

Citations Filed (continued from page 8)

NAME AND CITY	LICENSE NO.	FINE AMOUNT	DATE ISSUED	ALLEGED VIOLATIONS
Bosler, Christopher L. – Irvine, CA	DC 31927	\$400	9/26/2016	Failure to complete mandatory continuing education requirements within a renewal period.
Bither-Barnes, Keri M. – Anderson, CA	DC 28038	\$400	11/24/2016	Knowingly making or signing a document related to the practice of chiropractic, which falsely represents the facts; failure to complete mandatory continuing education requirements prior to the expiration date of the license.
Ehlers, Robert W. – Vacaville, CA	DC 28064	\$3,000	12/02/2016	Unlicensed individual engaging in the practice of chiropractic – illegal practice.
Duca, Robert A. – Dunn Loring, CA	DC 18784	\$400	12/02/2016	Knowingly making or signing documents related to the practice of chiropractic, which falsely represent the facts; failure to complete mandatory continuing education requirements within a renewal period.
Thomas, Thomas J. – Long Beach, CA	DC 13405	\$500	1/15/2017	Unprofessional conduct/gross negligence; unprofessional conduct/incompetence; unprofessional conduct/jeopardizing the public; failure to maintain patient records.
Prins, Charles Michael – Albany, CA	DC 17808	\$400	2/02/2017	Knowingly making or signing a document related to the practice of chiropractic, which falsely represents the facts; licensees shall complete mandatory continue education requirement within renewal period; failure to complete continuing education requirements prior to the expiration date of the license.
Dawson, John D. – Fresno, CA	DC 19749	\$5,000	2/23/2017	Unprofessional conduct/excessive treatment; conspiring to violate any provisions or terms of the ACT or regulations adopted by the Board; failure to ensure or maintain accurate billings of chiropractic services.

DISCIPLINARY ACTIONS FILED 7/1/2016 – 3/31/2017

NAME AND CITY	LICENSE NO.	ACTION	EFFECTIVE DATE	ALLEGED VIOLATIONS
Sweet, William – Visalia, CA	DC 25936	Revoked, stayed, additional 1-yr probation	7/28/2016	Failure to comply with terms and conditions of probation; failure to abstain from the use of alcohol; failure to submit to blood and/or urine testing.
Wolf, Jason – Covelo, CA	DC 24670	Revoked, stayed, additional 6-month probation	7/28/2016	Failure to comply with terms and conditions of probation (SPEC exam, law exam); commission of acts involving moral turpitude and/or dishonesty; falsely representing the existence or nonexistence of a state of facts
Hill, Sherri – El Cajon, CA	DC 18233	Voluntary surrender of license	8/04/2016	Unprofessional conduct/gross negligence; unprofessional conduct/repeated acts of negligence; failure to maintain patient records; failure to ensure accurate billings.
Krage, John – San Diego, CA	DC 14672	Revoked, stayed, 30-day suspension, 5-yr probation	8/12/2016	Unprofessional conduct/gross negligence; unprofessional conduct/repeated acts of negligence; unprofessional conduct/excessive treatment; committed acts of moral turpitude, dishonesty, or corruption; false advertising.
Lubecki, John – Fair Oaks, CA	DC 11147	Voluntary surrender of license	8/19/2016	Advertising containing misstatements, falsehoods, or misrepresentations; unprofessional conduct/incompetence; unprofessional conduct/conduct likely to endanger the health, welfare, or safety of the public.
Marrs, Jeffrey – Hemet, CA	DC 24163	Voluntary surrender of license	8/19/2016	Conviction of a crime substantially related to the qualifications, functions, and duties of a chiropractor; unprofessional conduct/conduct likely to endanger the health, welfare, or safety of the public; sexual misconduct with patients.
Scruggs, William Jr. – Toluca Lake, CA	DC 29843	Revoked, stayed, 3-yr probation	8/19/2016	Convictions of crimes substantially related to the qualifications, functions, and duties of a chiropractor; convictions of crimes involving dangerous drugs; unprofessional conduct/jeopardized or is likely to endanger the health, welfare, or safety of the public; administer to oneself drugs/alcohol, which impairs ability of licensee to conduct practice with regard to safety of the public; acts involving moral turpitude, dishonesty, or corruption.
Nguyen, Ai-Duy – Tustin, CA	DC 18151	Voluntary surrender of license	8/20/2016	Conviction of a crime involving moral turpitude, dishonesty, and corruption; committed acts involving moral turpitude, dishonesty, or corruption; conviction of a crime substantially related to the qualifications, functions, or duties of a chiropractor; participation in fraud/misrepresentation; knowingly making or signing any document relating to chiropractic that falsely represents the facts; insurance fraud.
Schreiner, Robert – Salinas, CA	DC 18180	Voluntary surrender of license	8/20/2016	Commission of acts involving moral turpitude and/or dishonesty; falsely representing the existence or nonexistence of a state of facts; participation in acts of fraud and/or misrepresentation; insurance fraud; making false and/or fraudulent claims for payment of a health care benefit; presenting false and/or misleading information in support of an insurance claim.

