

Complaint # 60580

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Attorney for the State Board of Ophthalmic  
Dispensers and Ophthalmic Technicians

*Pd 9/25/08*  
*ck# 010361*  
*\$ 3000.00*

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**FILED**  
STATE BOARD OF OPHTHALMIC DISPENSERS  
AND OPHTHALMIC TECHNICIANS  
SEP 25 2008  
*Dorcias K. O'Neal*  
**DORCAS K. O'NEAL**  
**EXECUTIVE DIRECTOR**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF OPHTHALMIC DISPENSERS AND  
OPHTHALMIC TECHNICIANS

IN THE MATTER OF THE :  
SUSPENSION OR REVOCATION OF  
THE LICENSE OF

: ADMINISTRATIVE ACTION

LOUIS GIORGI :  
License No. 31TD00130000

: CONSENT ORDER

TO PRACTICE OPHTHALMIC :  
DISPENSING

This matter was opened to the New Jersey State Board of Ophthalmic Dispensers and Ophthalmic Technicians (the "Board") upon review of an inspection report from the Division of Consumer Affairs, Enforcement Bureau which revealed that Mr. Louis Giorgi, the branch license holder at Cheaper Peepers, located at 4340 Route 130(N), Willingboro, New Jersey, New Jersey, permitted Rachel Annette Ivgi, an employee not licensed to practice ophthalmic dispensing to engage in ophthalmic dispensing from October 1, 2007

until February 15, 2008. The report also revealed that respondent failed to renew a branch office license to practice at Cheaper Peepers, located at 4340 Route 130(N), Willingboro, New Jersey, New Jersey. The investigation revealed probable violations of N.J.S.A. 52:17B-41.18 and N.J.A.C. 13:33-3.3.

Having reviewed the entire record, including an inspection report from the Division of Consumer Affairs, Enforcement Bureau, the Board found that respondent as the branch license holder permitted an unlicensed person to perform acts for which a license or permit with supervision is required by the Board and aided and abetted the unlicensed practice of ophthalmic dispensing as Ms. Ivgi lacked a permit or license, the minimum requirement for provision of such services in New Jersey. The Board further found that respondent failed to obtain a branch office license to engage in ophthalmic dispensing at Cheaper Peepers location at 4340 Route 130(N), Willingboro, New Jersey. These facts establish violations of N.J.S.A. 17B-41.18 and N.J.A.C. 13:33-3.3. It appearing that the parties desire to resolve this matter without recourse to formal proceedings, and respondent waiving any right to a hearing and for good cause shown,

IT IS ON THIS 17<sup>th</sup> DAY OF Sept, 2008

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall immediately cease and desist from permitting any unlicensed persons to perform acts for which a license or permit with supervision is required and/or from aiding

and abetting the unlicensed practice of ophthalmic dispensing in the State of New Jersey, in violation of N.J.S.A. 45:1-21(n).

2. Respondent is reprimanded for permitting an unlicensed person to perform acts for which a license or permit with supervision is required and/or aiding and abetting the unlicensed practice of ophthalmic dispensing, in violation of N.J.S.A. 45:1-21(n).

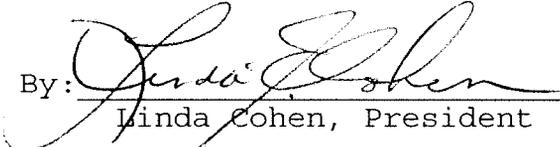
3. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22 and 45:1-25, in the amount of \$3,000.00 for permitting an unlicensed person to perform acts for which a license or permit with supervision is required and/or for aiding and abetting the unlicensed practice of ophthalmic dispenser and for engaging in ophthalmic dispensing at Cheaper Peepers location at 4340 Route 130(N), Willingboro, New Jersey without obtaining a branch office license for the location. The civil penalty of \$3,000.00 shall be paid simultaneously with the signing of the within order. Payment of the civil penalty shall be submitted by certified check or money order made payable to the State of New Jersey and sent to Dorcas O'Neal, Executive Director, New Jersey State Board of Ophthalmic Dispensers and Ophthalmic Technicians, P.O. Box 45011, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

4. Failure to remit any payment as required by this Consent Order will result in the filing of a Certificate of Debt, and such collection and other proceedings as permitted by law. Failure to

comply with any provision of this Order may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF OPHTHALMIC  
DISPENSERS AND OPHTHALMIC TECHNICIANS

By:

  
Linda Cohen, President

I have read and I understand  
this Consent Order and agree to  
be bound by its terms. I consent  
to the entry of this Order.

  
Louis Giorgi