

indicating that both Mr. Giuliano and Mr. Murray were employed by Rutgers University beginning in August 2010 through the present as athletic trainers or assistant athletic trainers prior to obtaining licenses to practice athletic training in New Jersey. Mr. Giuliano and Mr. Murray were not licensed as athletic trainers in New Jersey until January 31, 2011 and February 24, 2011 respectively but both were worked as athletic trainers with Rutgers University beginning in August 2010. The applications revealed that the Respondent engaged in the aiding and abetting of unlicensed practice of athletic training by permitting the two individuals named herein to work as athletic trainers for Rutgers University for a period of seven to eight months prior to obtaining licenses to practice as athletic trainers in violation of N.J.S.A. 45:1-21(n) and N.J.S.A. 45: 9-37.37.

The Board having considered the aforesaid information, and the parties being desirous of resolving this matter without the necessity for further formal proceedings; and Respondent acknowledging that he aided and abetted the unlicensed practice of athletic training in New Jersey as alleged above, and having waived any right to a hearing in this matter; and the Board finding that good cause exists for the entry of the within Order;

IT IS, THEREFORE ON THIS 9th DAY OF Aug, 2011

HEREBY ORDERED AND AGREED THAT:

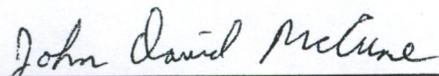
1. Respondent, John David McCune, is hereby reprimanded for engaging in the aiding and abetting of the unlicensed practice of athletic training pursuant to N.J.S.A. 45: 1-21(n).

2. Respondent, John David McCune, shall contemporaneously with the filing of this Order, pay a civil penalty in the amount of \$1000.00 for violating the Athletic Training Practice Act. This amount constitutes a civil penalty of \$500.00 for each unlicensed individual hired and permitted to work as an athletic trainer prior to obtaining licensure. Payment of the penalty shall be made by contemporaneously with the signing of this order by certified check or money order payable to the Treasurer of the State of New Jersey and forwarded to the attention of Francine Widrich, Acting Executive Director, Athletic Training Advisory Committee, 124 Halsey Street, 7th Floor, Newark, P.O. Box 46017, New Jersey 07101. Failure to submit the full amount of costs may result in the filing of a Certificate of Debt against the respondent in the Superior Court of New Jersey.

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

By: 
Paul Jordan, M.D.
Board President

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


John David McCune, Athletic Trainer

Dated: 7/25/11

**NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ACTIONS**

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Medical Examiners are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings and the record, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Subtitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct:

- (1) Which revokes or suspends (or otherwise restricts) a license,
- (2) Which censures, reprimands or places on probation,
- (3) Under which a license is surrendered.

Pursuant to 45 CFR Section 61.7, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure or probation or any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such Federal or State agency that is publicly available information.

Pursuant to N.J.S.A. 45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis.

Within the month following entry of an order, a summary of the order will appear on the public agenda for the next monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy.

Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public requesting a copy.

On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board.

From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.



New Jersey Office of the Attorney General



CHRIS CHRISTIE
Governor

Division of Consumer Affairs
State Board of Medical Examiners
P.O. Box 183, Trenton, NJ 08625-0183

PAULA T. DOW
Attorney General

KIM GUADAGNO
Lt. Governor

THOMAS R. CALCAGNI
Director

August 9, 2011

REGULAR MAIL AND CERTIFIED RETURN RECEIPT

John David McCune, A.T.
45 Riverview Rd.
Piscataway, NJ 08854

For Delivery Services:
140 East Front St.
PO Box 183, 3rd Floor
Trenton, NJ 08608
(609) 826-7100
(609) 984-3930 FAX

Dear Mr. McCune:

Enclosed is a certified true copy of the Administrative Action CONSENT ORDER OF REPRIMAND filed by the New Jersey State Board of Medical Examiners on August 9, 2011.

In accordance with paragraph #2 of the Order, the Administrative Office of the Board has received notification from the Athletic Training Advisory Committee that you have paid the civil penalty in the amount of \$1,000.00. Therefore, this matter is now closed.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

Peggy A. Harris (cmr)

Peggy A. Harris
Director of Public Filings

PAH/cmr
Enclosure

cc: Carmen A. Rodriguez, D.A.G., w/enc
Sandra Dick, Sr. D.A.G., w/enc
Ed Tumminello, EB, w/enc
Francine Widrich, Acting Executive Director, w/enc
ATHLETIC TRAINERS ADVISORY COMMITTEE