

his involvement in PTI and pending further order of this Board;
and it is further

ORDERED that respondent shall return his original New Jersey license to practice respiratory care and current biennial registration to the New Jersey State Board of Respiratory Care, Post Office Box 45031, Newark, New Jersey 07101 upon his receipt of a filed copy of this Order, and it is further

ORDERED that respondent shall remit payment of investigative costs in the amount of thirteen hundred dollars (\$1300.00), payable to the New Jersey State Board of Respiratory Care for the within matter; and it is further

ORDERED that an application for reinstatement of respondent's license to practice respiratory care will not be considered until such time as respondent demonstrates that his involvement in the PTI program has been successfully completed and he

- a. Provides the Board with evidence, including, but not limited to, a detailed report from a mental health counselor who recommends respondent's re-entry into practice, that respondent is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare and that he is not then suffering

from any impairment or limitation which could affect his practice;

- b. Provides the Board with evidence that he is not a habitual user of C.D.S., including, but not limited to, proof to the satisfaction of the Board of sobriety for a period of no less than six months established by urine monitoring and documentation establishing respondent's participation in a drug treatment program and his regular attendance and participation in a support group program for chemically dependent people such as Narcotics or Alcoholics Anonymous, and proof that he is not engaged in professional misconduct;
- c. After receipt of the aforementioned documentation, respondent appears before the Board to discuss his readiness to reenter the practice of respiratory care. At that time, the burden shall be upon respondent to affirmatively establish that he is fit, competent and sufficiently rehabilitated to re-enter practice. He shall be prepared to provide the Board with a full account of his conduct during the intervening period of time

from the suspension of his license to the date of his application for restoration of his license, and he shall propose his plans for future practice in New Jersey;

Respondent expressly waives any claim to privilege or confidentiality that he may have concerning reports and disclosures relevant to any application for reinstatement, and he consents to the disclosure of that information and to the use of that information by the Board; and it is further

ORDERED that, if the Board determines that respondent's license shall be reinstated after his appearance, respondent agrees to be placed on probation, in accordance with such conditions and restrictions as may be determined by the Board; and it is further

ORDERED that respondent is hereby reprimanded for the conduct outlined above, which constitutes professional or occupational misconduct, in violation of N.J.S.A. 45:1-21(e); and it is further

ORDERED that, during the period of suspension and continuing thereafter, respondent shall obey all of the laws of the State of New Jersey, the United States and their political subdivisions as well as all regulations, rules or laws governing the practice of respiratory care in this State, including that he

violation of N.J.S.A. 2C:21-1a(2); uttered a forged prescription blank to a pharmacy for Percocet on July 12, 2004, in violation of N.J.S.A. 2C:21-1a(3); attempted to obtain a controlled dangerous substance by fraud on or about July 12, 2004, in violation of N.J.S.A. 2C:5-1 & 2C:35-13; and stole a New Jersey Prescription Blank on July 12, 2004, in violation of N.J.S.A. 2C:20-3a. Respondent was arraigned and applied for the pretrial intervention ("PTI") program. As part of his application, he was required to surrender his respiratory care therapist license to the Board.

The Board has found that the conduct underlying the indictment provides grounds for disciplinary action, pursuant to N.J.S.A. 45:1-21(e) and (f). Respondent, without making admissions, has agreed, and the parties have determined to resolve this matter without further proceedings; and the Board, finding the within disposition to be adequately protective of the public health, safety and welfare;

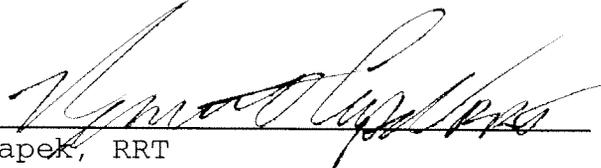
IT IS, therefore, on this 1 day of February, 2005,

ORDERED that respondent's license shall be suspended for a minimum of one year from the date of the filing of this Order. Respondent shall notify the Board when he has successfully completed his involvement in the PTI program. Respondent's license to practice respiratory care in the State of New Jersey shall remain suspended until successful completion of

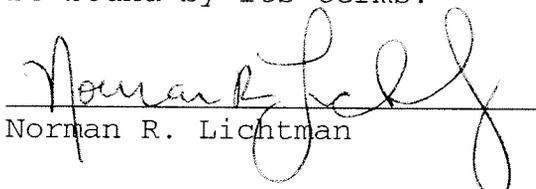
notify the Board in writing of any change of address within ten (10) days of such change.

This Order is effective upon its filing with the Board.

NEW JERSEY STATE BOARD OF RESPIRATORY CARE

By: 
Kenneth Capek, RRT
Chairman

I have read and understood the foregoing Order and agree to be bound by its terms.


Norman R. Lichtman

Consented to as to form and entry.


William I. Rozanski, III, Esq.
Attorney for Norman R. Lichtman