

**FILED**

**JAN 21 2016**

**NEW JERSEY BOARD OF  
CHIROPRACTIC EXAMINERS**

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

CRAIG KLEIN, D.C.  
LICENSE NO. 38MC00457100  
(Suspended)

TO PRACTICE CHIROPRACTIC  
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER  
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Chiropractic Examiners upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent, Craig Klein, D.C., was a chiropractic physician in the State of New Jersey and whose license was suspended at all times relevant hereto.

2. On November 28, 2012, in the Superior Court of New Jersey, Morris County, Respondent pled guilty to and was convicted of one count of theft by deception in violation of N.J.S.A. 2C:20-4, a Third Degree offense. He admitted that from December 2010 to February 2011, while he was suspended from the practice of Chiropractic, he and Charles Nisivoccia, who was also suspended from practice, set up an entity named Hamilton Rehabilitation Center in the name of Marco

Esposito, D.C. Craig Klein and Charles Nisivoccia were partners in a business called Dolphin Leasing that was set up to provide financing to Hamilton Rehabilitation. It was also a conduit to extract proceeds that were derived from PIP claims that were submitted to various insurance companies. Hamilton Rehabilitation submitted claims in Dr. Esposito's name as a licensed chiropractor. Craig Klein and Charles Nisivoccia received proceeds from insurance companies through Dolphin leasing for PIP claims while they were both suspended. Craig Klein has admitted that he and Charles Nisivoccia were paying runners to solicit and refer patients to Hamilton Rehabilitation in exchange for cash payments.

3. On September 16, 2013 Respondent was sentenced to probation for a term of 5 years. His license to practice chiropractic was suspended by the criminal court for a period of 5 years. He was ordered to pay restitution in the amount of \$100,000.

#### CONCLUSION OF LAW

The aforesaid plea and conviction provide grounds for the 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 dishonesty; professional misconduct and he has been convicted of a crime involving moral turpitude and relating adversely to the practice of chiropractic. Since this is Respondent's second violation of N.J.S.A. 45:1-21(f), respondent is therefore subject to enhanced penalties pursuant to N.J.S.A. 45:1-22.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline revoking Respondent's license to practice chiropractic in the State of New Jersey was issued on July 7, 2015 and a copy was forwarded to Respondent by means of both regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefore.

The record reflects that the Provisional Order was served upon Respondent, at his address of record at 850 Bingham Road, Ridgewood, New Jersey 07450, and that the Division received the return receipt evidencing that Respondent received the Provisional Order on July 15, 2015. No response has been received to date.

Having considered the matter in light of Respondent's failure to request that a hearing be scheduled, and his failure to provide the Board with any substantive response to the provisional order; and the Board having determined that further proceedings are therefore not necessary; the Board has determined that the Provisional Order should be made final.

THEREFORE, IT IS on this 21<sup>st</sup> DAY OF January, 2015

ORDERED THAT:

1. Respondent's license to practice chiropractic in the State of New Jersey, which was suspended, is now hereby revoked. Respondent shall immediately cease and desist any practice of chiropractic.

2. 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 07102, upon his receipt of a filed copy of this order.

3. Respondent shall not apply for reinstatement of his license and the Board will not consider an application for reinstatement for a period of ten years from the date of this order and until Respondent completely and successfully fulfills all of the requirements of his probation and criminal sentence.

4. In the event Respondent wishes to petition the Board for reinstatement of his license to practice chiropractic, after the ten year period, he shall be required to appear personally before the Board, and he shall have the burden to demonstrate to the satisfaction of the Board that he is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare, including, but not limited to successful completion of the Board's licensing examination or a substitute examination which the Board, in its sole discretion, may choose to administer. The Board may also require that Respondent comply with

all other requirements for initial licensure, except that the Board shall not require that the licensee fulfill again the requirement for undergraduate and professional chiropractic college education required by the statutes.

5. 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 the 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.

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

Dated: