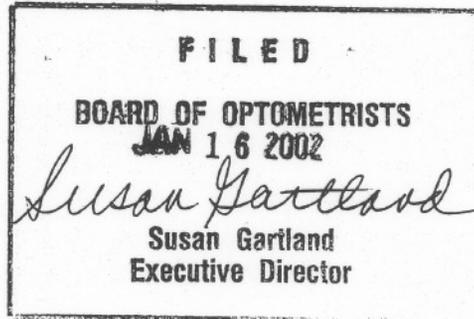


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF OPTOMETRISTS

IN THE MATTER OF THE SUSPENSION :  
OR REVOCATION OF THE LICENSE OF :  
:  
:  
SAMUEL M. SINGER, O.D. :  
License No. OA 01912 :  
:  
:  
TO PRACTICE OPTOMETRY :  
IN THE STATE OF NEW JERSEY :

Administrative Action

FINAL ORDER  
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Optometrists upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made.

FINDINGS OF FACT

1. Respondent is an optometrist in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On the 29<sup>th</sup> day of June, 2001, the Board of Optometrists initiated a random audit of renewal applications for the 1999-2001 period, asking licensees to submit proof with

regard to the satisfaction of continuing education requirements for the biennial renewal period, i.e., fifty (50) credit approved hours.

3. Respondent submitted correspondence that he obtained twenty two (22) continuing education credits as required by N.J.S.A. 45:12-9.3 and N.J.A.C. 13:38-4.5. On October 7, 2001 respondent submitted written correspondence to the Board which explained that the shortfall in his continuing education credits resulted from a series of illnesses to two family members requiring that he and his wife provide care for these individuals prior to their deaths. Both correspondences are attached hereto as Exhibit A. The Board determined that the reasons provided by the Respondent were insufficient to justify his failure to complete the remaining continuing education credits.

#### CONCLUSIONS OF LAW

1. Respondent has not satisfied the requirements of N.J.S.A. 45:12-9.3 with regard to the completion of the appropriate number of approved continuing education credit hours.

2. Respondent is subject to sanctions pursuant to N.J.S.A. 45:1-21(h), failure to comply with the provisions of an act or regulation administered by the Board, which constitutes grounds for suspension or revocation of any certificate, registration or license, and grounds for sanction pursuant to N.J.S.A. 45:1-25.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice optometry in the State of New Jersey was entered on October 31, 2001 and a copy was forwarded to respondent's last known address by means of both regular and certified mail. The Provisional Order was subject

to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Although the record reflects that the Provisional Order was served upon respondent, no response has been received to date. Accordingly the Board considered the matter, determined that further proceedings were not necessary and Provisional Order should be made final.

ACCORDINGLY, IT IS on this *16th* day of January , 2002,

ORDERED that:

1. Respondent's license to practice optometry in the State of New Jersey be and hereby is suspended sixty (60) days from the date of entry of this order until the outstanding continuing education credits are completed.
2. Prior to resuming active practice in New Jersey respondent shall be required to present written proof of complete satisfaction of twenty eight (28) continuing education credits. In addition, the Board reserves the right to place restrictions on respondent's practice should his license be reinstated.

NEW JERSEY STATE BOARD OF OPTOMETRISTS

By 

Leonard Strulowitz  
Board President

Dated: