

BEFORE THE OREGON BOARD OF OPTOMETRY

In the Matter of the License of)
Charles A. Wardle, O.D.)
_____)

FINAL ORDER

On March 24, 1995, a NOTICE OF PROPOSED DISCIPLINARY ACTION: Reprimand and Imposition of Civil Penalties was served upon the licensee by certified mail. This notice granted to the licensee an opportunity for a hearing if requested within 21 days from the date of service of the notice. The licensee requested the opportunity for a hearing, which was held on August 25, 1995.

NOW THEREFORE, after consideration of the records and files of the Oregon Board of Optometry relating to this matter, the Board enters the following order.

FINDINGS OF FACT

1. Charles A. Wardle, O.D. is a licensee of the Oregon Board of Optometry and practices as an optometrist in Oregon.
2. On August 30, 1994 a FINAL ORDER BY DEFAULT was issued to Dr. Wardle by certified mail by the Oregon Board of Optometry.
3. This FINAL ORDER imposed a sanction of four additional hours of optometric continuing education credits related to soft lens complication management by December 31, 1994.
4. On January 3, 1995 the Board received documentation from Dr. Wardle of 14 hours of continuing optometric education credits taken at the GWCO '94 Congress.
5. On January 26, 1995 documentation of an additional four hours of continuing optometric education credits taken at the OOGP Summer Weekend Seminar were received from Dr. Wardle.
6. On January 27, 1995 the Oregon Board of Optometry reviewed the 18 hours of continuing optometric education credits submitted by Dr. Wardle. The Board determined that none of the hours submitted by Dr. Wardle met the intent of the FINAL ORDER.
7. Charles A. Wardle, O.D. failed to meet the sanction imposed in the FINAL ORDER dated August 30, 1994 within the allotted time, by December 31, 1994.

CONCLUSION OF LAW

Dr. Wardle's failure to comply with the Board's FINAL ORDER dated August 30, 1994 constitutes unprofessional conduct pursuant to the provisions of ORS 683.140(3) and OAR 852-10-027.

Charles A Wardle, O.D.
September 19, 1995
FINAL ORDER
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ORDER

The Oregon Board of Optometry hereby issues an official Reprimand to Charles A. Wardle, O.D. for failure to comply with the Board's FINAL ORDER within the allotted time, and Imposition of Civil Penalties of \$250.00. Civil penalties shall be remitted to the Oregon Board of Optometry within 21 days from the date of this order.

Dated this the 19th day of September, 1995.

OREGON BOARD OF OPTOMETRY



David W. Plunkett, Administrator

NOTICE: You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days of the service of this order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.

CERTIFICATE OF MAILING

I certify that on August 19, 1995, I served the foregoing FINAL ORDER upon the parties hereto by mailing , certified mail # P 298 595 864, postage prepaid, a true, exact and full copy thereof to:

Charles A. Wardle, O.D.
Clatskanie Vision Clinic
301 SW Bel Air Drive
Clatskanie, OR 97016



Kathleen Hanson, Administrative Asst.
Oregon Board of Optometry

BEFORE THE OREGON BOARD OF OPTOMETRY

In the Matter of the License of)
Charles A. Wardle, O.D.)

FINAL ORDER
BY DEFAULT

On June 7, 1994, a NOTICE OF PROPOSED DISCIPLINARY ACTION: Reprimand and Sanction was served upon the licensee by certified mail. This notice granted to the licensee an opportunity for a hearing if requested within 21 days from the date of service of the notice. The licensee failed to request the opportunity for a hearing within the specified time period.

NOW THEREFORE, after consideration of the records and files of the Oregon Board of Optometry relating to this matter, the Board enters the following order.

FINDINGS OF FACT

1. Charles A. Wardle, O.D. is a licensee of the Oregon Board of Optometry and practices as an optometrist in Oregon.
2. On June 7, 1994 a NOTICE OF PROPOSED DISCIPLINARY ACTION: Reprimand and Sanction was issued by certified mail to Dr. Wardle by the Oregon Board of Optometry. This NOTICE contended that Dr. Wardle failed to properly diagnose giant papillary conjunctivitis in David Wallace.
3. On June 30, 1994 correspondence was received from Dr. Wardle, after the 21 day time period. The correspondence did not specifically request a hearing in response to the NOTICE OF PROPOSED DISCIPLINARY ACTION: Reprimand and Sanction that the Board issued.

CONCLUSION OF LAW

Pursuant to the provisions of ORS 683.140(3) and OAR 852-10-028 the Oregon Board of Optometry may discipline Charles A. Wardle, O.D. for gross ignorance or inefficiency in the profession.

ORDER

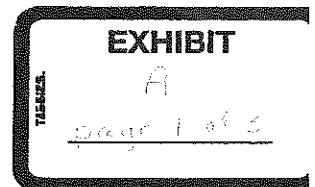
The Oregon Board of Optometry hereby issues an official Reprimand and Sanction to Charles A. Wardle, O.D. for gross ignorance or inefficiency in the profession. The Board imposes a sanction of four additional hours of optometric continuing education credits related to soft lens complication management by December 31, 1994. These four hours of continuing optometric education credits must be submitted in a manner acceptable to and approved by the Board.

