

ORDER

IT IS HEREBY ORDERED:

1. Respondent practiced optometry without a valid license as an optometrist, in violation of ORS 683.180(7).
2. Respondent advertised or represented by displaying a sign or otherwise, to be an optometrist without a valid license as an optometrist, in violation of ORS 683.180(8).
3. Civil penalties in the amount of \$4,000 and the costs of the disciplinary proceeding in the sum of \$ 2,914.99 shall be assessed against Respondent, pursuant to ORS 683.140(2)(e).
4. Licensee employed an unlicensed optometrist to perform work covered by ORS 683.010 to 683.335, in violation of ORS 683.140(1)(e).
5. Licensee engaged in unprofessional conduct, gross ignorance, or inefficiency in the profession, in violation of ORS 683.140(1)(c).
6. Licensee permitted another person to use the optometrist's license, in violation of ORS 683.140(1)(h).
7. Licensee did not use advertisements that did not indicate that a licensed optometrist was practicing at the advertised location. Licensee did not advertise optometric services without having a licensed optometrist at the advertised location.
8. Licensee engaged in unprofessional conduct in aiding an unlicensed person in the practice of optometry, in violation of OAR 852-060-0027(3).
9. A reprimand to Licensee is appropriate.
10. Civil penalties in the amount of \$5,000 and the costs of the disciplinary proceeding in the sum of \$ 3,444.61 shall be assessed against Licensee, pursuant to ORS 683.140(2)(e).

Dated this 5TH day of JUNE 2009.

OREGON BOARD OF OPTOMETRY

By: 
David W. Plunkett, Executive Director

Appeal:

If you wish to appeal the final order, you must file a petition for review with the Oregon Court of Appeals within 60 days after the final order is served on you. See ORS 183.480 et seq.

Final Order; In the Matter of Kenneth Garchow, O.D. and Omar J. Noles Jr., O.D.