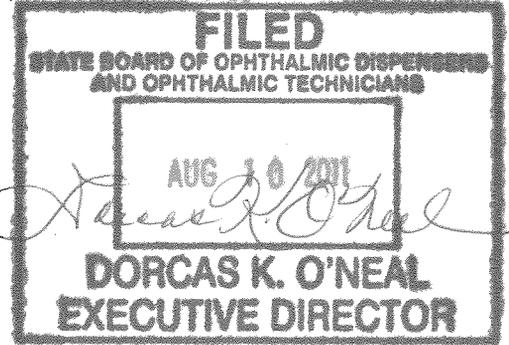


Complaint # 80597

ORIGINAL



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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	:	
	:	ADMINISTRATIVE ACTION
SAMUEL J. ROSNER	:	
a/k/a JEFF ROSNER	:	
License No. 1019	:	
	:	INTERIM CONSENT ORDER
ENGAGING IN THE UNLICENSED	:	
PRACTICE OF OPHTHALMIC	:	
DISPENSING IN THE STATE OF	:	
NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Ophthalmic Dispensers and Ophthalmic Technicians (the "Board") upon receipt of information which revealed that Samuel J. Rosner a/k/a Jeff Rosner, (Respondent), an employee and former owner of Cohen's Fashion Optical, located at the Monmouth Mall, 180 State Route 35 South, Eatontown, New Jersey 07724, practiced ophthalmic dispensing at the premises without a valid license. Respondent was licensed as an ophthalmic dispenser from January 1, 1977 until 1995 when he failed to renew his license. The investigation revealed a probable

violation of N.J.S.A. 52:17B-41.18 based upon respondent's unlicensed practice of ophthalmic dispensing.

Respondent advised the Board that he previously owned the premises and had been licensed until 1995. He admitted that he has been dispensing eye wear at Cohen's Optical for more than three years, from January 2008 through January 31, 2011 while he was unlicensed and permitted other unlicensed individuals to use his initials on patient records when he is not available to dispense eye wear.

Having reviewed the entire record, including the report of an inspection performed on January 31, 2011 by the Division of Consumer Affairs, Enforcement Bureau, the Board found that respondent practiced ophthalmic dispensing without a license and permitted unlicensed individuals to practice ophthalmic dispensing. These facts establish multiple violations of N.J.S.A. 52:17B-41.18 over a three year period.

It appearing that the parties desire to resolve this matter without recourse to formal proceedings, respondent waiving any right to a hearing and for good cause shown,

IT IS ON THIS 10th DAY OF August, 2011

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 ophthalmic dispensing in the State of New Jersey unless and until he is licensed by the Board.

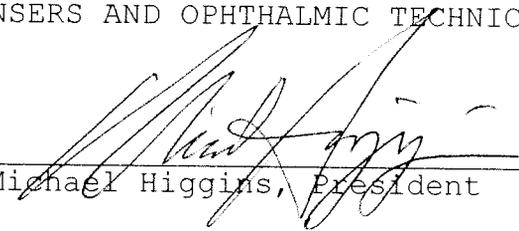
2. Respondent shall cease and desist from permitting any unlicensed individual from practicing as an ophthalmic dispenser or ophthalmic technician or using respondent's initials on patient work orders.

3. A hearing on the assessment of civil penalties for repeated practice as an ophthalmic dispenser without a license, pursuant to N.J.S.A. 45:1-18.2, is scheduled before the Board on August 10, 2011 at 9:30 a.m. at 124 Halsey Street, 6th floor. Any briefs or submission by respondent regarding the amount of the civil penalty shall be submitted in writing to the Board no later than August 1, 2011. Any reply brief or submission by the Attorney General shall be submitted to the Board and served upon respondent no later than August 5, 2011. In the event respondent fails to appear on August 10, 2011 respondent agrees and acknowledges that the Board can assess civil penalties based upon respondent's admissions in the within Order, the Enforcement Bureau Inspection report, and any additional submissions by respondent and/or the Attorney General; without further opportunity for respondent to appear for a hearing.

4. Failure to comply with this order or subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

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.

Samuel J. Rosner
Samuel J. Rosner