



May 27, 2014

Notice of Citation Closure

Candice McCowin, D.C.
1980 Barranca Pkwy., Ste. 200
Irvine, CA 92604

RE: Citation Number: CH 2014-11461

Dear Dr. McCowin, D.C.:

This is to advise you that the Board of Chiropractic Examiners (Board) has received your fine payment in full and proof of corection related to the above-referenced citation.

The Board has determined that receipt of the fine payment and proof of correction are acceptable proof of compliance with the citation; therefore, we are closing our file in this matter. Please be advised that this citation will remain a matter of public record.

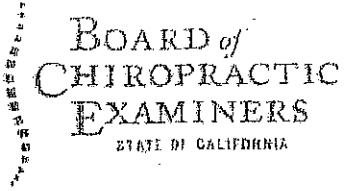
If you have any questions regarding this matter, my contact information is listed below.

Sincerely,

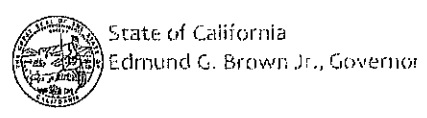
A handwritten signature in cursive script that reads "Lavella Matthews".

Lavella Matthews
Compliance Analyst
Compliance Unit
(916) 263-5355 ext. 6465

cc: Roger W. Calton, Esq.



VIA CERTIFIED MAIL



March 3, 2014

Candice McCowin, D.C.
4980 Barranca Pkwy., Ste. 200
Irvine, CA 92604

Citation Number: CH 2014-11461
License Number: 22408
Violation: California Code of Regulations sections 311- false/misleading advertising

In accordance with Section 125.9 of the Business and Professions Code and California Code of Regulations, Title 16, section 390 et al, this citation is being issued by the Board of Chiropractic Examiners ("Board") against your license for the violation(s) found following review of complaint and/or investigation.

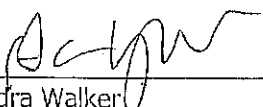
This citation details each violation charged and order of abatement where applicable. **IT IS YOUR RESPONSIBILITY TO READ THE ENTIRE CITATION.**

Unless contested, using the attached Acknowledgement Receipt Form, this citation shall become the final order of the Board on **April 5, 2014**. You must comply immediately with the order of abatement and pay the **five hundred dollar \$500.00** fine. Compliance with the order of abatement is due within 30 calendar days of receipt of this order.

Payment of the fine is to be made payable to the Board of Chiropractic Examiners by check or money order. Please include the citation number on the payment. DO NOT SEND CASH. Mail to:

901 P Street, Suite 142-A
Sacramento, California 95814
Attn: Lavelle Matthews, Associate Analyst

FAILURE TO COMPLY WITH THIS CITATION MAY RESULT IN DISCIPLINARY ACTION AGAINST YOUR LICENSE. If you have any questions regarding this matter, contact Lavelle Matthews, Compliance Analyst, (916) 263-5355 ext. 6465.



Sandra Walker
Compliance Manager
Board of Chiropractic Examiners

3/3/14

Date

- Attachments:**
- Section 390, California Code of Regulations
 - Section 125.9, Business and Professions Code
 - Sections 311, California Code of Regulations
 - Notice of Appeal Request for Informal Conference/Formal Hearing
 - Proof of Correction and Compliance with Order of Abatement
 - Citation / Fee Remittance Form with Courtesy Envelope
 - Acknowledgement Receipt Form

Candice McCowin, D.C.
March 3, 2014
Page 2

Cause for Citation

On October 22, 2013, the Board received a complaint regarding your advertisement titled, "*New diabetes study....encouraging study on type 2 diabetes shows the disease can be reversed in as little as 1 week*". The ad also states, "*A free guide has just been made available to type 2 diabetics detailing an approach more powerful than any drug known to modern science. The free diabetic guide explains in plain English how many diabetics have been able to reduce and eliminate their drugs and insulin injections, lose weight without exercise, reduce and eliminate the risk for diabetic complications, restore pancreatic function, and even become non-diabetic. The free guide also reveals rarely used diagnostic testing that is helping doctors understand potential causes of diabetes beyond weight gain, genetics and lack of exercise.*" On December 3, 2013, the Board received your response to the claims in the advertisement and a copy of the free guide. The case was forwarded to a Board expert reviewer, who determined you to be in violation of **California Code of Regulation section 311 (misleading advertising)**. It is the expert's opinion that the guide does not explain how many diabetics have been able to reduce and eliminate their drugs and injections, lose weight without exercise, reduce and eliminate the risk for diabetic function, and become non-diabetic. In addition, the expert states that the guide failed to reveal diagnostic testing used to understand the potential cause of diabetes which is misleading to the public.

Fine Penalty

The fine assessed on this citation is five-hundred dollars (\$500.00).

Order of Abatement

The Board orders you to immediately take such measures as are necessary to ensure future compliance of section 311 by ensuring that future advertising may not be construed as misleading or deceiving to the public. Failure to comply may result in further disciplinary action.

Appeal Rights

Any person issued a citation may request a hearing in accordance with California Code of Regulations, Title 16, Section 390.4. You may request an informal conference or appeal before an administrative law judge, or both. **Using the attached Acknowledge Receipt Form, you may request an Administrative Hearing at the same time an informal conference is requested. If you wish to request both, you must submit your request for both. Please note that the time frames that allow you to request a conference and hearing run concurrently.**

Request for Informal Conference

To request an informal conference, please return the enclosed Acknowledgement Receipt Form to the Board office **within 14 calendar days** from receipt of the citation. The informal conference can be conducted in person or by telephone. **You must state in your Acknowledgement Receipt Form whether you are requesting to appear in person or by telephone for an informal conference.** Your request for an informal conference will be scheduled within 30 calendar days of receipt of your request.

Request for Administrative Hearing

To request an administrative hearing directly, please submit a written request within 30 days from the date on this citation. If you request an administrative hearing using the Acknowledgement Receipt Form, you must do so within 30 days from the date on this citation and must indicate what parts of the citation you are contesting. The Office of Administrative Hearings will schedule a formal public hearing before an administrative law judge. A deputy attorney general will represent the Board at the public hearing. After the hearing, the Administrative Law Judge will issue a proposed decision, based upon the findings of fact, affirming, modifying or vacating the citation, or directing other appropriate action. The Board members will then vote to either adopt or nonadopt the proposed decision. You will be notified of the Board's decision.

Candice McCowin, D.C.
March 3, 2014
Page 3

If you appeal this citation by requesting an informal conference or an administrative hearing, the days given for compliance will be held in abeyance only for the violation(s) you contest. The time to correct all uncontested violations must be adhered to as given.

If you fail to notify the Board within the allotted time that you intend to appeal the citation, it shall be deemed a final order and shall not be subject to further administrative review. Any questions or concerns should be directed Lavella Matthews, Associate Analyst, at (916) 263-5355 ext. 6465.