

BEFORE THE MINNESOTA

BOARD OF OPTOMETRY

In the Matter of
Lois Meacham, O.D.
License No. 2566

**STIPULATION
AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between Lois Meacham, O.D., (“Respondent”), and the Discipline Committee (“Committee”) of the Minnesota Board of Optometry (“Board”) as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which she received a license to practice optometry in the State of Minnesota.
2. Respondent has been advised by Board representatives that she may choose to be represented by legal counsel in this matter. Although aware of her right to representation by counsel, Respondent has knowingly and expressly waived that right. The Committee was represented by Benjamin R. Garbe, Assistant Attorney General.

FACTS

3. For the purpose of this stipulation, the Board may consider the following facts as true:
 - a. On April 12, 1996, Respondent was licensed as an optometrist in the State of Minnesota.
 - b. On October 24, 2008, the Board revoked Respondent’s license to practice optometry by order of the Minnesota Department of Revenue. The order was issued due to an outstanding tax liability.

c. During the period of revocation, Respondent continued to practice optometry until January 4, 2011.

d. During the period of revocation, Respondent continued to bill third party insurance companies for services rendered in the practice of optometry.

e. During the period of revocation, Respondent continued to accept patient co-payments for services rendered in the practice of optometry.

f. Respondent practiced optometry in the State of Minnesota until January 2011 with actual knowledge that her license was revoked by the Board on October 24, 2008.

g. On June 22, 2011, Respondent attended a conference with the Committee and admitted to the Facts within this Stipulation and Order.

h. On or about October 31, 2011, the Board received notice from the Minnesota Department of Revenue that Respondent's matter had been resolved and that the order for revocation had been withdrawn.

STATUTES

4. The Committee views Respondent's misconduct as a violation of the Board's statutes and thus requires Board action pursuant to Minn. Stat. §§ 148.57 and 148.603. Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under these statutes.

REMEDY

5. Upon this Stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that until further order of the Board, made after notice and hearing upon application by Respondent or upon the Board's own motion, the Board may make and enter an order as follows:

a. Respondent is hereby **REPRIMANDED**.

b. Pursuant to Minn. Stat. § 148.603 (7), Respondent shall pay to the Board a **CIVIL PENALTY** in the amount of five thousand dollars (\$5,000.00). The amount of this civil penalty has been affixed so as to deprive Respondent of any economic advantage gained by reason of the misconduct, to discourage similar future violations, and to reimburse the Board for the cost of the investigation.

c. Respondent shall pay the civil penalty in full within one year from the date of this Stipulation and Order. If the civil penalty is not paid in full within one year from the date of this Stipulation and Order, the Board may take additional disciplinary action as deemed appropriate, including but not limited to revocation or suspension of Respondent's license.

d. The civil penalty shall be paid by cashier's check or money order made payable to the Minnesota Board of Optometry and shall be delivered personally or by mail to the Minnesota Board of Optometry, c/o Randy Snyder, Executive Director, 2829 University Avenue S.E., Suite 550, Minneapolis, Minnesota 55414.

6. Respondent shall comply with the laws and rules of the Board. Respondent agrees that failure to comply with the Board's laws and rules shall be a violation of this Stipulation and Order.

7. Respondent shall fully and promptly cooperate with the Board's reasonable requests concerning compliance with this stipulation and order, including requests for explanations, documents, office inspections, and/or appearances at conferences.

8. Within seven days of any change, Respondent shall provide the Board with her current address and telephone information. The information shall be sent to the Minnesota

Board of Optometry, c/o Randy Snyder, Executive Director, 2829 University Avenue S.E., Suite 550, Minneapolis, Minnesota 55414.

9. In the event Respondent resides or practices outside the State of Minnesota, Respondent shall promptly notify the Board in writing of the location of her residence and all work sites.

10. In the event the Board in its discretion does not approve this settlement, this stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this stipulation or of any records relating hereto.

11. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States Constitutions, statutes, or rules, including waiver of a contested case hearing pursuant to Chapter 14, and agrees that the order to be entered pursuant to the stipulation shall be the final order herein.

12. Respondent hereby acknowledges that she has read and understands this stipulation and has voluntarily entered into the stipulation without threat or promise by the Board or any of its members, employees, or agents. This stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this stipulation.

13. Under the Minnesota Government Data Practices Act, this stipulation and order is classified as public data. Minn. Stat. § 13.41, subd. 4. All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data

Practices Act, Minn. Stat. ch. 13. They shall not, if they are not already public documents, become public merely because they are referenced herein. Pursuant to federal rule (45 C.F.R. part 60), the Board must report the disciplinary action contained in this stipulation and order to the National Practitioner Data Bank.

Dated: January 2, 2012

Dated: 1-18-2012

Lois M. Meacham, O.D.
LOIS MEACHAM, O.D.
Respondent

[Signature]
For the Committee

ORDER

Upon consideration of this stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the terms of this stipulation are adopted and implemented by the Board this 18 day of January, 2012.

MINNESOTA BOARD OF OPTOMETRY

By: Randy D. Snyder, Executive Director