

STATE OF CONNECTICUT
DEPARTMENT OF HEALTH SERVICES
BUREAU OF HEALTH SYSTEM REGULATIONS
DIVISION OF MEDICAL QUALITY ASSURANCE

In re:

Jeffrey Fine

Petition No. 860722-00-031

CONSENT ORDER

WHEREAS, Jeffrey Fine of Middletown, Connecticut has applied for licensure to practice as an optician by the Department of Health Services pursuant to Chapter 381 of the General Statutes of Connecticut, as amended; and

WHEREAS, Jeffrey Fine hereby admits and acknowledges that:

1. He has never been licensed as an optician in the State of Connecticut;
2. In 1982 he established a mail order business, New England Contact Lens Company, for the purpose of selling contact lenses, and operated it without the supervision of a licensed optician;
3. He operated the Old Saybrook Store of "Kennedy & Perkins Inc. Guild Opticians" without the supervision of a licensed optician;
4. Between 1983 and 1985 he sold and fitted contact lenses out of offices owned by Theodore Maron, Jr., M.D. without being properly supervised;
5. He represented himself to be a Physician's Assistant without being certified by the National Commission on Certification of Physician's Assistants;
6. Between July 1983 and March 1984 he changed the prescription for the contact lenses of a client without proper authority;

7. By his actions described in paragraphs 2 through 6 above he committed acts which failed to conform to the accepted standards of opticians and he is subject to licensure denial under Public Act 86-365, §1(a)(6)(E).

NOW THEREFORE, pursuant to §19a-17 and §20-154 of the Connecticut General Statutes, Jeffrey Fine hereby stipulates and agrees to the following:

1. That he waives the right to a hearing on the merits of this matter.
2. That he is granted an optician's license as modified below.
3. That he is hereby assessed a civil fine of four hundred dollars (\$400.00). Said penalty to be paid to the Treasurer, State of Connecticut, by certified check forwarded to the Public Health Hearing Office, Department of Health Services, 150 Washington Street, Hartford, Connecticut 06106, payment of which shall accompany this document upon execution by the respondent.
4. That his optician's license is suspended for five years.
5. That said suspension is stayed immediately pursuant to the following conditions during the course of the suspension:
 - a) He is restricted to selling and fitting contact lenses under the direct supervision of a licensed optician;
 - b) He shall not operate an optical store without the direct supervision of a licensed optician.
 - c) His supervisor will be aware of the terms of this Consent Order.

His supervisor shall make regular reports to the Department of Health Services regarding the competency of the respondent to practice, including, but not limited to an indication that the respondent's patient's records have been reviewed and he has dispensed contact lenses from prescriptions within the confines of the accepted standards of the optician practice.

(i) the reports shall be made monthly for the first year and quarterly thereafter.

(ii) the reports shall be sent to:

Celia Bumstead, Paralegal Specialist
Division of Medical Quality Assurance
150 Washington Street
Hartford, CT 06106

6. That he understands that notice of this Consent Order is a matter of public record.
7. That he understands that this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Connecticut Board of Examiners for Opticians arising out of a subsequent series of facts (1) in which his compliance with this same order is at issue, or (2) in which his compliance with §20-154 of the General Statutes of Connecticut is at issue.
8. That this Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, that said order is not subject to appeal or review under the provisions of Chapter 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive him of any rights that he may have under the laws of the State of Connecticut or of the United States.

9. That he understands that he has the right to consult with an attorney prior to signing this document.

I, Jeffrey Fine, have read the above Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Jeffrey Fine

Subscribed and sworn to before me this _____ day of _____ 1986.

Notary Public or person authorized
by law to administer an oath or
affirmation

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Opticians on the 24 day of October 1986, it is hereby accepted.

E. George A. D. Chinn
For the Connecticut Board of Examiners
for Opticians

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Health Services on the ^{30th} ~~28th~~ 25th day of October 1986, it is hereby ordered and accepted.

Stanley K. Peck
Stanley K. Peck, Director
Division of Medical Quality Assurance

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STATE OF CONNECTICUT
DEPARTMENT OF HEALTH SERVICES

Rec'd
11/14/91
JB

6 November 1991

Jeffrey Fine
506 Main Street
Middletown, CT 06457

Re: Petition No. 860722-00-031

Dear Mr. Fine:

This letter serves to confirm that you have completed all the stipulations of your Consent Order and that the terms of your Consent Order, dated 28 October 1986 have been completed.

Notice will be provided to our Licensure and Renewal Section to remove any restrictions from your license that may have developed as a result of said action effective 5 November 1991.

I hope this information is helpful to you.

If you have any questions regarding this matter, please direct them to my attention at the address listed below.

Very truly yours,

Lynne A. Hurley

Lynne A. Hurley
Investigator
Public Health Hearing Office

LAH:cja
6641Q/7
11/91

cc: David J. Pavis, Chief, PHHO
John Boccaccio, Chief, L&R

566-1011
Phone:
150 Washington Street — Hartford, Connecticut 06106
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