



service." (emphasis added). N.J.S.A. 14A:17-3. References to the phrase "same professional service" recur repeatedly in the act.

It would thus appear improper for an M.D. and an O.D. to be members of the same professional association; employment by or partnership between licensed optometrists and physicians is, however, expressly permitted in this State by N.J.S.A. 45:12-19.1.

The Board further notes a prescription using the letter-head of Atlantic-Cumberland Eye Associates and listing three office addresses, containing the names of all three professionals. The prescription is dated January 29, 1980 and is written in the name of patient K.H. for Atropine 1% with instructions to apply it twice a day for two days. It is signed by Robert M. Cole, followed by an illegible mark which may have been intended to represent "O.D."

The information printed on the prescription may convey to the public the impression that a licensed optometrist is authorized to prescribe medication or to use therapeutic measures or agencies other than the direct use in the office for examination purposes, either of which situations would constitute a violation of N.J.S.A. 45:12-26. Permitting the above representations to be made, including his name thereon, may be found to constitute aiding and assisting the unlicensed practice of medicine in violation of N.J.S.A. 45:1-22.

Dr. Rodis states that at the time in question he was not a shareholder in the professional association but an employee, and that he terminated all connection with it on August 24, 1980. Further, while he admits awareness of the prescription format complained of herein, he asserts that he was in ignorance of the applicable law and without unlawful intent.

In consideration of all of the above,

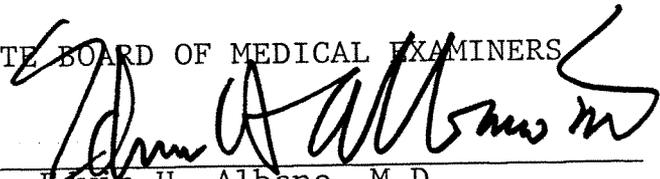
IT IS THEREFORE on this 6 day of July, 1981

O R D E R E D that Steven L. Rodis, M.D., Ph.D., cease and desist henceforth from utilizing a prescription sheet including the name of a non-physician, and from advertising in a manner which suggests to the public identity of services available from physicians and non-physicians.

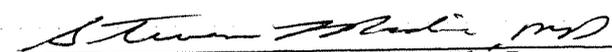
For the above violation, he is assessed a penalty of \$500 payable within ten days of date to the New Jersey State Board of Medical Examiners.

STATE BOARD OF MEDICAL EXAMINERS

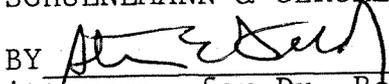
By

  
Edwin H. Albano, M.D.  
President

I consent to the terms and entry of the within Order.

  
Steven L. Rodis, M.D., Ph.D.

SCHUENEMANN & GERCKE, ESQS.

BY   
Attorneys for Dr. Rodis

6/27/81  
Date