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FILED

JUL 26 2013

**New Jersey State Board of
Massage and Bodywork
Therapy Examiners**

By: Susan Carboni
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MASSAGE AND BODYWORK
THERAPY

IN THE MATTER OF THE LICENSE	:	Administrative Action
APPLICATION OF	:	
	:	
DAVID M. DONOHUE	:	CONSENT ORDER
	:	
TO PRACTICE MASSAGE AND	:	
BODYWORK THERAPY IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of
Massage and Bodywork Therapy ("Board") upon review of David M.
Donohue's application for licensure. Upon consideration of the
application and the results of the Criminal History Background

Check, it was ascertained by the Board that although the applicant had indicated he had no arrests in response to the questions relating to arrests on the application, he had been arrested on or about January 26, 2006 on charges of possession of marijuana and possession of drug paraphernalia in violation of N.J.S. 2C:35-10A(4) and N.J.S. 2C:36-2. The applicant was admitted into a diversionary program. He was granted a conditional discharge on May 10, 2006 and the charges were ultimately dismissed. The applicant claimed that she answered the question about arrests incorrectly because he misunderstood the question.

The Board finds that respondent knew or should have known that by failing to disclose the arrest on the application in response to the questions about arrests and/or convictions he was providing inaccurate information, and that he therefore engaged in misrepresentation on her application in violation of N.J.S.A. 45:1-21(b).

The Board finding that licensure as well as entry of the within order are appropriate, and sufficiently protective of the public health, safety and welfare, and for other good cause shown;

IT IS ON THIS 26th DAY OF July , 2013
HEREBY ORDERED AND AGREED THAT:

1. A \$100.00 civil penalty is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(b). Payment shall be in the form of a certified check or money order, and shall be submitted along with this signed order.

2. The applicant's application for licensure shall be granted upon payment of all applicable fees and demonstration of satisfaction of all requirements for licensure, if he has not already done so.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By: Deborah Overholt
Deborah Overholt
Chairperson

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

David M. Donohue
David M. Donohue