

FILED

AUG 27 2013

**NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS**

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102
Attorney for the Board of Chiropractic Examiners

By: Virginia Class-Matthews
Deputy Attorney General
(973) 648-3696

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
Board of Chiropractic Examiners

_____	:	
IN THE MATTER OF APPLICATION OF	:	
	:	
MARC T. CHIANESE, D.C.	:	
	:	Administrative Action
	:	
TO PRACTICE CHIROPRACTIC	:	
IN THE STATE OF NEW JERSEY	:	CONSENT ORDER
	:	
_____	:	

This matter was opened to the New Jersey State Board of Chiropractic Examiners upon receipt of information which the Board has reviewed and the parties wishing to resolve this matter without further formal proceedings, hereby stipulate to the following facts and conclusions of law.

FINDINGS OF FACT

1. Respondent, Marc T. Chianese, is a chiropractic physician who applied for licensure in the State of New Jersey. The application

was received at the Board of Chiropractic Examiners on October 2, 2011.

2. On said application Respondent answered no to the question of whether he had ever been arrested, charged with and/or convicted of any crimes or offenses (including petty offenses) as an adult or juvenile, excluding motor vehicles offenses, except driving while intoxicated.

3. As part of the application process Respondent filled out a Certification of Authorization form for a criminal history background check. Respondent answered no to the question of whether he had ever been arrested and/or convicted of a crime or offense.

4. On or about November 5, 2012 the Board received the results of the Criminal History Background check which revealed that Respondent had been arrested on two occasions, however this information had not been disclosed on Respondent's application for licensure. He was arrested on July 14, 2001 by the Hopewell Township Police Department for Possession of Marijuana under 50 grams in violation of N.J.S.A. 2C:35-10A(4) and on February 23, 2008 by the Cobb County, Georgia Police Department for (2) counts Affray (Fighting) (equivalent to Disorderly Conduct in violation of N.J.S.A. 2C:33-2).

5. Respondent appeared before the Board on April 25, 2013 and explained his reasons for his failure to disclose his arrest record. He explained that he did not believe he was hiding anything by not disclosing both arrest because both charges had been dismissed. It

was his belief that he was not required to disclose the arrests because he had not been convicted of any offense.

CONCLUSION OF LAW

1. The Board finds that Respondent's submission of his application, wherein he answered in the negative to the question whether he had ever been arrested, constitutes the use or employment of dishonesty, deception, or misrepresentation within the intendment of N.J.S.A. 45:1-21(b).

IT IS Therefore, on this 27th DAY OF August, 2013

ORDERED AND AGREED THAT:

1. Respondent's license to practice chiropractic in the State of New Jersey is hereby granted, however Respondent will be required to complete and pass the PROBE (Professional Problem Based Ethics) course offered by the Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, or the PRIME (Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903 or any other course of similar rigor pre-approved by the Board. Documentation of the full and successful completion of the course shall be provided to the Board within six months of the entry of this order.

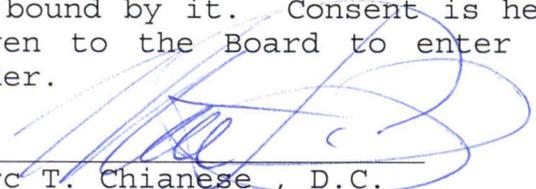
2. A civil penalty in the amount of one hundred dollars (\$100) is provisionally imposed upon Respondent for his violation of N.J.S.A. 45:1-21(b). Payment shall be made by certified check or money order, payable to "State of New Jersey", delivered or mailed to Lisa Tadeo, Executive Director, State Board of Chiropractic Examiners, 124 Halsey Street, Newark, New Jersey 07101. Payment shall be made contemporaneous with the entry of this Consent Order.

3. Failure to comply with the provisions of the Order may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF
CHIROPRACTIC EXAMINERS

By: _____
David A. Allen., D.C.
Board President

I have read and I understand the terms of this Consent Order and agree to be bound by it. Consent is hereby given to the Board to enter this order.



Marc T. Chianese, D.C.

7/24/13

Date

2. A civil penalty in the amount of one hundred dollars (\$100) is provisionally imposed upon Respondent for his violation of N.J.S.A. 45:1-21(b). Payment shall be made by certified check or money order, payable to "State of New Jersey", delivered or mailed to Lisa Tadeo, Executive Director, State Board of Chiropractic Examiners, 124 Halsey Street, Newark, New Jersey 07101. Payment shall be made contemporaneous with the entry of this Consent Order.

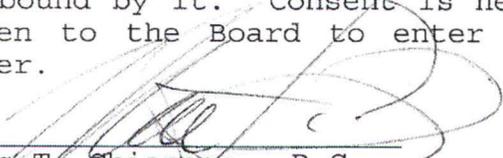
3. Failure to comply with the provisions of the Order may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF
CHIROPRACTIC EXAMINERS

By: 

David A. Allen., D.C.
Board President

I have read and I understand the terms of this Consent Order and agree to be bound by it. Consent is hereby given to the Board to enter this order.



Marc T. Chianese, D.C.

7/24/13

Date