

**STATE OF NEW JERSEY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF CHIROPRACTIC EXAMINERS**

124 Halsey Street, 6th floor  
Somerset Room  
Newark, New Jersey 07102

**PUBLIC SESSION AGENDA  
THURSDAY, MARCH 18, 2004**

**I. APPROVAL OF THE PUBLIC SESSION MINUTES OF FEBRUARY 26, 2004**

**II. NOMINATIONS FOR BOARD OFFICERS**

**III. OLD BUSINESS**

**A. PETITION FOR RULEMAKING: NEEDLE EMGS**

Attached for Board information is a copy of Notice of Action of Petition for Rulemaking which will appear in the New Jersey Register. A copy of the Notice of Action has been sent to the petitioner.

**B. NOTICE OF ACTION OF PETITION FOR RULEMAKING: REFERRAL OF PATIENTS TO PHYSICAL THERAPISTS**

Attached for Board review is a copy of a Notice which will appear in the New Jersey Register notifying the petition of the action taken by the Board of Chiropractic Examiners at its January 29, 2004 meeting. The Notice of Action has been provided to the petitioner.

**C. RICHARD D. COLLINS, D.C.**

Attached for Board review is information submitted by Dr. Collins concerning the continuing education requirements he has undertaken pursuant to a settlement letter entered on September 19, 2003.

**IV. REQUEST FOR REINSTATEMENT**

**A. NICHOLAS J. SOTTIRIOU, D.C.**

On August 11, 1999 a Final Decision and Order was entered in the above captioned matter based upon Respondent's conviction on federal criminal charges and his sentencing on those charges. The Order revoked Dr. Sottiriou's license to practice chiropractic and levied a fine in the amount of \$42,500; costs of \$824.50. The Order requires that Respondent must supply written documentation of the full satisfaction of the restitution owed pursuant to the criminal conviction and evidence that all conditions of the Judgment of Conviction are met. No payments have been made towards the penalties and costs levied in this matter. Correspondence has been received from Robert J. Conroy, Esq. on behalf of Dr. Sottiriou seeking the Board's guidance as to what steps need to be taken in order to pursue reinstatement of Dr. Sottiriou's license to practice chiropractic in New Jersey.

**B. GEORGE P. NAJEMIAN, D.C.**

On August 4, 2003 an Administrative Action Complaint was filed in the above captioned matter citing violation of Board's Uniform Regulations on Duty to Cooperate at N.J.A.C. 13:45C-1.2 and deeming the conduct to be professional or occupational conduct within the meaning of N.J.S.A. 45:1-21(e). The Complaint sought entry of an Order suspending or revoking Dr. Najemian's license to practice and imposing civil penalties and costs. On February 23, 2004 Pamela Mandel, Esq. on behalf of Dr. Najemian submitted a letter requesting that the pending Complaint be referred to the Office of Administrative Law for a Hearing. A response has been received by DAG Megan Mathews objecting to this course of action and urging the Board to schedule a hearing date before the Board as soon as possible.

## **V. DISCIPLINARY MATTERS 1:00 PM**

### **I/M/O THE SUSPENSION OR REVOCATION OF THE LICENSE OF WILLIAM F. ITTNER, D.C.**

Joan D. Gelber, DAG for the State Anthony F. LaBue, Esq. on behalf of Respondent

On September 18, 2003 an Administrative Action Complaint was filed by the Attorney General seeking the suspension or revocation of the above captioned licensee. The Complaint consists of five counts alleged to be violations of the Chiropractic Practice Act and/or Board regulations. On November 24, 2003 a general denial of the allegations in the Complaint was submitted by attorney LaBue on behalf of Dr. Ittner. On February 20, 2004 a Notice of Motion to Compel Production of Expert Report and to Barr Production of Expert Testimony at the Hearing was filed by Deputy Attorney General Gelber. A Letter Brief and Certification accompanies that motion. On March 11, 2004 Board President Rada signed an Order to Compel Production of Expert Report or to Bar Production of Expert Testimony at Hearing in disposition of the Motion filed on February 20, 2004.

On February 24, 2004 Notice of Motion for Summary Decision on Count I of the Administrative Complaint was filed by Deputy Attorney General Gelber. On March 5, 2004 a Letter Brief in opposition to the Attorney General's Motion for Summary Decision on Count I of the Complaint was filed by attorney LaBue. Responsive papers were filed by Deputy Attorney General Gelber in a letter dated March 4, 2004.

Also on March 4, 2004 the Board received and filed a Motion by attorney LaBue seeking to dismiss with prejudice the majority of charges in the September 18, 2003 Complaint. Responsive papers were submitted by Deputy Attorney General on March 5, 2004.

In the Order signed by Dr. Rada on March 11, 2004 parties were notified that the Motion for Partial summary Decision on count I of the Complaint and the Motion to Dismiss certain charges filed by Attorney LaBue shall be decided by the full Board at its regularly scheduled meeting on March 18, 2004. This matter is now set down for a full hearing on March 18, 2004. Additional time for further Hearing on this matter should the matter not be completed by the end of today's business is scheduled for Thursday, April 1, 2004.

## **VI. INFORMATIONAL**

### **COUNCIL ON CHIROPRACTIC EDUCATION**

Attached for Board review is an election announcement for the position on the CCE Board of Directors in the category of member representative of the general public.

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