



JON S. CORZINE
Governor

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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

By Certified and Regular Mail

May 19, 2009

FILED

AUG 20 2009

**NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS**

DAVID M. SZUCHMAN
Director

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

Larry Goldfarb, D.C.
Goldfarb Spinal Aid & Rehabilitation Center
101 Madison Ave., Suite 301
Morristown, NJ 07960

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

Dear Dr. Goldfarb:

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 care rendered in your office to patient D.P.

It appears from that review that the patient record you maintained of the care rendered to D.P. fails to clearly document a description of the services rendered on each and every visit; contains conflicting information regarding changes in the patient's condition; does not include documentation of all extra-spinal adjustments rendered; and fails to document all spinal adjustments that you allege were rendered to D.P. In addition, you have acknowledged dispensing and/or selling nutritional supplements to some of your patients, including D.P., and failing to maintain a written record of the referral of your patient and the ongoing consultation with the physical therapist working in your practice. It also appears to the Board that you have permitted your patients to receive decompression services from at least one unlicensed assistant employed in your practice.

At this juncture, the Board has preliminarily concluded that probable cause exists to support a finding that you violated N.J.A.C. 13:44E-2.2 by failing to maintain a minimally adequate patient record for D.P.; N.J.A.C. 13:44E-1.1(d) by dispensing and/or selling nutritional supplements from your practice; N.J.A.C. 13:44E-2.12(d) by failing to document the referral and ongoing consultation with a physical therapist for D.P.; and N.J.A.C. 13:44E-2.7(c)5iii by permitting an unlicensed individual to administer decompression therapy.

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 dispensing nutritional supplements, permitting unlicensed personnel to administer decompression services, and maintaining inadequate records;
2. the issuance of a formal reprimand;

3. pay a penalty in the total amount of \$11,000.00, comprised of \$3,000.00 for violations of N.J.A.C. 13:44E-2.2; \$3,000.00 for violations of N.J.A.C. 13:44E-1.1(d); \$2,000.00 for violations of N.J.A.C. 13:44E-2.12(d); and \$3,000.00 for violations of N.J.A.C. 13:44E-2.7(c)5iii (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 \$376.50; and
5. successfully complete and pass a 12 credit hour course approved in advance by the Board in chiropractic record keeping.

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.

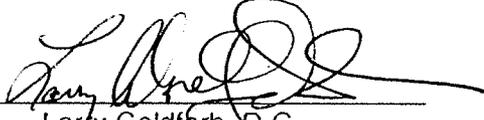
NEW JERSEY STATE BOARD
CHIROPRACTIC EXAMINERS

By: 
Jonathan Eisenmenger
Executive Director

cc: John D. Hugelmeyer, Deputy Attorney General
Vincent N. Buttaci, Esq.

Larry Goldfarb, D.C.
Settlement Letter
May 19, 2009
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ACKNOWLEDGMENT: I, Larry Goldfarb, 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 \$11,000.00 plus costs of \$376.50 (to be paid upon signing of this acknowledgment), and to comply with all other requirements set forth in the settlement letter.


Larry Goldfarb, D.C.

Dated: 8/12/09