Continued on page 10

BEFORE THE
BOARD OF CHIROPRACTIC EXAMINERS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. AC 2015-1035

JOHN LUBECKI
4404 San Juan Ave.
Fair Oaks, CA 95628
Chiropractic License No. DC 11147


Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Chiropractic Examiners, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on AUG 19 2016.

It is so ORDERED JUL 20 2016.


FOR THE BOARD OF CHIROPRACTIC EXAMINERS
DEPARTMENT OF CONSUMER AFFAIRS

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Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
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7 *Attorneys for Complainant*

8 **BEFORE THE**
BOARD OF CHIROPRACTIC EXAMINERS
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. AC 2015-1035

12 **JOHN LUBECKI**
4404 San Juan Ave.
13 Fair Oaks, CA 95628
Chiropractic License No. DC 11147

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 Respondent.
15

16 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
17 entitled proceedings that the following matters are true:

18 PARTIES

19 1. Robert Puleo (Complainant) is the Executive Officer of the Board of Chiropractic
20 Examiners. He brought this action solely in his official capacity and is represented in this matter
21 by Kamala D. Harris, Attorney General of the State of California, by Karen R. Denvir, Deputy
22 Attorney General.

23 2. John Lubecki (Respondent) is represented in this proceeding by attorney Richard
24 Bertolino, whose address is 608 University Avenue, Sacramento, CA 95825.

25 3. On or about January 1, 1974, the Board of Chiropractic Examiners issued
26 Chiropractic License No. DC 11147 to John Lubecki (Respondent). The Chiropractic License
27 was in full force and effect at all times relevant to the charges brought in Accusation No. AC
28 2015-1035 and will expire on October 31, 2016, unless renewed.

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JURISDICTION

4. Accusation No. AC 2015-1035 was filed before the Board of Chiropractic Examiners (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on September 10, 2015. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. AC 2015-1035 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. AC 2015-1035. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. AC 2015-1035, agrees that cause exists for discipline and hereby surrenders his Chiropractic License No. DC 11147 for the Board's formal acceptance.

9. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Chiropractic License without further process.

CONTINGENCY

1 10. This stipulation shall be subject to approval by the Board of Chiropractic Examiners.
2 Respondent understands and agrees that counsel for Complainant and the staff of the Board of
3 Chiropractic Examiners may communicate directly with the Board regarding this stipulation and
4 surrender, without notice to or participation by Respondent or his counsel. By signing the
5 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
6 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
7 to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary
8 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
9 action between the parties, and the Board shall not be disqualified from further action by having
10 considered this matter.

11 11. The parties understand and agree that Portable Document Format (PDF) and facsimile
12 copies of this Stipulated Surrender of License and Order, including Portable Document Format
13 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

14 12. This Stipulated Surrender of License and Order is intended by the parties to be an
15 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
16 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
17 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
18 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
19 executed by an authorized representative of each of the parties.

