

~~(12)~~ (12) *Willful misrepresentation in treatments.*

~~(13)~~ (13) *Practicing optometry with an uncertified optometrist except in a residency training program; or aiding or abetting such uncertified persons in the practice of optometry.*

~~(14)~~ (14) *Gross and willful and continued overcharging for optometric services; including filing of false statements for collection of fees for which services are not rendered.*

~~(15)~~ (15) *Professional or mental incompetency.*

(b) *Subpoena. The Board may issue subpoenas and administer oaths in connection with any investigation, hearing or proceeding under this section.*

(c) *Hearing and attorney rights. Any optometrist who has a case referred to the Board may appear in person before the Board at a hearing duly convened, at which time he may be represented by counsel; all proceedings of the Board shall be subject to the provisions of the Administrative Procedures Act in Article 41 of this Code.*

(d) *Certificate of revocation or suspension—Reprimand. If a majority of the Board shall find the accused guilty of unprofessional conduct as specified in the charges, the Board shall prepare written finding of fact and may thereafter prepare and file in the office of the Board a certificate or order of revocation, suspension, or reprimand in which case notice thereof shall be served upon the accused forthwith.*

(e) *Dismissal of Charges—Exoneration. If the optometrist is found not guilty, the Board shall forthwith order a dismissal of the charges and the exoneration of the accused, and no further action may be taken by the Board on the charges involved. After such finding of not guilty, the Board shall expunge all records.*

(f) *Revocation or suspension of license—Stay pending review. The filing by the Board of a certificate or order of revocation or suspension, after due notice, hearing and findings in accordance with the procedure specified in this section, certifying that any certified optometrist has been found guilty of unprofessional conduct by the Board shall constitute a revocation or suspension of the license to practice optometry in this State in accordance with the terms and conditions imposed by the Board and embodied in the certificate or order of revocation or suspension. If the optometrist seeks judicial review of the Board's decision pursuant to the provisions of this section, such revocation or the period of such suspension shall be stayed and shall not be effective or commence to run until final judgment has been entered in any proceeding instituted under the provisions of this section and the optometrist's judicial remedies exhausted hereunder.*

(g) *Contents of certificate—Recording. The certificate or order of revocation or suspension shall contain a brief and concise statement of the ground or grounds upon which the certificate or order is based and the specific terms and conditions of such revocation or suspension, and shall be retained as a permanent record by the Board.*