

FILED

MAY 08 2012

Division of Consumer Affairs
State Bd. of Polysomnography

JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

By: Susan Carboni
Deputy Attorney General
Tel. (973) 648-2894

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF POLYSOMNOGRAPHY

IN THE MATTER OF THE LICENSE	:	Administrative Action
APPLICATION OF	:	
	:	
AURELIO A. HENRIQUEZ	:	CONSENT ORDER
	:	
	:	
TO PRACTICE AS A	:	
POLYSOMNOGRAPHY TECHNICIAN	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Polysomnography (" Board") upon receipt of Aurelio Enriquez's application for licensure through grandfathering as a Polysomnography Technologist, dated February 4, 2011. Upon a review of the application, and the results of the Criminal History Background Check, it was ascertained by the Board that,

although the applicant had checked "no" on his application and Criminal History Background Check forms with respect to any prior convictions, he had checked "yes" on his application with respect to prior arrests. An attached explanation indicated that the applicant had been arrested in December of 2008 and summonsed for DUI, but that he paid the ticket, and the case was dismissed. However, the background check revealed that on December 10, 2001, the applicant had been arrested in New York, and was subsequently convicted of attempted assault with intent to cause bodily injury, menacing and attempted aggravated harassment. He was sentenced to one year of probation. The applicant claimed that these charges were the result of retaliation during a difficult divorce with custody issues.

The Board finds that, by checking "yes" with respect to arrests on his application form and then indicating only a 2008 arrest for DUI, the applicant engaged in misrepresentation in violation of N.J.S.A. 45:1-21(b) with respect to his criminal history.

The Board having reviewed this matter, and having determined that the within Order is sufficiently protective of the public, in lieu of further proceedings, and for other good cause shown;

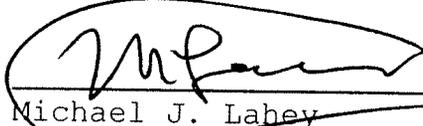
IT IS on this 8th day of May, 2012

HEREBY ORDERED AND AGREED that:

1. A civil penalty in the amount of \$250.00 is hereby imposed for the applicant's violation of N.J.S.A. 45:1-21(b).

2. The applicant's application for licensure shall be granted upon payment of any applicable fees, and documentation of all other requirements for licensure, if not already submitted.

NEW JERSEY STATE BOARD OF POLYSOMNOGRAPHY

By: 
Michael J. Lahey
Board Chairman

I have read and understand
the within Consent Order
and agree to be bound by
its terms.


Aurelio Henriquez