

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

**FILED**  
**SEP 25 2014**  
**NEW JERSEY BOARD OF  
CHIROPRACTIC EXAMINERS**

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

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

---

|                                 |   |                       |
|---------------------------------|---|-----------------------|
| IN THE MATTER OF SUSPENSION     | : |                       |
| OR REVOCATION OF THE LICENSE OF | : |                       |
|                                 | : |                       |
| JOSEPH A. SALOMONE, D.C.        | : |                       |
| LICENSE NO. 38MC00473300        | : | 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, Joseph A. Salomone, D.C., is a chiropractic physician in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On November 4, 2013, in the Superior Court of New Jersey, Hudson County, Respondent pled guilty to and was convicted of one count of Health Care Claims Fraud in violation of N.J.S.A. 2C:21-4.2, N.J.S.A. 2C:21-4.3 and N.J.S.A. 2C:2-6, a Second Degree offense to be sentenced as a Third Degree offense. He admitted that between August 16, 2007 and June 4, 2011, while he was a practicing chiropractor in the State of New Jersey, he instructed employees at his office to complete reevaluation forms using patient test data that was inaccurate or false. He then submitted or caused to be submitted these forms containing the false or inaccurate patient test data to insurance companies on 125 occasions. These forms were submitted in support of bills for reimbursement for tests and services performed by his office. He further admitted that these false or misleading statements were submitted to insurance companies to justify further treatment.

3. On December 19, 2013 Respondent was sentenced to a four-year flat term of incarceration and his chiropractic license was suspended for a term of three years with an additional two-year probationary term once he received his license. This sentence was to run concurrent with any sentence to be later imposed in Passaic County for a charge of illegal running.

4. On December 11, 2013 in Superior Court of New Jersey, Passaic County Respondent pled guilty to and was convicted of Illegal Running in violation of N.J.S.A. 2C:21-22.1(b) a crime of the Third Degree. He admitted that in or about June 2013 in Paterson, New Jersey

he knowingly offered to pay an individual approximately \$1,000 per patient to procure patients for his office. He admitted that the purpose of procuring these patients was to receive a pecuniary benefit through insurance claims. He further admitted that he was aware that it was a crime to pay individuals to procure patients.

.5. Respondent was sentenced to a three year prison sentence to run concurrent with the Hudson County sentence. He also was ordered to pay a fine of \$10,000.

#### CONCLUSION OF LAW

1. The aforesaid findings of fact 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 (b), (e) and (f) in that Respondent engaged in professional misconduct as determined by the Board, and has been convicted of crimes involving moral turpitude and relating adversely to the practice of chiropractic.

2. The parties being desirous of resolving this matter without the necessity of formal proceedings, and it appearing that Respondent, Joseph Salomone, D.C., acknowledges that his conviction as previously set forth constitutes grounds for disciplinary action pursuant to N.J.S.A. 45:1-21 (b), (e) and (f), and it further appearing that Respondent has read the terms of this Order and understands their meaning, consents to be bound by same, and it further appearing that the Board finds that the within Order is adequately protective

of the public interest and it further appearing that good cause exists for entry of the within Order.

IT IS Therefore, on this 25<sup>th</sup> 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 five (5) years, except that the first three (3) years shall be an active suspension commencing on the date of the filing of this order and the final two (2) years of said suspension shall be stayed and become a period of probation. Such stayed period of suspension shall be activated upon a showing of Respondent's non-compliance with any of the terms and conditions set forth herein.

2. During the period of suspension, Respondent shall not practice chiropractic and shall fully attend and successfully complete and unconditionally pass the PROBE (Professional Problem Based Ethics) course offered by the Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, 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 thirty (30) days of its completion.

3. Respondent shall return his original New Jersey license and current biennial registration to: Lisa Tadeo, Executive Director, Board of Chiropractic Examiners at 124 Halsey Street, Sixth Floor,

P.O. Box 45004, Newark, New Jersey 07101, upon his receipt of a filed copy of this order

4. Prior to reinstatement of his license in New Jersey Respondent shall be required to appear before the Board (or a committee thereof) to demonstrate his fitness to resume practice. Respondent shall not be reinstated to or be eligible for active licensure status during any period of incarceration or any period of non-compliance with terms and conditions of his sentence such as probation, supervised release or a restitution payment plan. Any practice in this State prior to formal reinstatement of licensure by the Board shall constitute grounds for a charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on Respondent's practice should his license be reinstated.

5. 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.

6. Failure to comply with the provisions of this 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.

  
\_\_\_\_\_  
Joseph Salomone, D.C.

  
\_\_\_\_\_  
Date

Consented to as to form and entry:

  
\_\_\_\_\_  
Edmund DeNoia, Esq.  
(Critchley, Kinum & Vazquez, LLC)  
Attorney for Joseph Salomone, D.C.