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**FILED**  
SEP 17 2015  
NEW JERSEY BOARD OF  
CHIROPRACTIC EXAMINERS

By: Wendy Leggett Faulk  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF CHIROPRACTIC EXAMINERS

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IN THE MATTER OF THE	:	
SUSPENSION OR REVOCATION OF	:	
THE LICENSE OF	:	ADMINISTRATIVE ACTION
	:	
FERNANDO BARRESE, D.C.	:	
LICENSE NO. 38MC0059630	:	CONSENT ORDER
	:	
TO PRACTICE CHIROPRACTIC	:	
IN THE STATE OF NEW JERSEY	:	

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This matter was opened to the New Jersey State Board of Chiropractic Examiners (the "Board") by John J. Hoffman, Acting Attorney General of New Jersey (Wendy Leggett Faulk, appearing) upon the filing of an Administrative Complaint on March 27, 2015 against Respondent, Fernando Barrese, D.C. The Complaint alleged that on November 28, 2012, Respondent pled guilty to and was convicted of two counts of criminal use of a runner, in violation of N.J.S.A. 2C:21-22.1(b), a third degree crime. The Complaint also alleged that on November 28, 2012, Respondent

also pled guilty to and was convicted of one count of filing a fraudulent tax return, in violation of N.J.S.A. 54:52-10, also a third degree crime. Pursuant to his guilty plea, Respondent was sentenced to three and a half years imprisonment for each count of criminal use of a runner, to be served consecutively. Also pursuant to his guilty plea, Respondent's license to practice chiropractic was suspended effective June 19, 2014, in accordance with N.J.S.A. 2C:51-5(a)(8). Said suspension expires on or about August 16, 2015.

Respondent's conduct, conclusively established by his guilty plea and subsequent conviction, constitutes the use of dishonesty, fraud and deception, pursuant to N.J.S.A. 45:1-21(b), and demonstrates a failure to maintain good moral character, as required by N.J.S.A. 9-41.5. Having been convicted of a crime of moral turpitude, sufficient grounds exist 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).

The parties desire to resolve this matter without need for formal disciplinary proceedings, and the Board, being satisfied that the need for such proceedings is obviated by the within Order, that the within Order adequately protects the public health, safety, and welfare, that Respondent has read the terms herein, understands their meaning and effect and consents to be

bound by same, and that other good cause exists to support entry of the Order,

IT IS ON THIS 17<sup>th</sup> day of September 2015, HEREBY

ORDERED THAT:

1. Respondent's license to practice chiropractic in the State of New Jersey is hereby actively suspended from August 16, 2015 until February 16, 2016. Following this period of active suspension, Respondent's license shall continue to be suspended for an additional period of three years with this additional term of suspension stayed and served as a period of probation.

2. Prior to seeking licensure reinstatement, Respondent must successfully complete a Board-approved course in professional ethics, at his expense. Successful completion requires attendance at all sessions, proper completion of all assignments, and receipt of a passing grade without reservation. Written verification of successful completion is to be submitted to the Executive Director of the Board. This course is in addition to the regularly required continuing education hours and may not be counted towards satisfying any continuing education obligations.

3. Respondent is hereby assessed an administrative penalty in the amount of Seven Hundred Fifty Dollars (\$750). Pursuant to N.J.S.A. 45:1-25(d), Respondent is hereby assessed State costs in the amount of Two Hundred Fifty Dollars (\$250).

4. The assessed penalty and costs shall be paid in full within thirty (30) days of entry of this Order by certified funds, wire transfer or credit card, made payable to the State of New Jersey. Payment shall be made in the form of bank check, money order, certified check, wire transfer or credit card. Payments rendered in any other form will be rejected and returned. All payments shall be forwarded to the attention of Lisa Tadeo, Executive Director, New Jersey Board of Chiropractic Examiners, 124 Halsey Street, Newark, New Jersey 07101. For any assessments not paid in full as required herein, a Certificate of Debt shall be filed pursuant to N.J.S.A. 45:1-24 to protect the judgment.

5. Prior to reinstatement of his license, Respondent must appear before the Board (or a committee thereof) to demonstrate his fitness to resume the active practice of chiropractic and his compliance with all the terms contained herein. The Board expressly reserves the right to impose any conditions or limitations on Respondent's license at the time of reinstatement as, in its sole discretion, it deems appropriate to the circumstances of this matter and in order to protect the public health, safety, and welfare.

6. Respondent shall comply with the attached "Directives Applicable To Any Chiropractic Board Licensee Who Is Suspended, Revoked or Whose Surrender of License Has Been Accepted" which

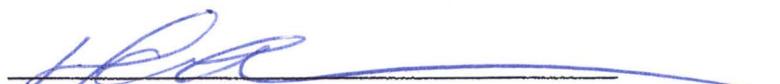
is incorporated by reference herein.

7. The parties hereby stipulate that entry of this Order is without prejudice to further action by this Board, the Acting Attorney General, the Director of the Division of Consumer Affairs, or any other law enforcement entities, resulting from Respondent's conduct prior to the entry of this Consent Order.

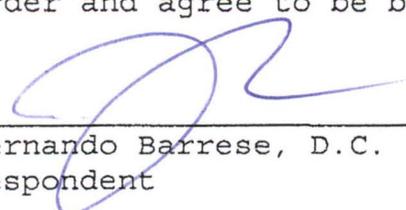
8. Violation of the terms of this Order shall be deemed professional misconduct and constitute grounds for further disciplinary action by the Board.

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.

  
Fernando Barrese, D.C.  
Respondent

Date:

8/26/15

Consented as to form.

  
Thomas A. Sarlo, Esq.  
Attorney for Respondent

Date:

8/26/15