20 13. In consideration of the foregoing admissions and stipulations, the parties agree that
21 the Board may, without further notice or formal proceeding, issue and enter the following Order:

22 ORDER

23 IT IS HEREBY ORDERED that Chiropractic License No. DC 11147, issued to Respondent
24 John Lubecki, is surrendered and accepted by the Board of Chiropractic Examiners.

25 1. The surrender of Respondent's Chiropractic License and the acceptance of the
26 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
27 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
28 license history with the Board of Chiropractic Examiners.

1 2. Respondent shall lose all rights and privileges as a chiropractor in California as of the
2 effective date of the Board's Decision and Order.

3 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
4 issued, his wall certificate on or before the effective date of the Decision and Order.

5 4. If Respondent ever files an application for licensure or a petition for reinstatement in
6 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
7 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
8 effect at the time the petition is filed, and all of the charges and allegations contained in
9 Accusation No. AC 2015-1035 shall be deemed to be true, correct and admitted by Respondent
10 when the Board determines whether to grant or deny the petition.

11 5. Respondent stipulates that should respondent apply for reinstatement of his license he
12 shall pay to the Board costs associated with its investigation and enforcement in the amount of
13 \$12,471.17 at the time of application.

14 6. If Respondent should ever apply or reapply for a new license or certification, or
15 petition for reinstatement of a license, by any other health care licensing agency in the State of
16 California, all of the charges and allegations contained in Accusation, No. AC 2015-1035 shall be
17 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
18 Issues or any other proceeding seeking to deny or restrict licensure.

19 7. Respondent shall not apply for licensure or petition for reinstatement for two (2)
20 years from the effective date of the Board of Chiropractic Examiners' Decision and Order.

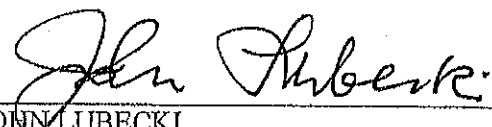
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ACCEPTANCE


1 I have carefully read the above Stipulated Surrender of License and Order and have fully
2 discussed it with my attorney, Richard Bertolino. I understand the stipulation and the effect it
3 will have on my Chiropractic License. I enter into this Stipulated Surrender of License and Order
4 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
5 Board of Chiropractic Examiners.

6
7 DATED: 26 May 2016


JOHN LUBECKI
Respondent

9 I have read and fully discussed with Respondent John Lubecki the terms and conditions and
10 other matters contained in this Stipulated Surrender of License and Order. I approve its form and
11 content.

12 DATED: 26 MAY 2016


RICHARD BERTOLINO
Attorney for Respondent

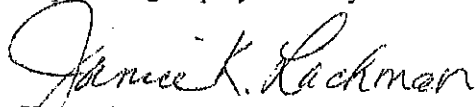
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15 ENDORSEMENT

16 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
17 for consideration by the Board of Chiropractic Examiners of the Department of Consumer
18 Affairs.

19 Dated: 6/13/16

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General


for KAREN R. DENVER
Deputy Attorney General
Attorneys for Complainant

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7 *Attorneys for Complainant*

8 **BEFORE THE**
BOARD OF CHIROPRACTIC EXAMINERS
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. AC 2015-1035

12 **JOHN LUBECKI, D.C.**
13 **4404 San Juan Avenue**
Fair Oaks, CA 95628

A C C U S A T I O N

14 **Chiropractic License No. DC 11147**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Robert Puleo (Complainant) brings this Accusation solely in his official capacity as
20 the Executive Officer of the Board of Chiropractic Examiners (Board), Department of Consumer
21 Affairs.

22 2. On or about January 1, 1974, the Board issued Chiropractic License Number DC
23 11147 (license) to John Lubecki, D.C. (Respondent). On or about April 15, 1982, Respondent's
24 license was revoked; however, the revocation was stayed and Respondent was placed on
25 probation for five (5) years with terms and conditions, as set forth in paragraph 19 below.
26 Respondent's license was also suspended for 90 days from April 15, 1982 to July 14, 1982.
27 Respondent's license was in full force and effect at all times relevant to the charges brought
28 herein and will expire on October 31, 2015, unless renewed.

