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FILED
BOARD OF OPTOMETRISTS
DEC 20 2000
Susan Gartland
Susan Gartland
Executive Director

By: Daniel S. Goodman
Deputy Attorney General
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF OPTOMETRISTS

IN THE MATTER OF THE LICENSE OF :
 :
 :
 BENJAMIN C. LANE, O.D. : Administrative Action
 License No. OA 02635 :
 :
 : **CONSENT ORDER**
 TO PRACTICE OPTOMETRY :
 IN THE STATE OF NEW JERSEY :
 :
 :

This matter was most recently opened to the New Jersey State Board of Optometrists ("Board") by the receipt of a prescription blank that was mailed to the Board by Benjamin C. Lane, O.D. ("Respondent") on or about December 13, 1999. Respondent used this prescription blank as a note pad to write a brief message to the Board. The prescription blank listed the following information: "Nutritional Optometry Institute, Dr. Benjamin Lane, CNS, FAAAS, FAAO, FACN, FCOVD, Therapeutic Optometrist."

On or about March 6, 2000, Respondent was mailed a Uniform Penalty Letter ("UPL") from the Board, alleging that the use of the abbreviations "CNS, FAAAS and FACN" on his prescription blanks violated the Board's regulation, N.J.A.C. 13:38-1.2(f). Respondent requested a formal hearing in this matter, which was scheduled for December 20, 2000.

While Respondent does not admit nor deny the allegations made against him, the parties have consented to the entry of this Order as a resolution of this matter without the necessity of formal administrative proceeding available to the Board, and the Board finding the within Order to be adequately protective of the public interest;

IT IS on this 20th day of December, 2000,

ORDERED:

1. Respondent Benjamin C. Lane, O.D., shall cease and desist from violating any of the Board's statutes and regulations, including, but not limited to N.J.A.C. 13:38-1.2(f);
2. Respondent agrees to remove the abbreviations "CNS, FAAAS and FACN" from his prescription blanks, stationery, letterhead, professional cards, appointment cards and on-premise signs;
3. Respondent agrees to reprint his prescription blanks, stationery, letterhead, professional cards and appointment cards, and agrees to change his on-premise signs, to be in compliance with the Board's directives, as set forth above. Respondent agrees to mail copies of these new documents, including photographs of the new on-premise signs, to the Board within ninety (90) days after the entry of this Order; and

4. Respondent's civil penalty in the amount of \$500.00 is hereby stayed, so long as Respondent remains in compliance with this Order.

STATE BOARD OF OPTOMETRISTS

By 

Barry Schneider, O.D.
President

I have read and understood the within Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.


Benjamin C. Lane, O.D.