

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF EXAMINERS FOR OPTOMETRY**

vs.

RORY OEFINGER

CONSENT ORDER

Pursuant to Section 5-35-19(a) the General Laws of the State of Rhode Island, 2004 Reenactment, and the Rules and Regulations promulgated thereunder, the Department of Health (hereinafter "Department"), the Board of Examiners for Optometry (hereinafter "Board") has investigated a complaint charging Rory Oefinger (hereinafter "Respondent") with a violation of Section 5-35-19(a) of the General Laws of the State of Rhode Island, 2004 Reenactment.

After consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent is an optometrist licensed to practice in the State of Rhode Island.
2. That on or about January 16, 2007 Respondent did submit a renewal form wherein he answered No to question #3; "Have you been convicted of a violation, please Nolo Contendere, or entered a pleas bargain to any federal, state or local statute, regulation, or ordinance or are any formal charges pending?" At that time Respondent had two criminal cases pending; one in the state of Connecticut for assault, and one in the state of Rhode Island for violation of a protective order.

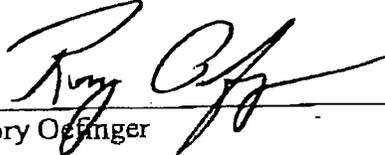
The conduct described in paragraph two (2) herein constitutes unprofessional conduct pursuant to Section 5-35-19(a) of the Rhode Island General Laws and the Rules and Regulation promulgated thereunder.

The parties agree as follows:

1. Respondent is an optometrist licensed to practice in the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to the final approval by the Department. This Consent Order and the contents thereof are not binding on Respondent until final approval by the Department.
4. Respondent hereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Department;
 - b) The right to produce witnesses and evidence in his behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by the Department;
 - e) The right to further procedural steps except for those specifically contained herein; and
 - f) Any and all rights of appeal of this Consent Order.
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.

6. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes and admission of the facts contained herein.
7. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.
8. Respondent voluntarily agrees to the sanction of a Reprimand.

9-27-2007
Date


Rory O'Finger

9-27-2007
Date


Charles Alexandre
Chief, Health Professions Regulation