

**FILED**

MAY 6, 1983

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

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

IN THE MATTER OF : Administrative Action  
:   
STEWART A. ROSTON, D.C. : CONSENT ORDER  
:   
:

This matter having been opened upon a complaint received from a member of the consuming public and the Board having conducted an investigative inquiry and pursuant thereto having reviewed said complaint, Dr. Roston's office records and his testimony before the Board's Executive Committee and it appearing that the matter may, consistent with the public's health, safety and welfare, be concluded without the initiation of a formal disciplinary proceeding,

IT IS ON THIS 26 DAY OF April, 1983,  
ORDERED:

1. Stewart A. Roston, D.C., shall henceforth cease and desist from using or employing any system of bonuses, discounts, credits or advertising wherein simulated checks or other documents offering fee reductions or credits toward fees are distributed or made available to the consuming public provided, however, the foregoing notwithstanding, Stewart A. Roston, D.C. may provide chiro-

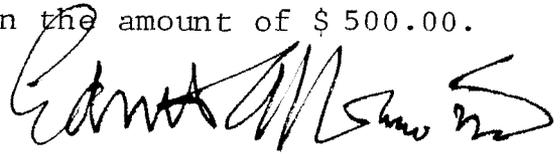
practic services to his patients at no charge, should he deem such appropriate. An illustrative example of this prohibition contemplated by the within provision is attached hereto and made a part hereof.

2. Stewart A. Roston, D.C., shall henceforth cease and desist from utilizing any patient's name in any advertising format, including but not limited to respondent's "patient of the week" or in any patient referral mechanism without first securing the patient's express written authorization for such name utilization. In any such secured authorization, Stewart A. Roston, D.C., shall clearly and conspicuously disclose the nature, terms and conditions under which the patient's name shall be utilized. Upon the execution of such authorization, Stewart A. Roston may utilize such recognition of patient referral. Nothing herein contained shall permit the use of patient testimonials as now prohibited by N.J.A.C. 13:35-6.14(c)(3).

3. Stewart A. Roston, D.C., in the course of rendering all future chiropractic services, shall limit the taking of X-rays for diagnostic purposes to those where the patient's complaint is clinically indicated. Such limitations shall not require diagnostic X-rays to be limited to the area of primary complaint but may also be taken of other osseous structures of the patient where such X-rays are diagnostically indicated.

4. Stewart A. Roston, D.C., shall, contemporaneously with the entry of the within order, pay civil penalties to the

State Board of Medical Examiners in the amount of \$ 500.00.



EDWIN H. ALBANO, M.D., President  
State Board of Medical Examiners

I have read the within  
order and hereby agree to  
be bound by it. I also agree  
to having it entered by the  
Board.

  
STEWART A. ROSTON, D.C.

FILED

JUNE 25, 1980



NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

BOARD MEDICAL EXAMINERS

28 WEST STATE STREET

TRENTON, N.J. 08608

June 20, 1980

John J. Degnan  
ATTORNEY GENERAL

Adam K. Levir  
DIRECTOR

Edward W. Harker, Esq.  
Platoff, Heftler, Harker and Nashel  
Dispatch Building  
400 - 38th St.  
Union City, N.J. 07087

Re: Stewart Roston, D.C.

Dear Mr. Harker:

This matter was opened to the New Jersey State Board of Medical Examiners by way of conference on May 1, 1980, at which time you and Dr. Roston appeared to discuss certain advertisements admittedly placed by Dr. Roston.

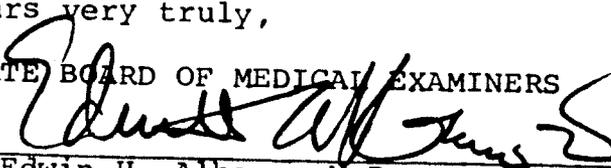
After consideration of the advertisements and the testimony of Dr. Roston, the Board has determined that the advertisements in question, particularly insofar as they contain Dr. Roston's photograph or picture, may be undignified and flamboyant in violation of N.J.A.C. 13:35-6.13(b) and (c)(1). Dr. Roston is therefore hereby ordered to cease and desist all advertising utilizing his picture or portrait forthwith.

In the event that Dr. Roston seeks to dispute this order he may do so by requesting a formal hearing in writing within ten (10) days of service of this notice.

Yours very truly,

STATE BOARD OF MEDICAL EXAMINERS

By:

  
Edwin H. Albano, M.D.,  
President

EHA:fk/sp

cc: Bruce H. Snyder, D.A.G.  
Stewart Roston, D.C.