

**BEFORE THE WEST VIRGINIA BOARD OF CHIROPRACTIC**

**WEST VIRGINIA BOARD OF CHIROPRACTIC,**

*Complainant,*

**V.**

**Complaint 2022-191**

**JUSTIN MCCARTER,  
License No. License No. 916**

*Respondent.*

**SUMMARY SUSPENSION ORDER**

The West Virginia Board of Chiropractic (“Board”) is the agency of the State of West Virginia responsible for the licensure and professional discipline of all licensed chiropractors in West Virginia. *See* W.Va. Code §§ 30-16-1 through 22. In circumstances in which the Board determines that a chiropractor’s continuation in practice constitutes an immediate danger to the public, the Board is authorized to temporarily and summarily suspend the chiropractor’s license, prior to a disciplinary hearing, pending institution of proceedings to determine further disciplinary action. *See* W.Va. Code § 30-1-8(e)(1).

For the following reasons, the Board hereby SUMMARILY SUSPENDS Respondent’s license to practice chiropractic in the State of West Virginia, effective August 18, 2022:

1. On August 3, 2022, Respondent’s probation officer at the Marietta Municipal Court, Melanie Ferrell, sent the Board an e-mail indicating that on July 12, 2022, Respondent tested positive for methamphetamine and methylenedioxymethamphetamine (MDMA) in his system.

2. On August 4, 2022, Respondent sent the Board an e-mail indicating that Respondent's probation officer, Melanie Ferrell, informed him that the Board had contacted her regarding his positive drug screen. He acknowledges that he had a failed drug screen and indicated that he is taking steps toward his rehabilitation.

3. On August 6, 2022, Respondent sent the Board an e-mail indicating that he is working "with the recovery community here in Parkersburg in advocating chiropractic care as a source of drug free pain management."

4. Methamphetamine is a highly addictive drug that affects the central nervous system. There is no legal use for it. Methamphetamine can make a user's body temperature rise so high that a user could pass out or die. It can lead to mood swings, may cause hallucinations, and it also may cause impulsiveness and aggression.

5. Respondent's license was previously suspended on May 21, 2019, based on his alleged possession of Clonazepam and crystal methamphetamine. Respondent previously entered a consent agreement in Complaint No. 2019-179 with this Board based on these allegations. The terms of the Consent Agreement required Respondent to enroll in a certified substance abuse treatment program and participate in random drug screens, the terms of which Respondent fulfilled. Respondent's license was reinstated following his completion of the substance abuse treatment program.

6. As set forth in the Board-Initiated Complaint issued contemporaneously herewith, the Board is empowered to take disciplinary action against Respondent for a violation of W.Va. Code § 30-16-11(a)(17) (being addicted or habituated to a drug or intoxicant).

In light of the fact that Respondent recently tested positive for methamphetamine and MDMA in his system, the Board finds Respondent poses a significant risk to the health, safety

and welfare of the public which exists as long as Respondent continues to possess a license to practice chiropractic in the State of West Virginia. Therefore, the Board hereby ORDERS that Respondent's license be SUMMARILY SUSPENDED effective August 18, 2022, pending further disciplinary proceedings.

Entered: August 18, 2022

A handwritten signature in black ink, appearing to read "Barry A. Stowers, D.C.", written over a horizontal line.

Barry A. Stowers, D.C.  
Chairman