1 **JURISDICTION**

2 3. This Accusation is brought before the Board under the authority of the following
3 sections of the Chiropractic Act (Act).¹

4 4. Section 10 of the Act states, in pertinent part, that the Board may suspend or revoke a
5 license to practice chiropractic or may place the license on probation for violations of the rules
6 and regulations adopted by the Board or for any cause specified in the Chiropractic Initiative Act.

7 5. Title 16, California Code of Regulations, section 355.1 states:

8 The suspension, expiration, or forfeiture by operation of law of a license
9 issued by the board, or its suspension, or forfeiture by order of the board or by order
10 of a court of law, or its surrender without the written consent of the board shall not,
11 during any period in which it may be renewed, restored, reissued, or reinstated,
12 deprive the board of its authority to institute or continue a disciplinary proceeding
13 against the licensee upon any ground provided by law or to enter an order suspending
14 or revoking the license or otherwise taking disciplinary action against the licensee on
15 any such ground.

16 **REGULATORY PROVISIONS**

17 6. Title 16, California Code of Regulations, section 311 states:

18 Constructive educational publicity is encouraged, but the use by any
19 licensee of advertising which contains misstatements, falsehoods, misrepresentations,
20 distorted, sensational or fabulous statements, or which is intended or has a tendency
21 to deceive the public or impose upon credulous or ignorant persons, constitutes
22 grounds for the imposition of any of the following disciplinary penalties:

23 (a) Suspension of said licensee's right to practice in this State for a period
24 not exceeding one (1) year.

25 (b) Placing said licensee upon probation.

26 (c) Taking such other action, excepting the revocation of said licensee's
27 license, in relation to disciplining said licensee as the board in its discretion may
28 deem proper.

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¹ The Chiropractic Act, an initiative measure approved by the electors on November 7, 1922, while not included in the Business and Professions Code by the legislature, is set out in West's Annotated California Codes as sections 1000-1 to 1000-19, and is included in Deering's California Codes as Appendix I, for convenient reference.

1 7. Title 16, California Code of Regulations, section 317 states, in pertinent part:

2 The board shall take action against any holder of a license who is guilty
3 of unprofessional conduct which has been brought to its attention, or whose license
has been procured by fraud or misrepresentation or issued by mistake.

4 Unprofessional conduct includes, but is not limited to, the following:

5 ...

6 (c) Incompetence;

7 ...

8 (e) Any conduct which has endangered or is likely to endanger the health,
9 welfare, or safety of the public . . .

10 **COST RECOVERY**

11 8. Title 16, California Code of Regulations, section 317.5, subdivision (a), states, in
12 pertinent part:

13 In any order in resolution of a disciplinary proceeding before the Board of
14 Chiropractic Examiners, the board may request the administrative law judge to direct
15 a licentiate found to have committed a violation or violations of the Chiropractic
Initiative Act to pay a sum not to exceed the reasonable costs of the investigation and
enforcement of the case.

16 **FACTUAL ALLEGATIONS**

17 **Patient C.A.**

18 9. On or about June 13, 2014, Patient C.A. presented to Respondent with a sudden onset
19 of pain and stiffness in her neck and left shoulder. After listening to the patient's complaints,
20 Respondent measured her hip bones. Respondent told the patient that there was a 4 inch
21 difference in her hips; i.e., her hips were out of alignment. Respondent performed a muscle test
22 on the patient. Respondent had the patient raise her right arm out to the side and push up as hard
23 as she could while he placed "slight resistance" on her arm. Respondent then had the patient put
24 her left fist next to her collar bone and repeat the same action; i.e., raise her arm out to the side
25 while he checked for muscle resistance. The patient reported later that Respondent "obviously"
26 put a downward force (or more force) on her arm during the second test and pushed it all the way
27 down to her side. Respondent told the patient that this was a sign of infection, either bacterial,
28 fungal, parasitic, etc. Later, Respondent took the patient's hand, put it on a "homeopathic

