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FILED

MAY 04 2005

NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

By: John D. Hugelmeyer
Deputy Attorney General
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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

NICOLA AMATO, D.C.
License No. MC 4639

TO PRACTICE CHIROPRACTIC
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Chiropractic Examiners upon receipt of information which the Board has reviewed and the parties wishing to resolve this matter without further formal proceedings, hereby stipulate to the following facts and conclusion of law.

FINDINGS OF FACT

1. Respondent, Nicola Amato, D.C., is a chiropractic physician in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about May 11, 2004, Respondent pleaded guilty in the Superior Court of Ocean County, New Jersey, to Accusation No. 04-05-908-A, alleging his violation of N.J.S.A. 2C:20-4 (Theft by Deception) in his chiropractic practice. Respondent was sentenced to a term of three years probation. (Copy of the Judgment of Conviction annexed hereto and made a part hereof)

CONCLUSIONS OF LAW

1. The above plea provides grounds for the suspension of Respondent's license to practice chiropractic in New Jersey pursuant to N.J.S.A 45:1-21(f), in that the crime to which Respondent pleaded guilty is one of moral turpitude and relates adversely to the practice of chiropractic.

ACCORDINGLY, IT IS on this day of *4th of May*, 2005
ORDERED AND AGREED that:

1. Respondent's license to practice chiropractic in the State of New Jersey be and hereby is suspended for a period of three (3) years, except that the initial six month period shall be an active suspension and the final thirty (30) month period of said suspension shall be stayed and become a period of probation. Such stayed period of suspension shall be activated upon a showing of Respondent's non-compliance with any of the terms and conditions set forth herein.
2. During the period of active suspension, Respondent shall not practice chiropractic and shall successfully complete and pass the ProBE (Professional Problem Based Ethics) course offered by The Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, or the PRIME (Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903. Documentation of the full and successful completion of the course shall be provided to the Board.
3. Respondent shall pay costs of investigation in the amount of \$1,007.00, which shall be paid as follows: within ten (10) days of signing this Order, Respondent shall pay \$107.00 in the manner specified herein. The remaining balance of \$900.00 shall be paid by Respondent in nine equal installments of \$100.00 on or before the first day of each month after signing this Order. Failure of the Respondent to timely remit any of the aforesaid payments shall cause the entire

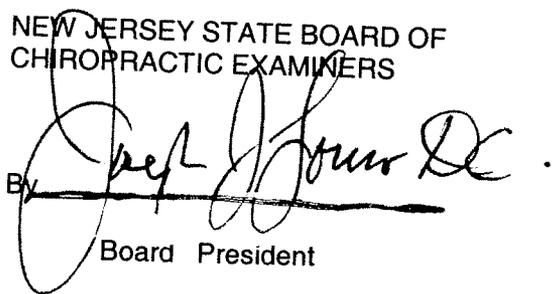
balance to immediately become due and owing. Payment shall be by certified check or money order made payable to the State of New Jersey, and shall be sent to: Joanne Boyer, Acting Executive Director, Board of Chiropractic Examiners at 124 Halsey Street, Sixth Floor, P.O. Box 45004, Newark, New Jersey 07101 no later than ten (10) days from the entry of this Consent Order. Subsequent violations will subject Respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

4. The Directives of the Board applicable to any Chiropractic Board licensee who is suspended, revoked or whose surrender of licensure has been accepted are incorporated by reference as though fully set forth herein, whether or not they are attached hereto.

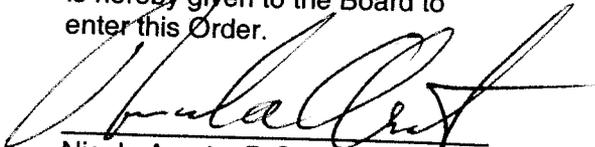
5. Prior to resuming active practice in New Jersey, Respondent shall be required to appear before the Board (or a committee thereof) to demonstrate fitness to resume practice. Any practice in this State prior to formal reinstatement of license by the Board shall constitute grounds for a charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on Respondent's practice should his license be reinstated.

6. Failure to comply with any provisions of this Order or remit any and all payments required by this Order will also result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

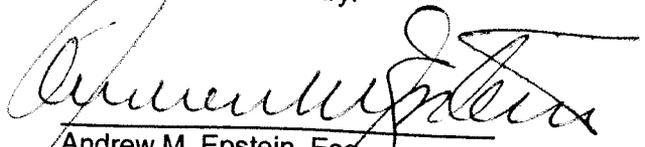
NEW JERSEY STATE BOARD OF
CHIROPRACTIC EXAMINERS

By  .
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.


Nicola Amato, D.C.

This order is hereby agreed to as to its form and entry.


Andrew M. Epstein, Esq.,
Counsel for Respondent