

**BEFORE THE MINNESOTA**

**BOARD OF OPTOMETRY**

In the Matter of  
David C. Przymus, O.D.  
Applicant for Licensure

**STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between David C. Przymus, 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.

2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Although aware of his right to representation by counsel, Respondent has knowingly and expressly waived that right. The Committee was represented by Nathan W. Hart, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101, telephone (651) 296-7575.

**FACTS**

3. For the purpose of this stipulation, the Board may consider the following facts as true:

a. Respondent was licensed by the Board on August 20, 1993. In 2000, Respondent's license expired for non-renewal.

b. From at least August 2000 through November 2000, Respondent engaged in the practice of optometry in Minnesota without a license.

c. When asked about the status of his license by his employer, Respondent falsely reported that he had submitted his renewal application to the Board and had received a letter from the Board indicating he could return to the practice of optometry in the state.

### **STATUTES**

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action 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 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 the Board may make and enter an order **REPRIMANDING** Respondent's license to practice in the State of Minnesota.

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. Within seven days of any change, Respondent shall provide the Board with his current address and telephone information. The information shall be sent to Laurel E. Mickelson at the Board of Optometry, University Park Plaza, 2829 University Avenue S.E., Suite 550, Minneapolis, Minnesota 55414-3222.

8. In the event Respondent resides or practices outside the State of Minnesota, Respondent shall promptly notify the Board in writing of the location of his residence and all work sites. Periods of residency or practice outside of Minnesota will not be credited toward any

period of Respondent's limited or conditioned license in Minnesota unless Respondent demonstrates that practice in another state conforms completely with this Stipulation and Order.

9. This stipulation, related investigative reports, and other documents shall constitute the entire record of the proceeding upon which this order is based. The investigative reports, other documents, or summaries thereof, may be filed with the Board with the stipulation. Any reports or other material related to this matter which are received after the date the Board approves the stipulation and order shall become a part of the record and may be considered by the Board in future aspects of this proceeding.

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 and agrees that the order to be entered pursuant to the stipulation shall be the final order herein.

12. Respondent hereby acknowledges that he 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: 5-24-08

Dated: 6/16/08

David C. Przymus O.D.  
DAVID C. PRZYMUS, O.D.  
Respondent

Laura Munnason, O.D.  
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 17 day of June, 2008.

MINNESOTA BOARD OF OPTOMETRY

By: Laurie Mickelson

AG: #2241738-v1