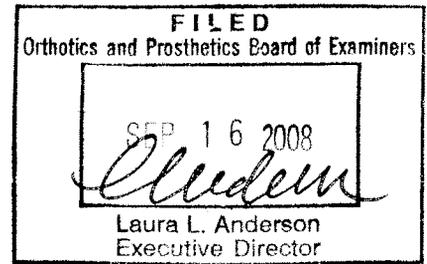


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF ORTHOTICS AND PROSTHETICS

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IN THE MATTER OF :  
 :  
JOHN BARRY MIHLIK : Administrative Action  
 :  
 : CONSENT ORDER  
 :  
CHARGED WITH ENGAGING IN THE :  
UNLICENSED PRACTICE OF :  
ORTHOTICS AND/OR PROSTHETICS :  
IN THE STATE OF NEW JERSEY :  
 :  
 :  
 :  
 :  
 :

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This matter was opened to the New Jersey State Board of Orthotics and Prosthetics (“Board”) upon receipt of information that John Mihlik (“respondent”) has engaged in the unlicensed practice of orthotics and/or prosthetics in the State of New Jersey. On March 18, 2008, respondent appeared before the Board, with counsel, and testified under oath in response to Board member inquiries. Respondent stated that he is not and has never been licensed to practice orthotics and/or prosthetics in New Jersey. Respondent testified that he performed services for patients in New Jersey prior to the year 2007 including the fitting, adjusting and servicing of orthotic appliances, orthoses, or lower extremity prosthetic appliance prescribed by a

physician which the Board finds constitute the practice of orthotics and/or prosthetics as defined by N.J.A.C. 13:44H-2.1 and/or N.J.A.C. 13:44H-2.2. Respondent also testified that, prior to 2007, he caused to be made a business card which identifies respondent as an orthotist and gave this business card to health professionals upon occasion.

Respondent applied for licensure under the "grandfathering" clause available pursuant to N.J.S.A. 45:12B-11 prior to December 14, 2002. Respondent failed to meet all licensure requirements in a timely manner and his application was administratively closed due to inactivity.

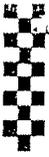
The parties desiring to resolve this matter without the need for further proceedings, respondent waiving any right to a hearing in this matter, and the Board finding that the within Consent Order is adequately protective of the public interest, and for good cause shown,

IT IS ON THIS <sup>16<sup>th</sup></sup> DAY OF <sup>Sept</sup>, 2008, HEREBY

ORDERED AND AGREED THAT:

1. Respondent shall immediately cease and desist from engaging in, or holding himself out as engaging in, the practice of orthotics and/or prosthetics pursuant to N.J.S.A. 45:12B-17. Respondent shall not practice, attempt to practice, or hold himself out as being able to practice orthotics or prosthetics unless and until he is licensed in accordance with the provisions of this act.

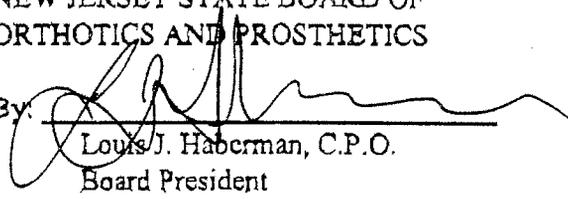
2. Respondent shall pay a civil penalty in the amount of \$2500. Payment shall be made in monthly installments at the rate of no less than \$150.00 each month, due on the first day of each month commencing June 1, 2008. Interest shall accrue in accordance with R. 4:42-11(a). Payment shall be made by check or money order made payable to the Treasurer, State of New Jersey and mailed to the attention of Laura Anderson, Executive Director, New Jersey State Board of Orthotic and Prosthetic Examiners, 124 Halsey Street, P.O. Box 45034, Newark, New Jersey. Failure to



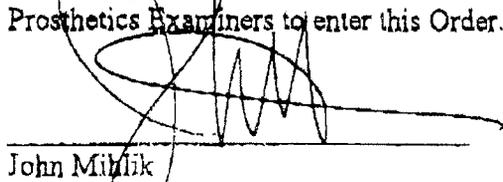
make payments within said time shall result in the filing of a Certificate of Debt pursuant to N.J.S.A.  
45:1-24.

NEW JERSEY STATE BOARD OF  
ORTHOTICS AND PROSTHETICS

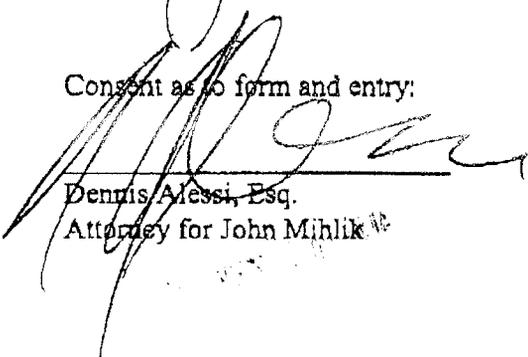
By:

  
Louis J. Haberman, C.P.O.  
Board President

I have read and understand the above Order,  
and agree to abide by its terms. Consent  
is hereby given to the Board of Orthotics and  
Prosthetics Examiners to enter this Order.

  
John Mihlik

Consent as to form and entry:

  
Dennis Alessi, Esq.  
Attorney for John Mihlik

