



MARYLAND Department of Health

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

Maryland State Board of Chiropractic Examiners

February 25, 2019

Certified Mail : 7016 2140 0001 0155 5493

Precious Gonzalez
905 Punjab Circle
Essex, MD 21221

**Re: Final Order of Revocation
Case No. 17-25C**

Dear Ms. Gonzalez:

On August 3, 2018, the State Board of Chiropractic Examiners (the "Board") sent you a Notice of Intent to Deny your Chiropractic Assistant Application, informing you that you had 30 days to request a hearing. More than 30 days have elapsed and you have failed to request a hearing. Therefore, the enclosed Order is final.

Sincerely,

Robert G. Frieman, D.C.
President
Board of Chiropractic Examiners

Enclosure (copy to all ccs)

cc: Nicholas Johansson, Principal Counsel
Roberta Gill, AAG, Administrative Prosecutor
Grant Gerber, AAG, Board Counsel
Laurie Sheffield-James, Executive Director
Gloria Toney Brown, Administrative Officer
Dave Ford, Compliance Investigator
Rosalind Spellman, Administrative Officer

§ 10.43.07.00. Chiropractic Assistants Authority, (2003):

.05 Chiropractic Applicant or Assistant Qualifications and Training.

A. At the time of application for hire and training, an applicant shall:

(2) Be of good moral character[;].

BASES OF DENIAL

The Board based its decision to deny the registration on the foregoing facts which the Board had reason to believe are true:

BACKGROUND

1. Pursuant to the above regulations, Supervising Chiropractor A¹ submitted an application, dated September 11, 2017, to the Board for the Applicant's registration to be a Chiropractic Assistant in Maryland.

2. On that same date, the Applicant also submitted an application (the "Application") for "Chiropractic Assistant ...Hire and Training."

3. Question Number 2 of the Application asked the following: "Have you ever been arrested, charged with a crime, or pled guilty, *nolo contendere (sic)*, no contest, or been convicted or received probation before judgment for any criminal act, including DWI or DUI?" The Applicant marked "No".

4. Maryland District Court Records, however, show that on September 15, 2016, the Applicant pled guilty to Theft, less than \$1,000 dollars, received six months Probation, and was ordered to pay \$500 in restitution.

¹ The names of individuals and facilities are confidential.

5. When the Board's Investigator informed the Respondent that she had falsely answered the above question, the Applicant stated that she answered "No" to the question because she had not been "arrested" when the incident took place.

6. Thereafter, the Applicant explained in a letter to the Board that someone else took \$500 from a cash register at a store where they both worked, put the money in a wallet and asked the Applicant to hold the wallet. According to the Applicant, she did not know that the wallet contained stolen money. When the store manager showed her a recorded video of her putting the wallet with the stolen cash in her pocket, she claimed she did not know that the friend had given her a wallet with stolen money.

7. Court records from the District Court of Maryland for Baltimore County showed that the Applicant pled guilty to theft on September 15, 2016 and was found guilty. She was placed on supervised Probation for six months; ordered to complete 24 hours of community service by November 15, 2016; ordered pay \$500 restitution to the store by November 15, 2016; and, pay fines and costs of \$57.50 by September 15, 2016.

BASIS OF DENIAL

8. The Applicant falsely answered "NO" to the question of whether she had ever pled guilty to a crime. When questioned, she tried to justify her answer by stating that she had not been "arrested". The question, however, required her to answer truthfully whether she had pled guilty to the commission of a crime. In this case, the Applicant pled guilty to a crime involving moral turpitude. Larceny and theft, whether petty or grand, has uniformly been held in Maryland to be a crime involving moral turpitude, and is a basis for denying an application for registration as a Chiropractic Assistant.

9. In failing to respond truthfully to Application Question Number Two, which asked about prior criminal convictions, the Applicant demonstrated lack of good moral character, in violation of (COMAR) § 10.43.07.05.A. (2) and her Application is DENIED.

CONCLUSIONS OF LAW

Based upon the above, the Board concludes, as a matter of law, that the Applicant violated COMAR § 10.43.07.05.A. (2).

ORDER

As set forth above, the Board hereby Orders that the application to practice as a Chiropractic Assistant in Maryland filed by **PRECIOUS GONZALEZ**, the Applicant, be and is **DENIED**, and that this Order is public, pursuant to Md. Code Ann., General Provisions §§ 4-101 et seq. (2014 Vol. and 2017 Supp.) .

NOTICE OF RIGHT OF APPEAL

In accordance with § 3-316 of the Act and the Administrative Procedure Act, Md. Code Ann., State Government (State Govt.) §§ 10-201, et seq. (2014 Repl. Vol and 2017 Supp.) you have a right to a direct judicial appeal of this decision. A petition for appeal of the Final Board Order shall be filed within thirty days from your receipt of this Final Order and shall be made in accordance with the forecited authority.

2-25-19
Date

Robert Frieman, D.C.
Robert G. Frieman, D.C., President
Board of Chiropractic Examiners