

Sabel Wins New Jersey Standards Case

Editorial Staff

Lumberton, New Jersey -- All charges were dropped by the State of New Jersey against Larry Sabel, D.C., in the license revocation proceedings that were initiated by the State Medical Board in April 1988. No suspension, reprimand or fines were imposed. In the consent order settling the proceedings, Dr. Sabel agreed to comply with "generally accepted chiropractic standards."

This is a tremendous victory for the entire chiropractic profession. The initial charges leveled at Dr. Sabel by the New Jersey State Medical Board, with the cooperation of Independent Chiropractic Insurance Consultants, alleged several counts of failure to refer musculoskeletal cases to medical doctors and alleged that Dr. Sabel's advertising was false and misleading when it stated that children with scoliosis could be treated chiropractically. The state also alleged that showing Renaissance films to patients was a violation, and even prescheduling patients for the initial two to four weeks of care was a violation. There were other charges of an equally incredulous nature.

The alleged charges against Dr. Sabel were initially based on complaints orchestrated by a very active New Jersey Chiropractic Insurance Reviewer/DC, and his colleagues.

"The entire charges are ridiculous! A sham!" according to James Spina, D.C., a successful upstate New York chiropractor and former state district officer, who testified on behalf of Dr. Sabel.

Dr. Sabel also received help in court through testimony from nationally prominent experts representing a broad spectrum of chiropractic philosophies and backgrounds, such as Dr. Arnold Cianciulli, officer of National Chiropractic Mutual Insurance Company (NCMIC) and former New Jersey State Board of Medical Examiners member; Dr. Joseph M. Flesia, producer of the Renaissance education videos; Dr. Fred Barge, president of ICA; and Dr. Charles (Chuck) Gibson, respected practice management consultant from California. Most of the experts on behalf of Dr. Sabel testified without asking for or receiving a fee for their testimony. Although J. Daniel Sheeley, president of the New Jersey Chiropractic Society testified on behalf of the state of New Jersey, Dr. Sheeley's testimony ultimately proved to be supportive of Dr. Sabel. Dr. David Singer, management consultant, was also a strong supporter of Dr. Sabel.

An unexpected but fortuitous spinoff from the Sabel case victory is the August 1989 enactment of the law creating the all-chiropractic Board of Examiners in New Jersey. Prior New Jersey chiropractors, including Dr. Sabel, were regulated by the "medical" board comprised of a dozen medical professionals and just one DC. The publicity generated by the Dr. Sabel case set the stage for the necessary compromises between chiropractic groups. Years of negotiations culminated in ultimate enactment of this legislation. Anthony F. LaBue, Esq., consulting attorney for the NJCS and lead attorney for Dr. Sabel believed that "everyone thought that if the past situation could result in severe harassment of a dedicated, hard-working, ethical chiropractor such as Dr. Sabel, it was time for the different chiropractic associations to get together to create a change, and the chiropractic board law was the result."

"I think what Dr. Sabel has done is good for the profession," said Dr. Chuck Gibson. "He has exhibited tremendous character and courage to stand up through these license revocation

proceedings and continue to maintain a thriving practice."

"People often ask me why this case was so expensive." Dr. Sabel explained, "The state was so determined to make a test case of me." In April 1988, the state charged Dr. Sabel with ten counts of wrongdoing. On the eve of trial, the state amended its complaint and added five new counts and expanded the existing charges. These last-minute additions and amendments seriously expanded the scope of the charges against Dr. Sabel.

Then, in May 1989, the state again amended its complaint after it had presented its case to the administrative law judge. Naturally, the state's motions to expand the charges against Dr. Sabel were vigorously opposed by Mr. LaBue. However, Mr. LaBue had to shift gears and work harder each time the state amended the complaint.

The state presented 16 witnesses against Dr. Sabel over the course of 17 hearing days. To counter the state's all-out effort to revoke Dr. Sabel's license, Mr. LaBue presented 14 witnesses over 11 days to testify on Dr. Sabel's behalf.

Although Dr. Sabel made regular payments to his attorney, Anthony F. LaBue, Esq., from West Orange, New Jersey, the outstanding legal fee Dr. Sabel owes to the law firm remains significant as a result of extensive trial preparation and 28 trial days. The total legal fee is considerable despite the law firm's willingness to reduce a portion of the remaining fee balance.

"I am deeply grateful for the \$25,000 already donated by chiropractors nationwide, including a significant number of \$1,000 donations. It is a moving, inspiring experience to receive such morale-boosting support. I hope my case will set a precedent like the Wilk case and help in our continuing efforts for chiropractic freedom nationwide," stated Dr. Sabel.

Donations can be sent to:

Sabel Legal Fund
14 Forest Lane
Tabernacle, New Jersey 08088
(609) 261-0504

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