Dated this the 30th day of August, 1994.

OREGON BOARD OF OPTOMETRY



David W. Plunkett, Administrator



NOTICE: You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days of the service of this order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of

Charles A Wardle, O.D.
September 19, 1995
FINAL ORDER
Page 2

ORDER

The Oregon Board of Optometry hereby issues an official Reprimand to Charles A. Wardle, O.D. for failure to comply with the Board's FINAL ORDER within the allotted time, and Imposition of Civil Penalties of \$250.00. Civil penalties shall be remitted to the Oregon Board of Optometry within 21 days from the date of this order.

Dated this the 19th day of September, 1995.

September 2, 1993

BOARD OF
OPTOMETRY

Charles Wardle, O.D.
Post Office Box 928
Longview, WA 98632

Re: NOTICE OF PROPOSED DISCIPLINARY ACTION:
Imposition of Civil Penalties

Dear Dr. Wardle:

On June 28, 1993 the Oregon Board of Optometry notified you by certified mail of two complaints against you and requested information concerning them (Billie Wallace for David and Stephen Wallace). As of this date, you have not made a written response to the Board regarding these complaints.

Again on July 19, 1993 the Board requested by certified mail that you supply information concerning these complaints. As of this date, you have not made a written response to the Board regarding these complaints. This second letter indicated that failing to respond in writing to a Board request for information is considered unprofessional conduct. **Your lack of response to the Board's request for information greatly concerns the Board.**

The Board of Optometry is charged with the duty of regulating the practice of optometry in the State of Oregon. This duty includes, among others, securing evidence of and reporting on all violations of the laws regarding the practice of optometry. Under ORS 683.140 the Board is authorized to revoke, suspend or fine optometrists for unprofessional conduct or for gross ignorance of inefficiency in the profession. OAR 852-10-027(12) defines unprofessional conduct to include failing to respond in writing to a Board request for information as required.

The Board hereby proposes to impose civil penalties of \$500.00 for your failure to respond in writing to Board requests for information. This \$500.00 fine consists of \$50.00 for failure to respond to the first Board request for information and \$200.00 for failure to respond to the Board's second request for information for each of the two complaints. Payment may be made to the Board of Optometry and submitted to the Board's office at the address on this letter.

You have the right, if you request, to have a formal contested case hearing before the Board or its hearing officer to contest the imposition of the fine set out above. At the hearing, you may be represented by an attorney, subpoena witnesses, and cross-examine witnesses. That request for hearing must be made in writing to the Board, must be received the Board within 21 days from the mailing of this Notice (or if not mailed, the date of personal service), and must be accompanied by a written answer to the charges contained in this Notice.



695 Summer Street NE
Salem, OR 97310
(503) 373-7721
FAX (503) 378-3616

NOTICE OF PROPOSED DISCIPLINARY ACTION:

Imposition of Civil Penalties

Charles Wardle, O.D.

September 2, 1993

The answer shall be made in writing to the Board and shall include an admission or denial of each factual matter alleged in this Notice, and a short, plain statement of each relevant affirmative defense you may have. Except for good cause, factual matters alleged in this Notice and not denied in the answer shall be presumed admitted; failure to raise a particular defense in the answer will be considered a waiver of such defense; new matters alleged in the answer (affirmative defenses) shall be presumed to be denied by the agency and evidence shall not be taken on any issue not raised in the Notice and answer.

If you request a hearing, before commencement of that hearing you will be given information on the procedures, rights of representation, and other rights of the parties relating to the conduct of the hearing as required under ORS 183.413-415.

If you fail to request a hearing within 21 days, or fail to appear as scheduled at the hearing, the Board may issue a final order by default and impose the above sanctions against you. Your submission to the Board to date regarding the subject of these disciplinary cases and all information in the Board's files relevant to the subject of these cases automatically becomes part of the evidentiary record of these disciplinary actions upon default for the purpose of providing a prima facie case.

If you have any questions in this regard, please contact the Board's office.

Sincerely,



David W. Plunkett
Administrator

Certified Mail
Return Receipt Requested

1426 Commerce
Longview, WA 98632
(206) 423-7650

Dr. Charles Wardle and Associates
Optometrists

RECEIVED

NOV 22 1993

306 W. Cowlitz
Castle Rock, WA 98611
(206) 274-7283

November 10, 1993


301 Bel Air Dr.
Clatskanie, OR 97016
(503) 728-3411

David W. Plunkett
Administrator
Oregon Board of Optometry
695 Summer St. N.E.
Salem, OR. 97310

Dear Mr. Plunkett:

If any further information is necessary regarding the Wallace complaint, please feel free to contact my office.

Sincerely,


Charles Wardle, O.D.

CLATSKANIE VISION CLINIC
PO BOX 509 728-3411
CLATSKANIE, OREGON 97016

1997

96-455/1232

PAY
TO THE
ORDER OF *Pro*

11/10/93

\$ *500.00*

Five hundred and 00/100

DOLLARS



WESTERN BANK
Clatskanie Branch
199 E. Nehalem - P.O. Box 187
Clatskanie, Oregon 97016-0187

DR. CHARLES WARDLE

FOR *cash*

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41005319⑈01



Member
American Optometric Association

11-23-93
KH