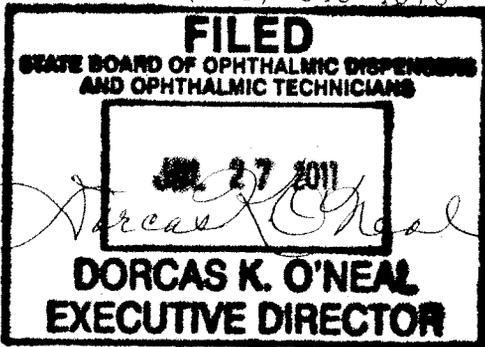


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ATTORNEY GENERAL OF NEW JERSEY
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Newark, New Jersey 07101
Attorney for the State Board of Ophthalmic
Dispensers and Ophthalmic Technicians

Anthony Ciccone
7-22-11

By: Susan C. Berger
Deputy Attorney General
Tel.: (973) 648-4876

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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
ANTHONY CICCONE
License No. 31TD00224900
TO ENGAGE IN THE PRACTICE OF
OPHTHALMIC DISPENSING IN THE
STATE OF NEW JERSEY

ADMINISTRATIVE ACTION

CONSENT ORDER

This matter was opened to the New Jersey State Board of Ophthalmic Dispensers and Ophthalmic Technicians (the "Board") upon receipt of information that Anthony Ciccone ("respondent") fabricated an ophthalmic dispenser license after his license was summarily suspended for failure to renew pursuant to N.J.S.A. 45:1-7.1(b). The Board also received information that respondent represented himself as a licensee and continued to practice

ophthalmic dispensing, in violation of N.J.S.A. 45:1-7.1(c).

Respondent was licensed to practice ophthalmic dispensing from June 1, 1994 until December 31, 1997.

On October 27, 2010 respondent was admitted into Pre-Trial Intervention in the Superior Court of Bergen County following an admission under oath of improperly taking more than sixty-two thousand dollars from his employer, Lisa Higgins, M.D. for whom he worked as an ophthalmic dispenser. Respondent agreed to immediately pay thirty thousand (\$30,000.00) dollars in restitution to Dr. Higgins. The remainder of restitution is to be paid to Dr. Higgins in monthly installments until fully repaid.

Respondent admits that his license to practice ophthalmic dispensing was suspended for failure to renew and that he possessed and displayed a fabricated ophthalmic dispenser license for "12/17/2007 to 12/31/2009." Respondent further admits he represented himself as a licensed ophthalmic dispenser at the Eye Centre in River Edge, New Jersey from December 2007 through January 2010 and engaged in the practice of ophthalmic dispensing.

Respondent at this time has agreed to the voluntary surrender of his license to practice ophthalmic dispensing in the State of New Jersey to be deemed a revocation, in accordance with this Consent Order. The Board finds the terms of this Consent Order are adequately protective of the public interest, and

respondent desiring to resolve this matter without further proceedings;

IT IS ON THIS 27th DAY OF July, 2011

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall immediately surrender his license to practice ophthalmic dispensing in the State of New Jersey to be deemed a revocation and shall immediately cease and desist from engaging in the practice of ophthalmic dispensing, in violation of N.J.S.A. 45:1-7.1 and N.J.S.A. 52:17B-41.18.

2. Respondent is reprimanded for possessing a fabricated license, in violation of N.J.S.A. 45:1-21(b) and for engaging in the unlicensed practice of ophthalmic dispensing, in violation of N.J.S.A. 52:17B-41.18.

3. Respondent shall pay a civil penalty in the amount of ten thousand dollars (\$10,000.00). Payment shall be made by certified check or money order, payable to the State of New Jersey and sent to Dorcas O'Neal, Executive Director of the State Board of Ophthalmic Dispensers and Ophthalmic Technicians, P.O. Box 45011, Newark, New Jersey 07101. Provided that respondent complies with the terms of the within Consent Order nine thousand dollars (\$9,000.00) of the civil penalty shall be stayed unless and until respondent applies for reinstatement of licensure under paragraph 4 below. The remaining one thousand dollars (\$1,000.00) of the civil penalty shall be paid contemporaneously with the signing of the within Consent Order.

