary staff and graduate doctors of chiropractic, provided that these services are performed under the licensed chiropractor's direct supervision. The supervising chiropractor shall be responsible for determining that auxiliary staff and graduate doctors of chiropractic are competent to perform the delegated services. The licensed supervising chiropractor must render adequate supervision so that the patient's health and safety is not at risk.

(2) Auxiliary staff and graduate doctors of chiropractic shall not perform the following services:

...

(b) Adjustment or manipulation of the articulations of the spinal column or its immediate articulations;

...

**WAC 246-808-590 Sexual misconduct.**

(1) The chiropractor shall never engage in sexual contact or sexual activity with current clients.

(2) The chiropractor shall never engage in sexual contact or sexual activity with former clients if such contact or activity involves the abuse of the chiropractor-client relationship. Factors which the commission may consider in evaluating if the chiropractor-client relationship has been abusive include, but are not limited to:

- (a) The amount of time that has passed since therapy terminated;
- (b) The nature and duration of the therapy;
- (c) The circumstances of cessation or termination;
- (d) The former client's personal history;
- (e) The former client's current mental status;
- (f) The likelihood of adverse impact on the former client and others; and
- (g) Any statements or actions made by the chiropractor during the course of treatment suggesting or inviting the possibility of a post-termination sexual or romantic relationship with the former client.

(3) The chiropractor shall never engage in sexually harassing or demeaning behavior with current or former clients.

...

**WAC 246-808-560 Documentation of care.**

(1) The recordkeeping procedures of a chiropractor shall be adequate to provide documentation of the necessity and rationale for examination, diagnostic/analytical procedures, and chiropractic services. The required documentation shall include, but not necessarily be limited to, the patient's history and/or subjective complaints; examination findings and/or objective findings; and a record of all chiropractic services performed.

(2) Chiropractic examinations shall be documented by specifying subjective complaints, objective findings, an assessment or appraisal of the patient's condition and the plan for care. Daily chart notes may be brief notations recorded in the patient's chart file between



examinations. These notations shall indicate any changes in the care or progress of the patient and the chiropractic, diagnostic, or analytical services performed or ordered. Detailed entries need not be documented on every visit as long as examinations are performed at reasonable intervals and those examinations are documented as specified in this section.

(3) If a code is utilized by the doctor in connection with recordkeeping, a code legend shall be included in the records.

...

**WAC 246-808-650 Records and x-rays and withdrawal from practice -- Maintenance and retention of patient records.**

(1) Any chiropractor who treats patients in the state of Washington shall maintain all treatment records regarding patients treated. These records may include, but shall not be limited to, x-rays, treatment plans, patient charts, patient histories, correspondence, financial data, and billing. These records shall be retained by the chiropractor for five years in an orderly, accessible file and shall be readily available for inspection by the commission or its authorized representative: X-rays or copies of records may be forwarded pursuant to a licensed agent's written request. Also, office records shall state the date on which the records were released, method forwarded and to whom, and the reason for the release. A reasonable fee may be charged the patient to cover mailing and clerical costs.

...

**RCW 18.71.011 Definition of practice of medicine - - Engaging in practice of chiropractic prohibited, when.**

A person is practicing medicine if he does one or more of the following:

(1) Offers or undertakes to diagnose, cure, advise or prescribe for any human disease, ailment, injury, infirmity, deformity, pain or other condition, physical or mental, real or imaginary, by any means or instrumentality;

(2) Administers or prescribes drugs or medicinal preparations to be used by any other person;

(3) Severs or penetrates the tissues of human beings;

...

**RCW 18.71.021 License required.** No person may practice or represent himself or herself as practicing medicine without first having a valid license to do so.

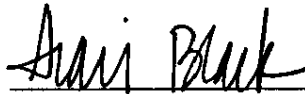
...

### Section 3: NOTICE TO RESPONDENT

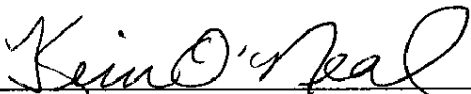
The charges in this document affect the public health, safety, and welfare. The Program Manager of the Commission directs that a notice be issued and served on Respondent as provided by law, giving Respondent the opportunity to defend against these charges. If Respondent fails to defend against these charges, Respondent shall be subject to discipline pursuant to RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

DATED this 19 day of May, 2005.

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
CHIROPRACTIC QUALITY ASSURANCE  
COMMISSION



TRACI BLACK  
Program Manager



KIM O'NEAL, WSBA #12939  
Assistant Attorney General Prosecutor

INTERNAL TRACKING NUMBERS:

PROGRAM NO. 2004-02-0003

**CONFIDENTIAL SCHEDULE**

**This information is confidential and is NOT to be released without the consent of the individual or individuals named herein. RCW 42.17.310(1)(d)**

**Patient 1:**

**Patient 2:**

**Patient 3:**

**Patient 4:**

**Patient 5:**

**Patient 6:**