1 imprinter”, and turned the device on for a “split second”. Respondent informed the patient,
2 without any explanation, that he had just “cured” her infection using the imprinter and was ready
3 to adjust her. The patient thanked Respondent for his time, but refused any further treatment,
4 stating that she did not agree with his methods. Respondent insisted that his methods worked and
5 that he had cured the patient of her infection. Respondent gave the patient several hand-outs and
6 insisted that she read them. The patient “quickly scanned” a few of the documents and returned
7 them to Respondent. The print-outs were testimonials from several of Respondent’s alleged
8 patients, who had been ‘cured” of various diseases, including asthma and brain tumors.
9 Respondent attempted to give the patient three books he had written on “how to get rid of cancer”
10 and other diseases. The patient told Respondent that she would rather research his methods on
11 her own. Respondent followed the patient as she walked out to the front of his office and handed
12 her more pamphlets. On or about June 19, 2014, the patient filed a complaint with the Board,
13 stating that Respondent’s behavior was unacceptable and that “he is either . . . willfully deceiving
14 his clients on a gross level, or falsely advertising the effectiveness of his methods.”

15 **Board Investigation**

16 **Interview of the Patient**

17 10. On or about September 24, 2014, a Board investigator interviewed the patient. The
18 patient indicated that Respondent did not describe the use of the imprinter before placing her hand
19 on the device and that he did not use anything else to treat her alleged infection.

20 **Interview of Respondent**

21 11. On or about October 16, 2014, the investigator interviewed Respondent. Respondent
22 initially claimed he had adjusted the patient, but stated later that this was an assumption on his
23 behalf because he adjusts all patients. Respondent told the investigator that his standard of
24 practice is to adjust each patient’s skull, but admitted there was no note on the patient’s chart
25 indicating that he had adjusted her skull. Respondent stated that the patient had “some type of
26 virus” and that “all people with neck pain have some type of infection.” Respondent claimed that
27 it was easy to test for an infection and that he had “worked out a protocol that cures everything,
28 everywhere, all the time” as indicated in his books.

1 12. Respondent stated that because the patient had neck pain, she had a virus.
2 Respondent claimed that a virus can be treated with a homeopathic remedy and that this remedy
3 kills the infection “instantly”. Respondent stated that the \$20 paid by the patient was for the
4 purchase of the homeopathic remedy and that the remedy was explained in his book. Respondent
5 claimed that the homeopathic remedy has the same vibrations as the infection and that if you
6 “imprint” the remedy on the person, it “kills” the infection instantly. Respondent explained that
7 the homeopathic remedy is made by a person’s “imprint” through the use of the homeopathic
8 imprinter, that the remedy goes inside “a little black box”, and that the box is carried in the
9 person’s pocket.

10 13. Respondent told the investigator that he can cure cancer and that “all you have to do
11 is remove the chemicals and the infection.” Respondent stated that this can “be done in five
12 minutes” with a laser and an imprinter. Respondent claimed that what “medical doctors are doing
13 with cancer is idiotic” and that “any doctor who can’t kill cancer in five minutes is an idiot.”

14 14. Respondent stated that in China, doctors have discovered that there is an energy flow
15 in the body and that if there is no interference, you cannot be sick. Respondent claimed that if
16 you remove the energy interference, you can cure anything, anytime, within two to three visits.
17 Respondent also claimed that he just treated a Parkinson’s patient, who stopped shaking after his
18 treatment; he has treated patients with brain tumors; he can cure seizures; and he can cure
19 “anything” by removing the energy interference. Respondent gave the investigator a copy of a
20 hand-out regarding the homeopathic remedies and devices he uses at his office as well as two
21 books, *Heal Yourself by Yourself*, written by Respondent and “Lisa Ann”; and *End Cancer and*
22 *Many Other Conditions*, written by Respondent and Susan Gorkosky.

