

FILED

E F F E C T I V E
April 27, 1988
NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

May 9, 1988
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

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF:	:	Administrative Action
	:	
HENRY SCHNITZER	:	
	:	
TO PRACTICE CHIROPRACTIC	:	ORDER OF TEMPORARY SUSPENSION
IN THE STATE OF NEW JERSEY	:	OF LICENSE
	:	
	:	

This matter was opened to the Presiding Member of the State Board of Medical Examiners at the Executive Committee Meeting of April 27, 1988 on application of W. CARY EDWARDS, ATTORNEY GENERAL OF NEW JERSEY, Sandra Y. Dick, Deputy Attorney General appearing, for an Order of Temporary Suspension of the license to practice medicine and surgery in the State of New Jersey of Henry Schnitzer, D.C. pending further hearing before the full Board at its next meeting of May 11, 1988. The application was made pursuant to N.J.S.A.45:1-22(e). Notice of the application for temporary suspension was represented by affidavit of Investigator Cyndy Gohl to have been given by service of the verified complaint at Dr. Schnitzer's residence on April 21, 1988 at 10:00 a.m. on Dr. Schnitzer. The affidavit further indicates that Dr. Schnitzer stated he might not be present for the hearing as because of the recent crisis in the Mid-East he may be in combat as his title is Chief Inspector of the World. Respondent did not appear or give testimony.

Board members Ambrose and Berkowitz considered the pleadings presented including a complaint verified by three affidavits. Affidavits by two investigators who visited Dr. Schnitzer indicate that he claims to be actively practicing medicine although his office/residence is dirty and in disarray. The affidavits further indicate that Dr. Schnitzer rambled in his conversation, was dishevelled in his appearance, was unable to complete a full sentence or to follow his train of thought. He stated to the investigators that he was an advisor to President Reagan, attached to the Secret Service as "passah" was "chief of of swat cops - Inspector General", the "highest chief...", has "zulus" working for him. A third affidavit by a deputy attorney general reveals that in a phone conversation with her on March 31, 1988, he claimed among other things, to be a "lawyer doctor" and the "supreme commander of the Navy, Assistant to the President".

On the present record there has been demonstrated such a bizarre set of claims and conduct by Dr. Schnitzer that we seriously question his competency and ability to practice and we find there is a clear and imminent danger to the public health, safety and welfare by his continued practice.

It is therefore on this 27th day of April 1988;

ORDERED:

That the license to practice chiropractic heretofore issued to Henry M. Schnitzer, D.C. is temporarily suspended until such time as a review of this matter may be had before the full Board of Medical Examiners on May 11, 1988 at 2:00 P.M. at the Hughes Justice Complex, 4th Floor, Trenton, New Jersey, and it is further;

ORDERED:

That respondent, Henry Schnitzer, D.C. shall cease, desist and refrain from the practice of chiropractic in the State of New Jersey until further order of the Board, and it is further;

ORDERED:

That leave be given to respondent to move for the dissolution and/or modification of this temporary order of suspension upon not less than two (2) days notice to the Board, and it is further;

ORDERED:

That this order shall be effective as of the announcement of the temporary suspension on the record at the hearing before the executive committee of the Board held on April 27, 1988.

NEW JERSEY STATE BOARD OF: MEDICAL EXAMINERS

By:


Robert B. Ambrose, M.D.
Chairman of the Executive Committee
& Presiding Board Member

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF :
OR REVOCATION OF THE LICENSE OF :
Henry SCHNITZER :
TO PRACTICE CHIROPRACTIC :
IN THE STATE OF NEW JERSEY :

AFFIDAVIT
OF
SERVICE

I, Jacque A. Jobs, of full age, being duly sworn according to law, upon my oath, depose and say:

1. I am employed by the State of New Jersey, Division of Consumer Affairs, Enforcement Bureau, Room 508, 1100 Raymond Boulevard, Newark, New Jersey.
2. My Civil Service designation is Special Investigator.
3. On April 27, 1988, at 4:40 p.m. at the premises located at 1016 5th Avenue, Asbury Park, New Jersey, I personally served on a person who identified himself as Henry Schnitzer, an ORDER OF TEMPORARY SUSPENSION OF LICENSE. Henry Schnitzer (who is known to me because of a previous process service activity I was involved in), acknowledged receipt by affixing his signature, address and date of service on the face sheet of a true copy of the ORDER served. (Received copy attached).

