

ORIGINAL



JON S. CORZINE  
Governor

**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



ANNE MILGRAM  
Attorney General

By Certified and Regular Mail

May 19, 2009

**FILED**

JUN 05 2009

**NEW JERSEY BOARD OF  
CHIROPRACTIC EXAMINERS**

DAVID M. SZUCHMAN  
Director

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

Peter B. Karas, D.C.  
Chiropractic Health Center of Hamburg  
11 State Route 94  
Hamburg, NJ 07419

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

Dear Dr. Karas:

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 the advertising employed by your practice, including your testimony before the Preliminary Investigation Committee of the Board on February 19, 2009.

It appears from that review: that you have offered in an advertisement to perform treatments with a cold laser that: "stimulates points on your ear," and "helps your body produce its own natural chemicals to help you quit smoking." In addition, it appears that your website contains claims of 85-86% effective rate for decompression services.

At this juncture, the Board has preliminarily concluded that probable cause exists to support a finding that you have violated N.J.A.C. 13:44E-2.1(c) 3 by promoting a professional service (laser therapy for smoking cessation) which you know or should know is beyond your ability as a chiropractor to perform within your permissible scope of practice, and that you have violated N.J.A.C. 13:44E-2.1(c)1 by advertising on your website claims of rates of effectiveness of your decompression services for which you lack generally accepted scientific evidence.

The above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you. 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. cease and desist from the aforesaid violations;
2. pay a penalty in the amount of \$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); and
3. pay costs incurred by the Board in the amount of \$194.00.

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 have your attorney 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

cc: John D. Hugelmeyer, Deputy Attorney General  
James C. Zimmermann, Esq.

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ACKNOWLEDGMENT: I, Peter B. Karas, 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 \$500.00 plus costs of \$194.00 (to be paid upon signing of this acknowledgment), and to comply with all other requirements set forth in the settlement letter.

  
Peter B. Karas, D.C.

Dated: 6/2/09