23 **Respondent’s Internet Advertising**

24 15. On or about February 26, 2015, the investigator researched Respondent’s website,
25 Lubecki-Chiropractic.com. Respondent’s website contained several advertisements related to his
26 chiropractic office, Lubecki Wellness Center, as well as information pertaining to various
27 homeopathic remedies and devices which he had available for purchase, including the
28 homeopathic imprinter.

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Advertising Containing Misstatements, Falsehoods or Misrepresentations)**

3 16. Respondent is subject to disciplinary action under section 10 of the Act and Title 16,
4 California Code of Regulations, section 311, for unprofessional conduct, in that Respondent used,
5 or caused to be used, advertising which contained misstatements, falsehoods, misrepresentations,
6 distorted, sensational or fabulous statements, and/or which was intended or had a tendency to
7 deceive the public or impose upon credulous or ignorant persons, including, but not limited to, the
8 following:

9 **Respondent's Hand-Out**

10 a. Respondent represents on the hand-out, identified in paragraph 14 above, that it is
11 "ABSOLUTELY IMPOSSIBLE" to develop any health problems unless the body is
12 contaminated with chemicals, parasites, bacteria, viruses, and the heavy metals nickel, mercury,
13 and cadmium, and that the homeopathic imprinter removes chemicals, bacteria, viruses, and
14 parasites and should be used after every meal and at least five or six times a day.

15 b. Respondent represents on the hand-out, identified in paragraph 14 above, that the
16 "blue laser enhancer" removes or neutralizes heavy metals, that the handheld laser should be used
17 twice a day over the entire body, and that the blue laser should be used all over the head, neck and
18 upper body for three minutes every day.

19 c. Respondent represents on the hand-out, identified in paragraph 14 above, that one
20 should 1) treat their scars, calluses and tattoos every day by rubbing them with oil and scanning
21 them with the laser; 2) scan their entire body with a crystal; 3) tap up and down on their chest
22 with the fingers of the right hand while holding the white allergy box in the other hand; 4) place
23 all five fingers on their forehead, specifically, the emotional points, for 2 minutes; 5) not wear any
24 metal objects that have nickel in them; 6) exercise regularly; 7) take herbs and vitamins; and 8)
25 take herbs to ensure regularity and prevent constipation; and that if all of "these things" are done
26 daily, in addition to the steps described in subparagraphs (a) and (b) above, it is impossible to
27 have any health problems of any kind, including cancer.

28 ///

1 d. Respondent represents on the hand-out, identified in paragraph 14 above, that none of
2 the modern devices, the laser, imprinter, enhancer, and crystal, can be effective if they are used
3 alone and that they have to be used together. Respondent represents further that none of the
4 modalities used by modern medicine can do what the above devices can do and as such, medical
5 science is "quite helpless" in the face of chronic conditions, such as fibromyalgia, multiple
6 sclerosis, cancer, rheumatoid arthritis and chronic fatigue syndrome.

7 **Respondent's Book, *Heal Yourself by Yourself***

8 e. Respondent represents in his book, *Heal Yourself by Yourself*, that European
9 homeopaths have found that if the laser is used together with the homeopathic imprinter, virtually
10 all early cancers and some advanced cancers have rapidly reversed. Further, in some cases,
11 tumors have been known to shrink so fast that improvement can be seen from one day to the next.
12 Respondent also represents that if the laser and imprinter are used regularly cancer "could never
13 start."

14 f. Respondent represents in his book, *Heal Yourself by Yourself*, that radiation found
15 within the body can be removed immediately using muscle testing by placing the homeopathic
16 remedy for radiation on the "input" place, placing a patient's fingers on the output plate, and
17 imprinting. Respondent represents further that when the greatly magnified vibrations of the
18 homeopathic remedy for radiation pass through the body, they immediately remove radiation
19 poisoning.

