



JON S. CORZINE
Governor

ORIGINAL

New Jersey Office of the Attorney General

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



ANNE MILGRAM
Attorney General

DAVID M. SZUCHMAN
Director

July 11, 2008

By Certified and Regular Mail

Robert L. Lambrou, D.C.
Advanced Spine & Physical Medicine, L.L.C.
2080 W. County Line Rd.
Jackson, NJ 08527

FILED

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**NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS**

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

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

Dear Dr. Lambrou:

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 advertisement of spinal decompression services and of the chiropractic biophysics technique employed in your practice on a postcard and on your Internet website, respectively.

It appears from that review and from your testimony that: notwithstanding identifying you as "Dr.", your advertisement failed to identify you as a chiropractor; your advertisement made unsubstantiated claims that spinal decompression "gets 86% of chronic back pain sufferers pain free"; and your advertisement offered free services without stating a value of the services, or stating that said services are routinely or ordinarily performed free of charge.

In addition, it appears that certain advertising claims which appeared on your website with regard to chiropractic biophysics being: "the most published and scientifically proven structural rehabilitation technique in the world," and stating that: "This Physical Therapy (sic) is the epitome of functional rehabilitation," are claims of superiority which you have failed to substantiate to the Board. Moreover, you have testified that the website advertised services which were no longer available (massage therapy), or not yet available (acupuncture), in your practice.

At this juncture, the Board has preliminarily concluded that probable cause exists to support a finding that you violated N.J.S.A. 45:9-14.5 by using the title doctor or its abbreviation without the word "chiropractor"; that you violated N.J.A.C. 13:44E-2.1(d) by failing to substantiate the truthfulness of the claims in your advertisement for the success rate of decompression therapy; that you violated N.J.A.C. 13:44E-2.1(g) by offering free services in your advertisement without stating their value, or stating that said services are routinely or ordinarily performed free of charge; that you violated N.J.A.C. 13:44E-2.1(c)2 by advertising claims that the professional services performed in your practice (chiropractic biophysics) are superior to those which are ordinarily performed by chiropractors without being able to substantiate those claims to the Board; and that you violated N.J.A.C. 13:44E-2.1(c)6 by representing that certain services were available from your practice at a time when they were not available.

The above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that determination, however, the Board has decided 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:

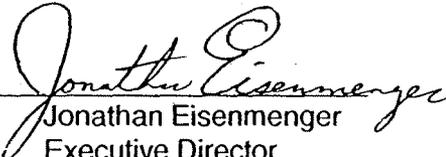
1. cease and desist from the aforesaid violations;
2. the issuance of a formal reprimand;
3. pay a penalty in the amount of \$1,500.00 (to be paid immediately upon your signing of the acknowledgment at the bottom of this letter by certified check or money order made payable to the State of New Jersey);
4. pay costs incurred by the Board in the amount of \$ 289.83 ;

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 ask your attorney to 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: 
Jonathan Eisenmenger
Executive Director

ACKNOWLEDGMENT: I, Robert L. Lambrou, 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 pay a penalty in the amount of \$1,500.00 plus costs (to be paid upon signing of this acknowledgment), and to comply with all other requirements set forth in the settlement letter.

Dated:


Robert L. Lambrou, D.C.