Sworn and Subscribed to before me

this 29th Day of April 1988

Robert A. Elker

ROBERT A. ELKER

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires January 3, 1990

Jacque A. Jobs

Dated: April 29, 1988

June 14, 1988

NEW JERSEY STATE BOARD

STATE OF NEW JERSEY MEDICAL EXAMINERS
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

Dr. Henry Malcolm Schnitzer
1676-5th Avenue
Ashbury Park, N.J. 07717
May 26, 1988

In the Matter of the Suspension)
or Revocation of the License of)

Administrative Action

HENRY SCHNITZER, D.C.)

ORDER
OF
TEMPORARY SUSPENSION

To Practice Chiropractic in the)
State of New Jersey)

On April 27, 1988, this matter was opened before Robert Ambrose, M.D., serving as the President Pro Tem of the State Board of Medical Examiners and the Chairman of the Executive Committee meeting on that date, on the application of W. Cary Edwards, Attorney General of New Jersey by Sandra Y. Dick, Deputy Attorney General, seeking an order of temporary suspension of the license to practice chiropractic held by Henry Schnitzer, D.C. pending further hearing before the full Board at its next meeting on May 11, 1988. That application was made pursuant to N.J.S.A. 45:1-22. Although respondent did not appear on that date, Dr. Ambrose found that adequate notice had been provided. Upon reviewing the affidavits filed in support of the Verified Complaint, Dr. Ambrose found that "on the present record there has been demonstrated such a bizzare set of claims and conduct by Dr. Schnitzer that" ... his continued practice would represent a clear and imminent danger to the public health, safety and welfare.

Accordingly, on April 27, 1988, respondent's license to practice chiropractic was temporarily suspended pending review of that decision by the Board on May 11, 1988.

On May 11, 1988, the full Board undertook to review the decision of Dr. Ambrose. Deputy Attorney General Sandra Y. Dick presented the matter, representing that respondent had been served with the earlier Order of Temporary Suspension, by which he was provided with notice of the present hearing. Further, it was represented that Joseph L. Schnitzer, respondent's son, has advised that his father would not attend the hearing. The Board also reviewed a letter from Mr. Schnitzer. In reviewing the complaint, supporting affidavit and responding letter, the Board is constrained to conclude that to permit respondent to continue to practice and to hold himself out as eligible to practice, would pose a clear and imminent to the public. While it appears that respondent is not actively engaged in an extensive practice, by his son's statement, he is still rendering chiropractic care, at least to family members. Moreover, he is continuing to represent to the public, both by a sign located at his premise, and by his statements, that he continues to practice chiropractic. His own statements to investigators and to a deputy attorney general as reflected in the affidavit supporting this application demonstrate that respondent seems to be suffering from a mental disorder or condition which has affected his capacity to understand reality. His son acknowledged that respondent "suffered a mental breakdown

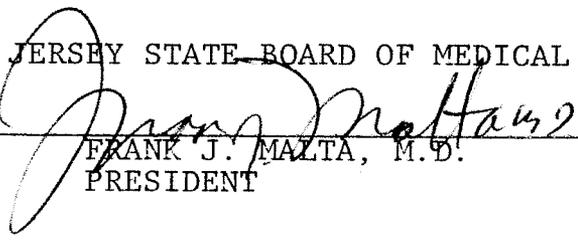
in 1973, partially recovered, then relapsed. His mind has been disordered since that time." While the Board is sympathetic to this personal tragedy, and in no way seeks to exacerbate respondent's condition, it is mindful of its responsibilities to the public to assure that the practitioners of the health care professions are physically and mentally capable of functioning. On the facts before it, the Board must conclude that in his present status, respondent's continued practice would present a clear and imminent danger to the public health, safety and welfare.

ACCORDINGLY, IT IS ON THIS 24TH DAY OF MAY, 1988,
ORDERED:

1. The Order of Temporary Suspension entered on April 27, 1988, is hereby ratified and made effective pending plenary hearing in the matter.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By: _____


FRANK J. MALTA, M.D.
PRESIDENT