

NAME: James C. Burda, D.C. License # 1725 Case No. 2005 CHR 051

Date of Action: September 28, 2006

Violated Codes and/or Rules: ORC § 4734.31(C)(17) & (25)

PERMANENT REVOCATION

Effective 9/28/2006

Case Description:

Dr. Burda made up the term "Bahlaqem" to describe a form of treatment that he developed in which he claimed to treat individuals anytime, anywhere, who are not in his presence and without physical contact.

The Board determined that "Bahlaqem" is not an acceptable form of treatment according to acceptable and prevailing standards of chiropractic care and constitutes practicing beyond the scope of the practice of chiropractic.

Dr. Burda is also unable to practice chiropractic according to acceptable and prevailing standards of care due to mental illness, specifically, Delusional Disorder, Grandiose Type.

PENALTY:

Dr. Burda signed a Voluntary Permanent Surrender of License to Practice Chiropractic in the State of Ohio on September 28, 2006 thereby permanently revoking his license.



State of Ohio
Ohio State Chiropractic Board

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BEFORE THE OHIO STATE CHIROPRACTIC BOARD

IN THE MATTER OF:)	Case No. 2005 CHR 051
)	
James Cameron Burda, D.C.)	VOLUNTARY PERMANENT
License No. 1725)	SURRENDER OF LICENSE TO
)	PRACTICE CHIROPRACTIC IN
Respondent.)	THE STATE OF OHIO

I, James Cameron Burda, D.C., do freely execute this document and choose to take the actions described herein. I am aware of my right to representation by counsel, the right of being formally charged and of having a formal adjudicative hearing and do hereby freely execute this Voluntary Permanent Surrender of License to Practice Chiropractic in the State of Ohio and choose to take the actions described herein. I hereby waive my rights to have a formal adjudication hearing under Chapter 119 of the Ohio Revised Code and all other substantive and procedural protections afforded by law, including but not limited to, the right to a hearing before the Board, the right to confront and cross-examine witnesses against me, the right to testify if I so choose and to call witnesses on my behalf, the right to be represented by an attorney at every stage of the proceedings against me, and the right to attorney's fees under Chapter 119, Ohio Revised Code.

ADMISSIONS

I, James Cameron Burda, admit to the following allegations contained in the Notice of Opportunity for Hearing issued to me on March 31, 2006, to wit:

“Bahlaqem” is not an acceptable form of treatment according to acceptable and prevailing standards of chiropractic care.

The practice of “Bahlaqem” constitutes practicing beyond the scope of the practice of chiropractic.

LAWS AND RULES AT ISSUE

Ohio Revised Code § 4734.31 in pertinent part states:

- (A) The state chiropractic board may take any of the actions specified in division (B) of this section against an individual who has applied for or holds a license to practice chiropractic in this state if any of the reasons specified in division (C) of this section for taking action against an individual are applicable. Except as provided in division (D) of this section, actions taken against an individual shall be taken in accordance with Chapter 119. of the Revised Code. The board may specify that any action it takes is a permanent action.
- (B) In its imposition of sanctions against an individual, the board may do any of the following:
1. Refuse to issue, renew, restore, or reinstate a license to practice chiropractic;
 2. Reprimand or censure a license holder;
 3. Place limits, restrictions, or probationary conditions on a license holder's practice;
 4. Impose a civil fine of not more than five thousand dollars according to a schedule of fines specified in rules that the board shall adopt in accordance with Chapter 119. of the Revised Code;
 5. Suspend a license for a limited time or indefinite period;
 6. Revoke a license.
- (C) The board may take the actions specified in division (B) of this section for any of the following reasons:
17. Inability to practice chiropractic according to acceptable and prevailing standards of care by reason of chemical dependency, mental illness, or physical illness, including conditions in which physical deterioration has adversely affected the person's cognitive, motor, or perceptive skills and conditions in which a chiropractor's continued practice may pose a danger to the chiropractor or the public;
 25. Practicing, or claiming to be capable of practicing, beyond the scope of the practice of chiropractic as established under this chapter and the rules adopted under this chapter;

DISCIPLINARY ACTION

I, James Cameron Burda, do hereby voluntarily, knowingly, and intelligently permanently surrender my license number 1725 to practice chiropractic in the state of Ohio, thereby relinquishing all rights to practice chiropractic in the state of Ohio. Said surrender shall be effective upon the Ohio State Chiropractic Board's approval and acceptance of this Voluntary Permanent Surrender of License to Practice Chiropractic in the State of Ohio.

I understand that as a result of this surrender, I am no longer permitted to practice chiropractic in the state of Ohio as defined in Ohio Revised Code Chapter 4734.01 et seq. I agree that I will comply with Ohio Revised Code Section 4734.14 and Ohio Administrative Code Section 4734-9-10, and any other applicable code sections as required by law.

I agree that I shall be ineligible for, and shall not apply for, reinstatement of my license to practice chiropractic in the state of Ohio or issuance of any other license or certificate pursuant to Chapter 4734 of the Ohio Revised Code on or after the date of signing this Voluntary Permanent Surrender of License to Practice Chiropractic in the State of Ohio. Any such attempted application or reapplication shall be considered null and void and shall not be processed or accepted by the Board.

I hereby authorize the Ohio State Chiropractic Board to enter upon its Journal an Order permanently revoking my license number 1725 to practice chiropractic in the state of Ohio, in conjunction with which I expressly waive all rights set forth in Ohio Revised Code Chapter 119.

ACKNOWLEDGMENTS / LIABILITY / RELEASE

I agree that the Ohio State Chiropractic Board may report this action to appropriate data banks, government agencies, and other persons or entities. In accordance with 42 U.S.C. § 1320a-7e(b), 5 U.S. § 552a, 45 C.F.R. pt 61, and ORC § 2301.373(E) the Board may disclose my social security number and the disciplinary action contained in this Agreement to the Federal Department of Health and Human Service's Healthcare Integrity and Protection Data Bank and/or the Local County Child Support Enforcement Agency. This document shall be considered a public record as that term is used in § 149.43 of the Ohio Revised Code.

By signing this Voluntary Permanent Surrender of License to Practice Chiropractic in the state of Ohio, I agree that in the event that the Board, in its discretion, does not approve this surrender, this surrender is void and shall be of no evidentiary value and neither the surrender or any statement provided by me during settlement discussions shall be relied upon or introduced in any disciplinary hearing or appeal by either party. I further agree that should the Board reject this surrender and if the case proceeds to hearing, I will assert no claim that the Board was prejudiced by its review and discussion of this surrender or of any information relating thereto.

I hereby release the Ohio State Chiropractic Board, its members, officers, employees, and agents, jointly and severally from any and all liability arising from the within matter.

James Cameron Burda D.C. 8/23/06 Earl L. Wiley, D.C., M.A. 9-28-06
James Cameron Burda, D.C. Date Earl L. Wiley, D.C., M.A. Date
President

Adam J. Baker 8/22/06 Todd W. Newkirk 9/28/06
Adam J. Baker, Esq. Date Todd W. Newkirk Date
Assistant Attorney General
Health & Human Services Section
Ohio Attorney General Jim Petro