



New Jersey Office of the Attorney General



CHRIS CHRISTIE  
Governor

Division of Consumer Affairs  
State Board of Medical Examiners  
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KIM GUADAGNO  
Lt. Governor

June 2, 2010

THOMAS R. CALCAGNI  
Acting Director

FILED

JUNE 17, 2010

NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS

For Delivery Services:  
140 East Front St.  
PO Box 183, 3rd Floor  
Trenton, NJ 08608  
(609) 826-7100  
(609) 826-7117 FAX

Via Certified and Regular Mail

Cecilia Betancourth  
349 West Grand Street  
Apt. # 206  
Elizabeth, NJ 07202

Bodies & Faces Day Spa  
Cecilia Betancourth  
80 Elmora Ave.  
Elizabeth, NJ 07202

CERTIFIED TRUE COPY

RE: OFFER OF SETTLEMENT IN LIEU OF FORMAL ACTION  
In the Matter of the Unlicensed Practice of  
Cecilia Betancourth:

Dear Ms. Betancourth,

The New Jersey State Board of Medical Examiners (Board) received notice that you have engaged in the unlicensed practice of medicine. More specifically, over approximately the past six years, you purchased and used on clients the Spectra Clear LED pulsed light machine at the Bodies & Faces Day Spa, located at 80 Elmora Ave., Elizabeth, NJ. As you are now aware, this device is in fact a laser which can only be operated by a plenary licensed physician in the State of New Jersey. This allegation could support the initiation of civil or administrative proceedings seeking civil injunctive and other relief, including monetary penalties, based on the unlicensed practice of medicine in this State.

Prior to commencing formal action, the Board is offering you an opportunity to settle this matter without any monetary penalties. Please review the terms contained in this letter and if you agree, sign the attached "Acknowledgment and Agreement" and return it to the Board within ten (10) days of your receipt of this letter. This letter and the signed Acknowledgment and Agreement will be considered the equivalent of an Order of the Board and will be

public information. Once signed, failure to comply with the terms of this agreement may result in further action and sanctions.

By resolving this matter through signing the Acknowledgment and Agreement, you will:

1. Admit that you engaged in the unlicensed practice of medicine in New Jersey and agree to immediately cease and desist from practicing medicine in this State. This includes offering or performing any services defined as the practice of medicine pursuant to N.J.S.A. 45:9-18, unless and until you hold a valid and active license issued by the Board.

If you agree to these terms, sign the Acknowledgment and Agreement and return it to William Roeder, Executive Director, New Jersey State Board of Medical Examiners, 140 East Front Street, Trenton, New Jersey 08608 the Board office for filing. Once filed, a copy will be forwarded to you. You may wish to consult with counsel regarding this offer of settlement.

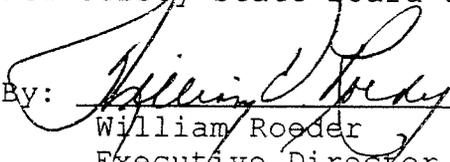
This settlement offer will remain open to you for (10) days from the date of this letter. In the event that no response is received from you on or before June 18, 2010, the Board will deem its offer rejected and the offer will be withdrawn.

As stated above, should the Board file a civil or administrative action, it could seek monetary penalties possibly in excess of \$10,00.00 and may seek an Order requiring you to reimburse certain monies and/or requiring you to pay costs and attorney's fees.

Should you have any questions concerning this letter or the settlement offer, please do not hesitate to contact Deputy Attorney General, Tobey Palan, at 973-648-2438 or via fax at 973-648-7156.

Sincerely yours,

New Jersey State Board of Medical Examiners

By: 

William Roeder  
Executive Director

cc: Tobey Palan, DAG

ACKNOWLEDGMENT AND AGREEMENT

I, Cecilia Betancourth, admit that I engaged in the practice of medicine in New Jersey without having obtained a license to practice in this State as detailed in the letter of June 2, 2010 from William Roeder, Executive Director of the New State Board of Medical Examiners.

I agree to cease and desist from engaging in the practice of medicine or providing medical services unless and until I hold a valid and active license issued by the Board.

I agree that if I engage in the practice of medicine without a license to practice medicine, I will be subject to additional sanctions, including injunctive relief, second offense penalties consistent with N.J.S.A. 45:1-25, attorney's fees, and costs.

I am aware that by signing this acknowledgment and agreement, I am certifying that I have read and understand the settlement proposal offered in the letter from the New Jersey State Board of Medical Examiners dated June 2, 2010. I understand that by signing this document, I am waiving any rights I may have to defend myself against the charges of wrongdoing. I am also aware that the action taken against me by the Board is a matter of public record, and that the letter and the Acknowledgment and Agreement are public documents.

*Cecilia Betancourth*

\_\_\_\_\_  
Cecilia Betancourth

*6/4/10*

\_\_\_\_\_  
Date