

STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
BUREAU OF REGULATORY SERVICES

In re: Eye-X Company

Petition No. 970904-057-004

CONSENT ORDER

WHEREAS, Eye-X Company of Danbury (hereinafter "respondent") has been issued Optical Permit Number 001537 to operate under an optical selling permit 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. During July, August and September 1997, respondent was open for business without the personal and direct supervision of a licensed optician, in violation of Connecticut General Statutes Section 20-153.
2. 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 this matter and 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 19a-14 and 20-154 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-154 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives its right to a hearing on the merits of this matter.
2. Respondent's Optical Permit Number 001537 to operate under an optical selling permit in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of Two Thousand dollars (\$2,000.00) 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.
4. Respondent shall comply with all state and federal statutes and regulations applicable to its licensure.
5. Respondent shall pay all costs necessary to comply with this Consent Order.
6. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.
7. 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.
8. 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 its compliance with this Consent Order or with §20-154 of the General Statutes of Connecticut, as amended, is at issue.
9. 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 it may have under the laws of the State of Connecticut or of the United States.

10. 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.
11. 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.
12. Respondent has the right to consult with an attorney prior to signing this document.

I, Michael T. Cornelius, 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.

*Michael T. Cornelius*

Michael T. Cornelius  
Assistant Secretary for Sunglass Hut  
Trading Corporation, dba Eye-X Company

Subscribed and sworn to before me this 14<sup>th</sup> day of JANUARY 1999  
~~1998~~



My Comm Exp. 12/03/00  
Bonded By Service Ins  
No. CC514627  
 Personally Known  Other I.D.

*Yieldini D. Cabrera*

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 Commissioner of the Department of Public Health on the 3<sup>rd</sup> day of February 1999  
~~1998~~, it is hereby accepted.

*Cynthia Denne*

Cynthia Denne, Director  
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the Board on the 10<sup>th</sup> day of Feb 1998, it is hereby ordered and accepted.

*Genevieve Sapulinski L.O.*  
Connecticut Board of Examiners for Opticians