

6.30.05

Final Order No. DOH-05-1279-FOF-MQA
FILED DATE - 8-10-05
Department of Health

By: Theresa McKown
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF OPTOMETRY

ROBERTA FELICI-COOK,

Petitioner,

vs.

DOAH Case No.: 05-009PL

SBH
closed

BOARD OF OPTOMETRY,

AT

Respondent.

_____ /

FINAL ORDER

APPROVED
2005 AUG 11 P 1:09
FILED

THIS CAUSE came before the BOARD OF OPTOMETRY (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on July 20, 2005, in Miami Beach, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order, a copy of which is attached hereto as Exhibit A, in the above-styled cause. Petitioner was represented by Edwin A. Bayó. Respondent was represented by Allen Roman, Assistant General Counsel.

Upon review of the Recommended Order, the argument of the parties, and after a review of the complete record in this case, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.
2. There is competent substantial evidence to support the findings of fact.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 464, Florida Statutes.

2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

DISPOSITION

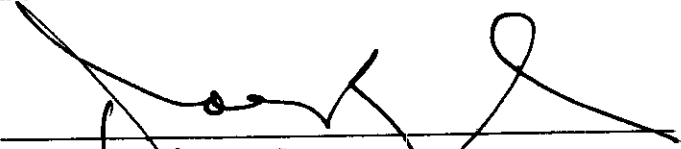
Upon a complete review of the record in this case, the Board determines that the disposition recommended by the Administrative Law Judge be ACCEPTED. WHEREFORE,

IT IS HEREBY ORDERED AND ADJUDGED that Petitioner is awarded an additional 4.75 points for the clinical portion of the optometry licensure examination given on July 23-25, 2004, resulting in a passing score on the examination.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 1st day of Aug,
2005.

BOARD OF OPTOMETRY



Joe R. Baker, Jr.,
Executive Director for
Robert Easton, OD, Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to ,c/o Edwin A. Bayó, GrayRobinson, P.O. Box 11189, Tallahassee FL 32302-3189; to Susan B. Harrell, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by interoffice delivery to , and Allen Roman, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin #C-65, Tallahassee, Florida 32399-3265 this 10th day of August, 2005.

Harmony M E Clark

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Deputy Agency Clerk