

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

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

**IN THE MATTER OF:
CLYDE E. HAWORTH, JR., O.D.
LICENSE NUMBER: ODTG00495**

CONSENT ORDER

Pursuant to Chapter 5-35.1 of the General Laws of the State of Rhode Island, as Amended, and the Rules and Regulations promulgated thereunder, the Department of Health (hereinafter "Department") and the Board of Optometry (hereinafter "Board") have investigated a complaint regarding Clyde E. Haworth, Jr., O.D. (hereinafter "Respondent").

After consideration by the Board, 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. Although the Respondent referred the patient for ophthalmological consult in accordance with extant standards (4-6 weeks), the patient ultimately suffered permanent vision impairment.
3. The conduct described in paragraph two (2) herein constitutes unprofessional conduct pursuant to Section 5-35.1-22 of the Rhode Island General Laws and the Rules and Regulation promulgated thereunder.

Based on the foregoing, the parties agree as follows:

1. Respondent is an optometrist licensed to practice in the State of Rhode Island.

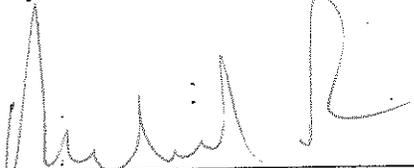
2. Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to the final approval by the Department. This Consent Order and 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 Respondent's 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 an admission of the facts contained herein.
7. That Respondent hereby agrees to a sanction of Reprimand in this matter.
8. Respondent shall attend eight hours of continuing education in optometric or ophthalmological management of diabetes and/or diabetic retinopathy in addition to normally required continuing education credits prior to license renewal.

9. During treatment of his next ten patients who have diabetes, Respondent shall work in consultation with an ophthalmologist to review and manage any diabetic complications of treatment. Upon consultation regarding the tenth patient, the ophthalmologist shall report to the Director of the Department of Health and the Board of Optometry his or her assessment of Respondent's care of the ten patients, and shall make any recommendations as he or she may deem appropriate regarding Respondent's care of diabetic patients. If the assessment and recommendations are acceptable to the Board and the Director and the Board, Respondent may be released from the terms of this paragraph upon notice to Respondent.
10. This Consent Order shall remain in full force and effect pending further action of the Department.
11. In the event that any terms of this Consent Order are violated, the Director of the Department of Health shall have the discretion to summarily suspend the Respondent's license. If the Director suspends the license, Respondent shall be given notice and shall have the right to request an administrative hearing within twenty (20) days of the suspension. The Director of the Department of Health shall also have the discretion to request an administrative hearing after notice to Respondent of any violation of this Consent Order, and the Administrative Hearing Officer may suspend Respondent's license for the remainder of Respondent's probationary period if the alleged violation is proven by a preponderance of evidence.

8/5/13
Date


Clyde E. Haworth, Jr., O.D.

8/9/13
Date


Michael Fine, M.D.
Director
Department of Health