



JON S. CORZINE  
Governor

**FILED**

**JUL 12 2006**

**NEW JERSEY BOARD OF  
CHIROPRACTIC EXAMINERS**

*New Jersey Office of the Attorney General*

Division of Consumer Affairs  
State Board of Chiropractic Examiners  
124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102

June 27, 2006



ZULIMA V. FARBER  
Attorney General

KIMBERLY S. RICKETTS  
Director

**Mailing Address:**  
P.O. Box 45004  
Newark, NJ 07101  
(973) 504-6395

By Certified and Regular Mail

Kimberly D. Stark, D.C.  
470 Newark Pompton Tpke  
Pompton Plains, NJ 07444-1924

Re: Offer of Settlement In Lieu of Filing a Formal Disciplinary Complaint

Dear Dr. Stark:

This letter is to advise you that the New Jersey State Board of Chiropractic Examiners (the "Board") has had an opportunity to review information concerning your consent to the entry of a final administrative order requiring you to pay a civil administrative penalty of \$5,000.00 to the Commissioner of the Department of Banking and Insurance for the violation of N.J.S.A. 17:33A-1, et seq.; in that you knowingly billed Cigna, under Member #1570655405, for chiropractic services not rendered to two patients for a total of ten visits.

At this juncture, the Board has preliminarily concluded that probable cause exists to support a finding that you thereby come within the provisions of N.J.S.A. 45:1-21(k), by your admitted violation of N.J.S.A. 17:33A-1, et seq., and by your being subject to the aforesaid order imposing civil penalties under that act.

The above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you by the Board. Notwithstanding that decision, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of formal disciplinary proceedings, should you consent to:

1. the issuance of a formal reprimand; and
2. successfully complete and unconditionally 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; and provide documentation of the successful completion and unconditional passing of the course to the Board within six (6) months of your agreement to this settlement.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office together with any required payment at the address set forth above. Upon your signature, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General John D. Hugelmeyer, who may be reached at (973) 693-5056.

If you elect to settle this matter now you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

NEW JERSEY STATE BOARD  
CHIROPRACTIC EXAMINERS

By:   
Kevin B. Earle, M.P.H.  
Executive Director

ACKNOWLEDGMENT: I, Kimberly D. Stark, D.C., hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to comply with all requirements set forth in the settlement letter.

  
Kimberly D. Stark, D.C.

Dated:

cc: John D. Hugelmeyer, Deputy Attorney General