



CHRIS CHRISTIE
Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey State Board of Physical Therapy Examiners
124 Halsey Street, 6th Floor, Newark, NJ 07102



PAULA T. DOW
Attorney General

KIM GUADAGNO
Lt. Governor

May 5, 2010

SHARON M. JOYCE
Acting Director

Christopher Mrochko, O.D.
301 S. Main Street
Vineland, N.J. 08360

Mailing Address:
P.O. Box 45014
Newark, NJ 07101
(973) 504-6455

Re: Offer of Settlement In Lieu of Filing a Formal Disciplinary Complaint

Dear Dr. Mrochko:

This is to advise you that the New Jersey State Board of Optometrists ("the Board") has had an opportunity to review an advertisement of Eyedeal Vision. Specifically, the ad states, "Free Eye Exam for a limited time" but does not include the usual and customary fee.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that you violated N.J.A.C. 13:38-1.2(c)7 in that it appears that you offered a free eye examination and did not include the usual and customary fee in the attached Eyedeal Vision advertisement.

At this juncture, the Board has preliminarily concluded that the above violation is 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 including an offer of a free eye exam in an advertisement without including the usual and customary costs of the examination in violation of the board advertising regulations;
2. The issuance of a formal reprimand for violation of N.J.A.C. 13:38-1.2(c)7;
3. Pay a penalty in the amount of \$250.00 (to be paid immediately upon your signing of the acknowledgment at the bottom of this letter.)

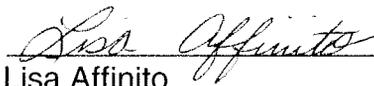
If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.

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 formal disciplinary 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

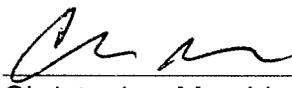
a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. 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 formal disciplinary action.

NEW JERSEY STATE BOARD OF
OPTOMETRISTS

By: 
Lisa Affinito
Executive Director

ACKNOWLEDGMENT: I, Christopher Mrochko, O.D., hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge that 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 a formal reprimand and to pay a penalty in the amount of \$250.00 (to be paid upon signing of this acknowledgment).


Christopher Mrochko, O.D.

Date:

c: Carmen Rodriguez, Deputy Attorney General