

FILED

APRIL 27, 1982

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ATTORNEY GENERAL OF NEW JERSEY

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS
DOCKET NO. H82-5057

IN THE MATTER OF AN INQUIRY
INTO THE CHIROPRACTIC PRACTICE
OF

ROBERT WALKER, D.C.
License No. 1472

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: Administrative Action
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: FINAL ORDER
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This matter was opened to the New Jersey State Board of Medical Examiners on inquiry into the practice of chiropractic of Robert Walker, D.C., having offices at Route 206 South, Belle Mead, New Jersey 08502. Dr. Walker is represented by Donald C. Chase, Esq., P.O. Box 23, 220 South Main Street, Manville, New Jersey 08835.

After consideration of this matter with his counsel, the following presentation is made by Dr. Walker:

- (a) Dr. Walker pleads no contest to allegations that between 1978 and 1980 he submitted to Blue Shield of New Jersey bills for some 225 x-ray films for 59 patients, as listed on Schedule A, annexed, which films were not in fact taken.

- (b) A plea of no contest is entered as to an allegation that 7 of 9 x-ray films reviewed were of non-diagnostic quality, in that they contained both chemical and object artifacts, and/or were under-exposed or over-exposed, and/or were improperly developed. In addition, 8 of the 9 failed to include required standard identification such as name of the patient, date of exposure, left or right side markings, and name of the doctor or of the facility where taken.
- (c) Dr. Walker has denied under oath an allegation that he repeatedly exposed these patients to complete spinal x-ray series notwithstanding the representations contained in the service reports; he refers the Board to his response under (a).

In the interests of settlement of this matter, and based upon the information presently available to the Board, including the representations made by Dr. Walker as set forth above, and for sufficient cause shown,

IT IS on this *12th* day of April, 1982

O R D E R E D:

1. The plea of no contest is accepted as to paragraph (a) above, which constitutes a violation of N.J.S.A. 45:1-21(b) and N.J.S.A. 45:9-6 and N.J.A.C. 13:35-6.11;

2. The plea of no contest is accepted as to paragraph (b) above, which constitutes a violation of N.J.S.A. 45:1-21(d);

3. Dr. Walker's license to practice chiropractic in this State is suspended for two years, the first five months of which shall be an active suspension and the remainder of which shall be a period of probation. Said suspension period shall commence May 14, 1982;

4. Dr. Walker is assessed a penalty of \$2,500 for the violations set forth in paragraph (a), and \$2,500 for the violations set forth in paragraph (b), totalling \$5,000. Said penalty shall be payable to the State Board of Medical Examiners in equal monthly installments of \$500, commencing November 1, 1982.

5. Dr. Walker shall reimburse to Blue Shield of New Jersey the sum of \$4,583 by certified check no later than May 14, 1982;

6. During the probation period commencing October 15, 1982 Dr. Walker shall render to patients charitable services on at least five patient-visits/month;

7. During the suspension and probation period, Dr. Walker shall participate in 100 hours of continuing chiropractic education approved by this Board, which educational program shall concentrate on radiographic technique;

8. For a six-month period, Dr. Walker shall not take or order any x-rays. He may, however, refer patients whom he believes to be in need of x-ray procedures to a Board-approved radiologist or chiropractor licensed and practicing in New Jersey, with a recommendation that x-rays be taken. Such referrals shall be

accompanied by a statement of the patient's medical and clinical history, including prior x-ray history, insofar as same is known to Dr. Walker; the tentative diagnosis; and the indications for the radiological examination. Any subsequent referral of the same patient shall be made to the same consultant, where possible, and all the abovesaid requirements shall be repeated. The approved radiologist or chiropractor accepting such referrals shall agree to maintain a list of the referrals during the time required by the Board Order and to make same available for Board inspection. This referral period commenced by consent on March 25, 1982. Excluding the five-months period of active suspension, the required x-ray referral period shall continue until February 24, 1983; except that Dr. Walker may request of the Board the opportunity to demonstrate sufficient proficiency in radiographic technique and clinical judgment. In the event that the Board is satisfied with the level of skill demonstrated, Dr. Walker may request earlier reinstatement of x-ray privileges;

8. Dr. Walker may perform limited physical therapy modalities accepted by the Board as appropriate preparation of patients for chiropractic adjustment; he shall not bill separately for physical therapy services as such;

9. Dr. Walker shall henceforth include in all professional representation to the public, including all forms of billing or advertisements, his degree designation, as required by N.J.S.A. 45:14-5.

10. Dr. Walker shall henceforth comply with all standard and accepted conventions in x-ray identification, and shall

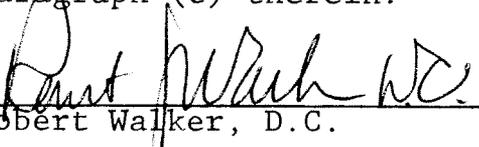
scrupulously observe the requirements of the Chiropractic Practice Act and pertinent regulations.

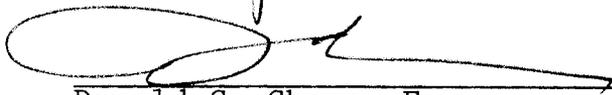
STATE BOARD OF MEDICAL EXAMINERS

By 

Edwin H. Albano, M.D.
President

I consent to the terms and entry of the within Order and I swear to the truth of paragraph (c) therein.


Robert Walker, D.C.


Donald C. Chase, Esq.
Attorney for Dr. Walker

April 6, 1982
Date