

FILED

SEP 03 2014

**NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS**

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

By: John D. Hugelmeier
Deputy Attorney General
Tel. (973) 648-4741

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

IN THE MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF	:	Administrative Action
	:	
NORMAN W. EASTBURN, D.C. License No. 38MC00587700	:	CONSENT ORDER
	:	
TO PRACTICE CHIROPRACTIC IN THE STATE OF NEW JERSEY	:	

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 conclusion of law:

FINDINGS OF FACT

1. Respondent, Norman W. Eastburn, D.C., is a chiropractic physician in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about July 7, 2014, in the United States District Court, District of New Jersey, Respondent pleaded guilty to, and was convicted of, soliciting and receiving illegal remuneration in violation of the federal health care program anti-kickback statute, 42 U.S.C. § § 1320a-7b(b)(1)(A). Respondent was sentenced to 75 days imprisonment; an additional 75 days' home supervision; 3 years of supervised release; a \$1,000.00 fine; and 2000 hours of community service. In addition, Respondent agreed to the entry of a forfeiture money judgment in the amount of \$7,000.00, as property derived from gross proceeds traceable to his offense.

CONCLUSIONS OF LAW

1. The aforesaid conviction provides grounds for the suspension or revocation of Respondent's license to practice chiropractic in New Jersey pursuant to N.J.S.A 45:1-21(f), in that Respondent has been convicted of a crime or offense involving moral turpitude and relating adversely to the practice of chiropractic

2. Respondent's acts constituting the offense for which he was convicted provide grounds for the suspension or revocation of Respondent's license to practice chiropractic in New Jersey pursuant to N.J.S.A 45:1-21(h), in that he received a fee for the referral of patients, in violation of N.J.A.C. 13:44E-2.6.

ACCORDINGLY, IT IS on this 3rd day of September, 2014

ORDERED AND AGREED that:

1. Respondent's license to practice chiropractic in the State of New Jersey be, and hereby is suspended for a period of two (2) years; with the initial six (6) months of the suspension to be active; the remaining period of eighteen (18) months to be stayed and served as a period of probation. The stayed period of suspension shall be activated upon

a showing of Respondent's non-compliance with any of the terms and conditions set forth in this Order. Respondent shall be required to appear before the Board (or a committee thereof) prior to his return to active practice to demonstrate his fitness to do so.

2. Respondent shall be, and hereby is reprimanded for having been convicted of a crime or offense involving moral turpitude and relating adversely to the practice of chiropractic, and for violation of N.J.A.C. 13:44E-2.6.

3. Respondent shall, ~~at his own expense, successfully complete and pass the~~ Ethics & Boundaries Assessment Services (EBAS) Essay Examination offered by the National Board of Chiropractic Examiners (NBCE), or an equivalent ethics and boundaries assessment examination pre-approved by the Board, within six months from the entry of this Order.

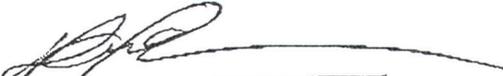
4. Respondent is hereby assessed a civil penalty pursuant to N.J.S.A. 45:1-22 in the amount of \$5,000.00 for accepting a fee for the referral of his patients in violation of N.J.A.C. 13:44E-2.6, which shall be paid within thirty (30) days of signing this Order. Payment shall be by certified check or money order made payable to the State of New Jersey, and shall be sent to: Lisa Tadeo, Executive Director, Board of Chiropractic Examiners at 124 Halsey Street, Sixth Floor, P.O. Box 45004, Newark, New Jersey 07101.

5. If, after the signing of this Consent Order, Respondent engages in any act or practice which constitutes a violation of the statutes or regulations governing the practice of chiropractic in New Jersey, Respondent shall be subject to the imposition of penalties for the second and each subsequent violation pursuant to N.J.S.A. 45:1-25.

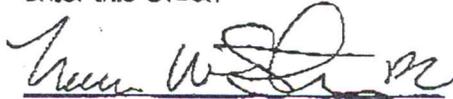
6. The Directives of the Board applicable to any Chiropractic Board licensee who is suspended, revoked or whose surrender of licensure has been accepted are

incorporated by reference as though fully set forth herein, whether or not they are attached hereto.

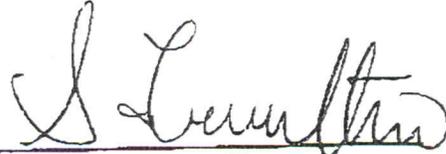
NEW JERSEY STATE BOARD OF
CHIROPRACTIC EXAMINERS

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

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


Norman W. Eastburn, D.C.

Consent is hereby given
as to the form and entry
of this Order.


Susan Fruchtman, Esq.