



JON S. CORZINE  
Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
New Jersey State Board of Optometrists  
124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102



NANCY KAPLEN  
Acting Attorney General

KIMBERLY S. RICKETTS  
Director

January 23, 2006

**Mailing Address:**  
P.O. Box 45012  
Newark, NJ 07101  
(973) 504-6440

### By Certified and Regular Mail

Sandra Robbins, O.D.  
160 Salem Road  
North Brunswick, N.J. 08902

Re: Continuing education credits  
Modified offer of Settlement In Lieu of Filing a Formal Disciplinary Complaint

Dear Dr. Robbins:

The New Jersey State Board of Optometrists ("Board") has reviewed correspondence that you submitted in response to the offer of settlement that was issued on or about October 20, 2005. The Board noted your explanation regarding your experience with the internet license renewal and your inability to complete the renewal process on line unless you answered the question regarding continuing education credits in the positive. The Board also considered your request to reduce the civil penalty in half and remove the language concerning the formal reprimand.

Upon review of your correspondence, the Board has taken into consideration the problems that you encountered upon internet renewal of your license and has agreed to remove the formal reprimand and reduce the penalty sought from two thousand dollars to one thousand dollars. The modifications indicated are reflected in this modified offer of settlement.

This letter is to advise you that the Board has had an opportunity to review information concerning the continuing education credits that you obtained in satisfaction of the renewal application for your license to practice optometry for the 2005 to 2007 biennial renewal period as required by N.J.S.A. 45:12-9.3 and N.J.A.C. 13:38-4.5.

On or about June 30, 2005 the Board initiated a random audit of renewal applications for the 2005 to 2007 period, asking licensees to submit proofs with regard to the satisfaction of the fifty (50) continuing education credits which included twenty five (25) credits in therapeutic pharmaceutical agents (TPA) and the remaining credits in general optometric education. The Board considered the correspondence received August 1, 2005 informing the Board that you had recently returned from a family reunion to find the audit letter and after assembling all the information you realized that you had a deficit. This correspondence further disclosed that you were a passenger in a car involved in a near

fatal accident on July 21, 2003 and you had other family members assembling personal papers during that time period and you believed some paperwork was misplaced.

Upon review of additional correspondence that you submitted to the Board determined that you completed 33 continuing education credits. Thus you are short 17 credits as of April 30, 2005. The information supplied indicated that you completed 10 credits after the April 30, 2005 deadline and are currently short 7 continuing education credits. The Board voted to accept the credits obtained after the April 30, 2005 deadline that you submitted for its review. However, you are advised that the 10 credits obtained after April 30, 2005 and used to satisfy the credits for the 2005-2007 renewal period will not be accepted for the next biennial renewal.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that you violated N.J.S.A. 45:12-9.3 and N.J.A.C. 13:38-7.3 in that you did not obtain all of the fifty (50) continuing education credits prior to or by April 30, 2005. Furthermore, the Board also finds that you engaged in the use of misrepresentation in violation of N.J.S.A. 45:1-21(b) by attesting on the renewal application that you will have completed the required continuing education by April 30, 2005. The Board recognizes that you were dealing with recovery from a car accident in the summer of 2003 however, that does not explain why you chose not to respond honestly and truthfully to the question on the renewal application that was submitted on April 1, 2005. The Board further recognized your explanation that you encountered difficulties with the online renewal application process and has agreed to waive the violation of N.J.S.A. 45:1-21(b).

At this juncture, the Board has preliminarily concluded that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that decision, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of disciplinary proceedings, should you consent to:

1. Cease and desist from failing to obtain the required amount of continuing education credits for the renewal of a license to practice optometry within the specified time frame in future biennial renewals.

2. Pay a penalty in the amount of \$1000.00 for failing to obtain the 50 continuing education credits on or before April 30, 2005 in violation of N.J.S.A. 45:12-9 (to be paid immediately upon your signing of the acknowledgment at the bottom of this letter). Payment shall be remitted in full and shall be made payable to the Board of Optometrists by certified check or money order and forwarded to the attention of Susan Gartland, Executive Director, P.O. Box 45012, 124 Halsey Street, Newark, New Jersey 07101.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.

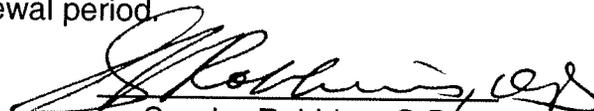
In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order, requiring you to reimburse certain monies and/or requiring you to pay costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General Carmen A. Rodriguez who may be reached at (973) 648- 3696.

If you elect to settle this matter presently, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

NEW JERSEY STATE BOARD OF  
OPTOMETRISTS

By:   
Susan Gartland  
Executive Director

ACKNOWLEDGMENT: I, Sandra Robbins, O.D., hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a penalty in the amount of \$1000.00 (to be paid upon signing of this acknowledgment). I acknowledge that the 10 continuing education credits that I have satisfied to date and the seven outstanding credits that will be submitted to make up the total continuing education credit short fall will not be used to satisfy the credits to be supplied for the next biennial renewal period.

  
Sandra Robbins, O.D.

Dated: 2-06-2006

cc: Carmen A. Rodriguez, Deputy Attorney General