4. The Board shall not entertain an application for reinstatement of licensure for a minimum of five (5) years from the filing of the within Consent Order. Prior to such an application, respondent shall pay the stayed portion of the civil penalty in full and shall provide the Board with a statement signed and dated by respondent listing each job respondent engaged in from the date of the signing of within Consent Order to the date of re-application. Respondent shall include for each place of employment the name of the business or entity, the address, the name of his employer and supervisor, the telephone number of his employer and supervisor, his dates of employment and description of his duties. No credit shall be granted toward the five (5) year period prior to submission of an application for reinstatement for any period during which respondent is practicing ophthalmic dispensing in any jurisdiction or country, whether or not such dispensing is performed in an exempt setting.

5. Prior to any application for reinstatement respondent shall submit a statement signed and dated by respondent representing that there have not been any "criminal actions" taken against him in New Jersey or any other jurisdiction since the revocation of his license as an ophthalmic dispenser. "Criminal actions" include arrests, convictions for criminal offenses and/or motor vehicle offenses regardless whether the charges/summonses were dismissed, he was found not guilty, plead guilty or entered into a plea bargain. The signed statement must

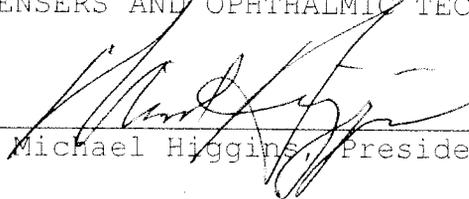
include the following language above his signature:

"I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment."

6. Failure to remit payment as required by this Order will result in the filing of a Certificate of Debt and such other proceedings as are permitted by law.

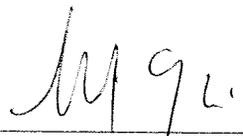
NEW JERSEY STATE BOARD OF OPHTHALMIC
DISPENSERS AND OPHTHALMIC TECHNICIANS

By:



Michael Higgins, 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.



Anthony Ciccone

7-22
Date

PAULA T. DOW
ATTORNEY GENERAL OF NEW JERSEY
ATTORNEY FOR BOARD OF OPHTHALMIC DISPENSERS
AND OPHTHALMIC TECHNICIANS



BY: Susan C. Berger

Deputy Attorney General

OFFICE ADDRESS: 124 Halsey Street, 5th Floor, Newark, New Jersey 07101
TELEPHONE NO.:(973) 648-4876

ADMINISTRATIVE ACTION
SUBPOENA AD TESTIFICANDUM

RE: Unlicensed Practice

THE STATE OF NEW JERSEY, to:

Anthony Ciccone
60 Spring Street
Red Bank, New Jersey 07701

M96
Anthony Ciccone
7/22/11

You are hereby commanded to appear before the above named Professional Board or its attorney at 124 Halsey Street, 6th Floor, Newark, New Jersey on Wednesday, September 14, 2011 at 11:00 a.m. on the part of the New Jersey State Board of Ophthalmic Dispensers and Ophthalmic Technicians.

You will be questioned about allegations that you engaged in the unlicensed practice of ophthalmic dispensing, that you represented that you were licensed and that you admitted under oath improperly taking money from an employer. Further you may be asked about your current and past employment.

You may be accompanied by an attorney; however failure to timely retain counsel shall not cause an adjournment. No further adjournments will be permitted.

Failure to comply with this subpoena may render you liable for contempt of court and such other penalties as are provided by law. This subpoena is issued pursuant to the authority of N.J.S.A. 45:1-14 et seq.

Dated: July 21, 2011

Susan C. Berger
Susan C. Berger
Deputy Attorney General

AFFIDAVIT OF SERVICE

On July 22, 2011, I, the undersigned, being duly sworn according to law, on my oath depose and say that on July 22, 2011, at approximately 11:30 A.M., I served the within Subpoena on ANTHONY CICCONI at LOGAN HALL, 20 TOLSON PL. NEWARK NJ 07102, by exhibiting the original Subpoena to and leaving a true copy thereof with said individual.

Sworn and Subscribed to before me
this 22 Day of July 2011.

Rogene Marchione

Signature of Person Administering Oath

Richard L. Perry
Richard L. Perry
Notary Public
New Jersey
My Commission Expires 5-28-14