

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Lisa Bernard-Torres, OPTC

Petition No. 980521-038-001

CONSENT ORDER

WHEREAS, Lisa Bernard-Torres of Rocky Hill, Connecticut (hereinafter "respondent") has been issued license number 001143 to practice opticianry by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 381 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. On November 17, 1997, respondent was the licensed optician of record for LensCrafters, Inc. optical shop permit number 1427 (hereinafter "LensCrafters") located in the West Farms Mall in Farmington Connecticut.
2. On November 19, 1997, the Department's investigators discovered that LensCrafters had on staff at least sixteen (16) apprentice opticians who were not currently registered with the Department and/or were not working at the optical shop at which they were registered as required by General Statutes Connecticut §29-159.
3. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-154.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Connecticut Board of Examiners for Opticians (hereinafter "the Board") this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10 and 20-154 of the General Statutes of Connecticut.

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

1. Respondent waives her right to a hearing on the merits of this matter.
2. Respondent shall pay a civil penalty of one thousand four hundred dollars (\$1400) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
3. All correspondence and reports are to be addressed to:

Bonnie Pinkerton, Nurse Consultant
Department of Public Health
Division of Health Systems Regulation
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308
4. Respondent shall comply with all state and federal statutes and regulations applicable to her licensure.
5. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.

6. Respondent agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which her compliance with this Consent Order or with §20-154 of the General Statutes of Connecticut, as amended, is at issue.
7. 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, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that she may have under the laws of the State of Connecticut or of the United States.
8. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
9. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted.
10. Respondent has the right to consult with an attorney prior to signing this document.

I, Lisa Bernard-Torres, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Lisa Bernard-Torres
Lisa Bernard-Torres

Subscribed and sworn to before me this 20th day of July 1999.

[Signature]
Notary Public or person authorized
by law to administer an oath or affirmation
BRUCE J. COMOLLO, Comm. of Sup. Ct.

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 20th day of July 1999, it is hereby accepted.

Cynthia Denise
~~Kathleen Zarrella, Director~~
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the Board of Examiners for Opticians on the 22nd day of JULY 1999, it is hereby ordered and accepted.

Raymond J. James
Connecticut Board of Examiners for Opticians

RAS/C:Bernard/legal/CO/2/26/99