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BEFORE THE
OREGON BOARD OF OPTOMETRY
STATE OF OREGON

In the Matter of the License to Practice) AGENCY CASE NO:14-01-03
as an Optometrist of:)
Lee Azpiroz, O.D.) FINAL DEFAULT ORDER
Licensee.)
_____)

TO: Lee Azpiroz, O.D.

The Oregon Board of Optometry (Board) is the state agency responsible for licensing and disciplining optometrists and for regulating the practice of optometry. Lee Azpiroz, O.D. (Licensee) is licensed by the Board to practice as an optometrist in the State of Oregon.

FINDINGS OF FACT

On March 5, 2014, the Board issued a Notice of Proposed Disciplinary Action to reprimand Licensee for violations of the Board's statutes and rules. The violations are more particularly described as follows:

At all times material herein, Licensee was an optometrist at a reported primary practice location at 1550 Oak Street, Suite 3, Eugene, Oregon. Licensee's renewal application was received at the Board's office on December 13, 2013. It was noted that the expiration date for Licensee's CPR certification had passed but that a new CPR card was not included with Licensee's renewal documents as required for renewal. During a courtesy phone call to Licensee's reported practice location to obtain a copy of a new CPR card, it was learned that Licensee was working at an additional location that had not been reported to the Board, and that Licensee had been working at this additional location for more than a year.

The Board spoke to Licensee by phone on that day explaining that he was out of compliance with OAR 852-050-0006 with his missing CPR card, and asked if he indeed was practicing at locations other than his primary practice in Eugene, practicing without the required additional location licenses or portable license, and without reporting those locations to the

1 Board as required by ORS 683.100, OAR 852-050-0005 and OAR 852-050-0016. Licensee
2 admitted that for several years he had been regularly working at the Springfield location and
3 occasionally at the Florence location, that he had not reported these locations to the Board, and
4 that he had not purchased additional location licenses.

5 The Board mailed a certified letter that date and faxed a courtesy copy to Licensee
6 detailing Licensee's personal responsibility to meet licensing requirements, the violations of
7 Oregon Revised Statutes and Rules, and required specific, detailed responses to be received by
8 December 24, 2013:

- 9 1) A copy of Licensee's most-recent Oregon Practitioner Credentialing Application, which
10 shows Licensee's complete current practice location information and professional
11 practice/work history.
- 12 2) Any supplemental practice location information for the past seven years that is not
13 reflected in the Oregon Practitioner Credentialing Application.
- 14 3) A letter why Licensee had not previously reported additional practice location(s) and
15 obtained the required additional or multiple practice location license.

16 On December 18, the Board received a request from Licensee for a portable multiple
17 license and the appropriate payment, along with the addresses of the two additional practice
18 locations; there was no response to items 1-3 from the Board's letter.

19 In a follow-up call from the Board on January 10, 2014, Licensee said he didn't believe
20 he needed to respond to the Board's letter because his office manager, Mike Chisholm, had told
21 him all he needed to send in was his OBO renewal invoice. Licensee asked for another copy of
22 the December 13, 2013 certified letter, which was faxed that afternoon. The Board received a
23 response by fax later that day. In his explanation, Licensee said he had not previously reported
24 additional practice locations and obtained the required additional or multiple location licenses
25 because: "...we are a medical clinic with four ophthalmologists and Me as the only OD, and
26 medical doctor licenses do not require reporting of multiple locations..." The Oregon Practitioner

1 Credentialing Application submitted by the Licensee did not contain information on his
2 Springfield or Florence practice locations as required in item 1, nor was the supplemental
3 practice location information for the past seven years, to be provided separately if not reflected in
4 the credentialing application, as required in item 2.

5 Licensee still had not sent in his new CPR card; following another phone call and letter, it
6 was received by fax on January 30, 2014.

7 **CONCLUSIONS OF LAW**

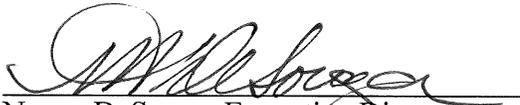
8 The Board find that the acts and conduct of Licensee described above constitute
9 violations of ORS 683.140 Grounds for and nature of discipline: (1)(c) Unprofessional conduct
10 and (1)(p) Any violation of provisions ORS 683.010 to 683.335; ORS 683.100 - Notice to board
11 of place of practice; OAR 852-050-0005 (2013) – License and Certificate of Registration; OAR
12 852-050-0016 – Notice of Place of Practice; and OAR 852-060-0027 (13) – Unprofessional
13 Conduct: Failing to respond in writing to a Board request for information as required.

14 **ORDER**

15 The Board orders a reprimand of Licensee's license.

16
17 DATED this 25th day of April 2014.

18 OREGON BOARD OF OPTOMETRY

19
20 By: 
21 Nancy DeSouza, Executive Director
22 Oregon Board of Optometry

23 A party is entitled to judicial review of the Final Order. Judicial review is by the Oregon Court of
24 Appeals pursuant to the provisions of ORS 183.482. Judicial review may be obtained by filing a
25 petition for review with the Office of State Court Administrator, Supreme Court Building,
26 Salem, Oregon 97310. ORS 183.482 requires that an appeal is requested by filing a petition in
the Court of Appeals within 60 days following the date the order upon which the petition is
based is served.

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