20 **Respondent's Book, *End Cancer and Many Other Conditions***

21 g. Respondent represents in his book, *Heal Yourself by Yourself*, that when the
22 homeopathic imprinter is used "the new way", it kills all viruses instantly. Respondent represents
23 further that if the imprinter is used correctly viral infections cannot occur and that this alone could
24 eliminate many conditions and result in tremendous financial savings.

25 **Respondent's Internet Advertising**

26 h. Respondent represented on his website, Lubecki-Chiropractic.com., that the "Lubecki
27 Detox Protocol" can reverse rheumatoid arthritis "in just a few visits".

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1 i. Respondent represented on his website, Lubecki-Chiropractic.com., that cancer is
2 primarily caused by environmental toxins, that the Lubecki Wellness Center can provide high-
3 tech methods for detoxing at hyper-speed on “your way to be cancer-free”, and that there is only
4 one cure for cancer, a strengthened immune system.

5 **SECOND CAUSE FOR DISCIPLINE**

6 **(Incompetence)**

7 17. Respondent is subject to disciplinary action under section 10 of the Act and Title 16,
8 California Code of Regulations, section 317, subdivision (c), for unprofessional conduct, in that
9 Respondent is guilty of incompetence, as follows: Respondent lacks the ability to provide
10 chiropractic treatment consistent with the standard of care in the community in that his diagnostic
11 and treatment methods are based on outdated information and incorrect theories, including his
12 theories about the causes and treatment of cancer, which could endanger patients if they followed
13 his advice.

14 **THIRD CAUSE FOR DISCIPLINE**

15 **(Conduct Likely to Endanger the Health, Welfare or Safety of the Public)**

16 18. Respondent is subject to disciplinary action under section 10 of the Act and Title 16,
17 California Code of Regulations, section 317, subdivision (e), for unprofessional conduct, in that
18 Respondent is engaging in conduct which has endangered or is likely to endanger the health,
19 welfare, or safety of the public, as follows: Respondent, through his sensational teachings or
20 claims, including, but not limited to, his claims regarding the cure for cancer, his claims of an
21 immediate cure of infections using the homeopathic imprinter, and his claims regarding the
22 effectiveness of his muscle testing diagnostic procedures, is actively discouraging the public from
23 seeking treatment from medical doctors for serious conditions, including cancer and infections,
24 which could endanger the public’s health, welfare, or safety.

25 **DISCIPLINE CONSIDERATIONS**

26 19. To determine the degree of discipline, if any, to be imposed on Respondent,
27 Complainant alleges that on or about April 15, 1982, in a prior disciplinary action entitled “In the
28 Matter of the Accusation Against John Lubecki, D.C.”, before the Board of Chiropractic


1 Examiners, in Case Number 11147, Respondent's license was suspended for a period of ninety
2 (90) days, and placed on probation for a period of five (5) years with terms and conditions. The
3 basis for the discipline was that Respondent induced an unlicensed person to practice in his
4 facility, permitted the unlicensed person to conduct physical examinations of patients, included
5 the unlicensed person's name in his advertisements as "Doctor – D.C.", and on Respondent's own
6 business cards he used the prefix "Dr." without the qualifying "D.C." immediately following his
7 name. That decision is now final and is incorporated by reference as if fully set forth.

8 **PRAYER**

9 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
10 and that following the hearing, the Board of Chiropractic Examiners issue a decision:

- 11 1. Revoking or suspending Chiropractic License Number DC 11147, issued to John
12 Lubecki, D.C.;
- 13 2. Ordering John Lubecki, D.C. to pay the Board of Chiropractic Examiners the
14 reasonable costs of the investigation and enforcement of this case, pursuant to California Code of
15 Regulations, title 16, section 317.5;
- 16 3. Taking such other and further action as deemed necessary and proper.

17
18 DATED: 9/9/15

17 
18 _____
19 ROBERT PULEO
20 Executive Officer
21 Board of Chiropractic Examiners
22 Department of Consumer Affairs
23 State of California
24 Complainant

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