

BEFORE THE MINNESOTA
BOARD OF OPTOMETRY

DISCIPLINE COMMITTEE

In the Matter of
Jaclyn E. Doffin, O.D.
License No. 2988

**AGREEMENT FOR
CORRECTIVE ACTION**

This Agreement for Corrective Action ("Agreement") is entered into by and between Jaclyn Doffin, O.D. ("Respondent"), and the Discipline Committee of the Minnesota Board of Optometry ("Committee") pursuant to the authority of Minn. Stat. § 214.103, subd. 6(a). Respondent has been advised by Board representatives that Respondent may choose to be represented by legal counsel in this matter. Respondent has elected not to be represented by counsel. The Board was represented by Assistant Attorney General, Benjamin R. Garbe, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, Minnesota 55101, (651) 757-1389. Respondent and the Committee hereby agree as follows:

FACTS

1. This Agreement is based upon the following facts:
 - a. Respondent was licensed as an optometrist in the State of Minnesota on July 1, 2004.
 - b. Patient #1 was seen by Respondent on November 23, 2007, with complaints of visual distortion from "floaters" in her right eye. At that time, Respondent diagnosed patient #1 as having vitreous degeneration and retinal hemorrhage. She advised patient #1 to return in two months, or sooner if the problem became worse.

c. Patient #1 returned to see Respondent on January 25, 2008. During the intervening time, patient #1's vision remained stable. Respondent advised patient #1 she could start being seen annually.

d. Patient #1 returned on February 21, 2008, after experiencing a loss of most of the vision in her right eye. Respondent was not available, so patient #1 was seen by another optometrist. The optometrist immediately referred patient #1 to a retinal specialist.

e. Patient #1 saw the specialist on February 22, 2008, and he diagnosed her as having retinal detachment, with her retina 2/3 detached, and had been detached for approximately 3 months.

f. Respondent failed to properly diagnose patient #1's condition on November 23, 2007 and January 25, 2008.

2. On September 28, 2011, Respondent met with the Committee to discuss the information set forth in paragraph 1, above. Respondent admitted to the facts herein and informed the Committee that she was making efforts to change her practice. Based on the discussion, the Committee views Respondent's conduct as substandard practice under Minn. Stat. § 148.57, subd. 3, and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify corrective action under the statutory authority of the Board.

CORRECTIVE ACTION

3. Respondent agrees to address the concerns referred to in paragraph 1 by taking the following corrective action:

a. Within one (1) year from the date of this Agreement, Respondent shall successfully complete the following:

1) A continuing education course of which a primary component relates to standards of care for retinal attachment. The continuing education course must be preapproved by the Committee. For preapproval, Respondent must submit a description of the course, a course agenda, or a course outline for the Committee's review.

(a) Successful completion of the continuing education course shall be determined by the Committee.

OR

2) If Respondent is unable to find a suitable continuing education course for submission to the Committee, or if the Committee rejects a continuing education course submitted by Respondent, the Committee and Respondent may agree that Respondent shall engage in one-on-one consultation with or job shadowing of a retinal specialist consultant. The consultation shall primarily address standards of care for retinal attachment. The Committee may propose preapproved consultants to Respondent, or Respondent may submit the resumes of consultants for approval by the Committee. Respondent must complete a minimum of five (5) hours of consultation and/or job shadowing.

(a) Respondent shall cause to be submitted to the Committee a letter from the consultant to the Committee. The letter shall confirm the date(s) of consultation, a statement as to Respondent's involvement in the consultation, and the consultant's opinion regarding Respondent's knowledge of the standards of

care for retinal attachment, and the consultant's opinion on Respondent's competence in the practice of optometry.

(b) Successful completion of the consultation shall be determined by the Committee.

b. Within one (1) year from the date of this Agreement, Respondent shall submit for Committee review and approval, a two (2) page paper addressing the following:

- 1) What knowledge Respondent has gained through the continuing education or consultation.
- 2) How Respondent has implemented the continuing education into her current practice.
- 3) A statement to the Committee reflecting on the facts described in paragraph 1 and a statement to the Committee regarding Respondent's current ability to practice optometry in an a safe and competent manner.

4. This Agreement shall become effective upon execution by the Committee and shall remain in effect until Respondent successfully completes the terms of the Agreement. Successful completion shall be determined by the Committee. Upon Respondent's signature and the Committee's execution of the Agreement, the Committee agrees to close the complaint(s) resulting in the information referred to in paragraph 1. Respondent understands and further agrees that if, after the matter has been closed, the Committee receives additional complaints similar to the information in paragraph 1, the Committee may reopen the closed complaint(s).

5. If Respondent fails to complete the corrective action satisfactorily or if the Committee receives additional complaints similar to the allegations described in paragraph 1, the

Committee may, in its discretion, reopen the investigation and proceed according to Minn. Stat. chs. 148, 214, and 14. Failure to complete corrective action satisfactorily will be deemed failing to cooperate with the Board and shall constitute unprofessional conduct under Minn. Stat. § 148.57, subd. 3. In any subsequent proceeding, the Committee may use as proof of the allegations of paragraphs 1 and 2 Respondent's agreements herein.

6. Respondent understands that this Agreement does not constitute disciplinary action. Respondent further understands and acknowledges that this Agreement and any letter of satisfaction are classified as public data.

7. Respondent hereby acknowledges having read and understood this Agreement and having voluntarily entered into it. This Agreement contains the entire agreement between the Committee and Respondent, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this agreement.

Dated: 11/15/2011


JACLYN E. DOFFIN, O.D.
Respondent

Dated: 10/31/11


FOR THE COMMITTEE