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NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

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

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

ALAN L. MARCUS, D.C.
License No. MC1604

TO PRACTICE CHIROPRACTIC
IN THE STATE OF NEW JERSEY

Administrative Action
CONSENT ORDER
OF VOLUNTARY SURRENDER
TO BE DEEMED A REVOCATION

This matter was opened to the New Jersey State Board of Chiropractic Examiners (hereinafter the "Board"), upon receipt of information that Alan L. Marcus, D.C. (hereinafter the "Respondent") had been arrested on December 16, 1998 and charged with two counts of criminal sexual contact with patients J.B. and N.T. in violation of N.J.S.A. 2C:14-2c(1), and four counts of criminal sexual contact with patients J.B., N.T., K.R., and E.L. in violation of N.J.S.A. 2C:14 3b. On December 22, 1998, Peter Verniero, the Attorney General of New Jersey, Beatriz Valera-Schutz, Deputy Attorney General, appearing, filed an Order To Show Cause and a Verified Complaint seeking the temporary suspension of Respondent's license to practice chiropractic pursuant to N.J.S.A.

45:1-22 and charging the Respondent with gross and repeated acts of malpractice, negligence, or incompetence and professional misconduct in violation of N.J.S.A. 45:1-21 (c), (d) and (e) in connection with his treatment of these patients. By Order entered January 14, 1999, Respondent voluntarily surrendered his license pending resolution of the criminal matter. On May 11, 1999, Respondent was indicted by the Passaic County Grand Jury on four (4) counts of Sexual Assault, a second degree offense, one (1) count of Endangering the Welfare a Child, a third degree offense, and six (6) counts of Criminal Sexual Contact, a fourth degree offense. On March 23, 2001, an Accusation was issued alleging the Respondent engaged in Child Cruelty and Neglect of a Child, a fourth degree offense.

On April 2, 2001, Respondent entered a plea of guilty to the Accusation for Child Cruelty and Neglect and to the Indictment for five (5) counts of Criminal Sexual Contact. On May 25, 2001, Respondent was sentenced, inter alia, to four years of probation, 180 days of jail time at Passaic County Jail and was ordered to complete sex offender treatment.

On August 29, 2001, the Attorney General of New Jersey filed a Motion to Amend the Verified Complaint and for Summary Decision. A hearing on the motion had been set before the full Board on January 24, 2002.

Respondent now seeks leave to voluntarily surrender his license to practice chiropractic in the State of New Jersey, to be deemed a revocation. The Board finding the within disposition to be adequately protective of the public health, safety and welfare, and Respondent understanding that he is to completely

refrain from the practice of chiropractic in the State of New Jersey in the future.

IT IS, therefore, on this 28th day of February 2002;
ORDERED AND AGREED that:

1. Respondent, Alan L. Marcus, D.C., is hereby granted leave and shall immediately surrender his license to practice chiropractic in the State of New Jersey, which surrender shall be deemed a revocation. Respondent agrees and understands that the Board shall not entertain any application for reinstatement of license to practice chiropractic prior to ten (10) years from entry of the within Order.

2. Respondent shall return his original New Jersey license and all originals of subsequent renewals to Kevin Earle, Executive Director, New Jersey Board of Chiropractic Examiners, 124 Halsey Street, 6th Floor, P.O. Box 45004, Newark, New Jersey 07101, upon his receipt of a filed copy of this Order. Respondent shall observe the provisions of the directives for chiropractors whose licenses have been suspended or revoked, a copy of which is attached hereto and made a part of the within Order.

3. Respondent shall pay investigative costs in the amount of \$4,535.01, within eighteen (18) months from the entry date of the within Order. Said costs shall be memorialized in a Certificate of Debt filed by the Board upon entry of this Order and duly recorded in the State of New Jersey. Said payments for costs shall be made payable to the Board of Chiropractic Examiners and shall be submitted to Kevin Earle, Executive Director, New Jersey Board of

Chiropractic Examiners, 124 Halsey Street, 6th Floor, P.O. Box 45004, Newark, New Jersey 07101.

4. Any practice by Respondent in this State prior to formal reinstatement by the Board shall be deemed the unlicensed practice of chiropractic.

5. Together with any application for reinstatement, Respondent shall provide the following to the Board:

a. Proof of psychiatric/psychological evaluation and compliance with treatment recommendations from a mental health facility to be approved in advance by the Board;

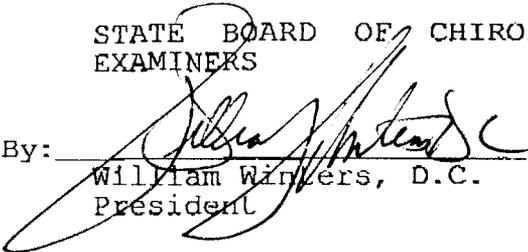
b. Proof of compliance with all terms of the criminal sentence imposed on May 25, 2001.

6. Prior to any reinstatement, Respondent shall appear before the Board or a committee of the Board, to demonstrate his fitness to resume practice. The Board may require an independent psychiatric/psychological evaluation prior to reinstatement. The Board reserves the right to place any restriction on Respondent's practice that it deems necessary to protect the public health, safety, and welfare.

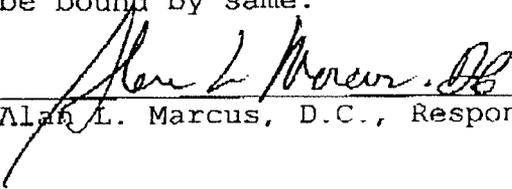
7. No possible application for reinstatement will be considered if Respondent has not satisfied all payments for costs to the Board.

STATE BOARD OF CHIROPRACTIC EXAMINERS

By: _____


William Winklers, D.C.
President

I have read the above terms of the within Order. I understand the terms of the Order and I agree to be bound by same.


Alan L. Marcus, D.C., Respondent