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NOV 10 2014

NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

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

IN THE MATTER OF APPLICATION OF	:	
	:	
MICHAEL E. SUTTER, 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 an application for chiropractic licensure which the Board has reviewed and the parties wishing to resolve this matter without further proceedings, hereby stipulate to the following facts and conclusions of law.

FINDINGS OF FACT

1. Respondent, Michael E. Sutter, 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 June 10, 2013.

2. On said application Respondent answered yes to the question of whether he was licensed in another state and whether that license was suspended. He indicated that he was licensed in Colorado, however his license was suspended at the time of his application.

3. On said application Respondent answered yes to the question whether there was any action pending for a crime or offense or any action by a regulatory agency.

4. The Board received information from the Colorado Federation of Chiropractic Licensing Boards which disclosed that after a formal hearing at the Office of Administrative Courts, Respondent was found to have engaged in substandard care, abuse of Health Insurance and Fraud and Falsifying or making incorrect essential entries on patient records.

5. Based on these violations, Respondent's license was suspended for six months. After six months he was to be granted a conditional license with probation for one year. The conditions included the requirement for a practice monitor during the probationary period, a continuing education requirement of twelve

(12) in-person hours in the areas of record keeping/documentation (8 hours) and physical examinations/diagnosis (4 hours). Additionally he was required to take the National Board of Chiropractic Examiners Ethics and Boundaries Examination.

6. On July 24, 2014 the Board reviewed all the documents submitted in support of Respondent's application for licensure in the State of New Jersey including Respondent's explanation and information related to his license reactivation in Colorado as active-restricted effective May 29, 2014.

7. The Board having reviewed and considered these documents submitted and having found that Respondent adequately demonstrated his fitness to be licensed in the State of New Jersey with certain conditions protective of the public health, safety and welfare and that good cause exists for the entry of this Order;

IT IS, on this 10th DAY OF November, 2014

HEREBY ORDERED THAT:

Respondent's license to practice chiropractic in the State of New Jersey is hereby granted with the following conditions:

1. Respondent's license shall be granted on probation for a minimum period of twelve months, and until further order of the Board.

2. Respondent's practice shall be monitored for a minimum period of twelve months. Respondent's practice shall, at his expense and with his full cooperation, be monitored for the entire period of probation, by Affiliated Monitors, Inc., 58 Batterymarch Street, #114, Boston, MA; said monitoring shall be conducted randomly on at least a quarterly basis, and shall include direct observation by the monitor in Respondent's office, encompassing any and all treatment, billing, and record keeping, as well as all office procedures occurring in Respondent's practice, for compliance with the standards mandated by the statutes and regulations governing the practice of chiropractic in New Jersey. Reports shall be provided directly to the Board by Affiliated Monitors, Inc. on at least a quarterly basis for the entire period of probation; Affiliated Monitors, Inc. shall report to the Board orally and in writing, immediately if practicable, and in all cases within 72 hours, any occurrence or behavior observed which Affiliated Monitors, Inc. in good faith believes to be violative of the statutes or regulations governing the practice of chiropractic in New Jersey.

3. Respondent must complete twelve (12) hours of continuing education in the areas of record keeping/documentation (8 hours) and physical examinations/diagnosis (4 hours). The hours shall be completed in-person, and may not be online classes.

a. Prior to enrolling in each course, Respondent shall submit course information on a form approved by the Board. Respondent agrees that such classes are to be approved in advance and in writing by the Board prior to his enrollment.

b. Respondent agrees to provide written certification of completion to the Board upon successful completion of such coursework within 30 days of such completion.

c. Failure to provide documentation to the Board of the completion of each course shall be deemed a violation of this Consent Order and subject Respondent to the initiation of new disciplinary action against Respondent.

d. These continuing education hours are in addition to the hours currently required for bi-annual eligibility.

4. Respondent must register and receive a passing score on the National Board of Chiropractic Examiners (NBCE) Ethics and Boundaries (E&B) Examination during the probationary period.

5. When Respondent has complied with all of the terms and conditions of this Consent Order, Respondent shall notify the

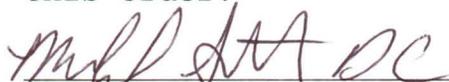
Board, in writing, of said compliance and shall supply any documentation required by the Board to substantiate the same. Upon a finding of completion of all terms and conditions of this Consent Order, the Board shall terminate the probation and notify the Respondent in writing of such termination.

6. Failure to comply with the provisions of this Consent Order may result in 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.



Michael e. Sutter, D.C.

10-29-14

Date

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M. Sutter
Michael e. Sutter, D.C.

10-29-14
Date