

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE OPTOMETRY EXAMINING BOARD

IN THE MATTER OF THE APPLICATION :
FOR OPTOMETRIST LICENSURE :

STUART W. NATALE, :
APPLICANT :

FINAL DECISION AND ORDER
98 OPT 008

LS9806191OPT

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Stuart W. Natale
6313 S. Lakeshore Dr.
Oakwood Hills, IL 60013

Optometry Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. On or about January 29, 1998, Stuart W. Natale (6313 S. Lakeshore Dr., Oakwood Hills, IL 60013; D.O.B. 12/21/65) filed an application for licensure in Wisconsin as an optometrist.
2. On May 7, 1998, the Optometry Examining Board entered an Order denying Dr. Natale's application for licensure, based upon its finding that:

In response to question #8 on the application for optometrist license, applicant represented that no disciplinary action had been taken against his Illinois optometrist license. In fact,

the Illinois Department of Professional Regulation issued an order, dated May 30, 1997, in which the applicant was reprimanded.

3. Dr. Natale has timely filed a request for hearing on the Board's May 7, 1998 Order.

4. In resolution of this matter, Dr. Natale consents to entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Optometry Examining Board has jurisdiction in this matter pursuant to sec. 449.07 Wis. Stats.

2. By the conduct described above, Stuart W. Natale is subject to the imposition of discipline against his license, pursuant to sec. 449.07(1)(f), Wis. Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that upon successful completion of any and all required examinations, Applicant shall be granted a license to practice Optometry in the state of Wisconsin, subject to the following terms, conditions and limitations:

1. The Applicant, Stuart W. Natale shall be **REPRIMANDED**.

2. In conjunction with any application for renewal or reinstatement of licensure, permit or certificate with this Department, Dr. Natale must provide independent documentation acceptable to the Board attesting to completion or other satisfaction of the continuing education requirement(s) for the credential in question.

3. Within thirty (30) days from date of this Order, Dr. Natale shall pay to the Department of Regulation and Licensing partial COSTS of this action in the sum of TWO HUNDRED dollars (\$200.00). ***Payment shall be made by certified check or money order*** and payable to the Wisconsin Department of Regulation and Licensing.

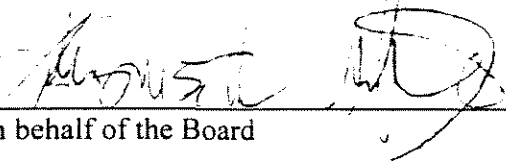
4. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating all reports and documentation. The Department Monitor may be reached as follows:

Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935
FAX (608) 266-2264
TEL. (608) 267-7139

5. Dr. Natale shall report to the Board within five (5) days of any receipt of a ticket, any arrest or conviction relating to driving under the influence of alcohol. Upon receipt of such a report, the Board reserves the right to require Dr. Natale to submit a current chemical dependency assessment from a health care provider acceptable to the Board attesting to Respondent's ability to safely and competently practice, and to impose such additional terms and conditions as it deems appropriate, based upon the results of the assessment. To be considered current, the assessment shall occur within thirty (30) days from the date of its submission.

6. This Order shall become effective upon the date of its signing.

OPTOMETRY BOARD

By: 
On behalf of the Board

2/19/98
Date

STATE OF WISCONSIN
BEFORE THE OPTOMETRY EXAMINING BOARD

IN THE MATTER OF THE APPLICATION	:	
FOR OPTOMETRIST LICENSURE	:	
	:	STIPULATION
STUART W. NATALE,	:	98 OPT 008
APPLICANT	:	

It is hereby stipulated between Stuart W. Natale personally on his own behalf, and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into in resolution of Dr. Natale's request for a hearing on the Denial of Dr. Natale's application for licensure as an optometrist. This Stipulation and Order shall be presented directly to the Optometry Examining Board without further proceedings.

2. Dr. Natale understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights to a hearing on the Board's denial of licensure, including the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Dr. Natale is aware of his right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this stipulation.

4. Dr. Natale agrees to the adoption of the attached Final Decision and Order by the Optometry Examining Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Applicant waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Optometry Examining Board assigned as an advisor in this investigation may appear before the Board for the purposes of speaking in support of this agreement and

answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

7. The Division of Enforcement joins Dr. Natale in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.

Stuart W. Natale
Stuart W. Natale

6/16/98
Date

Steven M. Gloe
Steven M. Gloe, Attorney
Division of Enforcement

6.16.98
Date