

**BEFORE THE BOARD OF HEALING ARTS
OF THE STATE OF KANSAS**

In the Matter of the)
)
ARLINGTON CONTACT LENS)
SERVICE, INC.)
d/b/a SV CONTACTS.COM)
_____)

Docket No. 06-HA00048

SUMMARY ORDER

NOW ON THIS 10th Day of December 2005, comes before the Board information regarding alleged violations of the Kansas Contact Lens Prescription Release Act, K.S.A. 65-4965, *et seq.*

1. Respondent Arlington Contact Lens Service, Inc., d/b/a SV Contacts.com was registered under the act to dispense contact lenses by mail in the State of Kansas. That registration expired December 1, 2004. Respondent continued to dispense contact lenses by mail in the State of Kansas following that date.

2. The Board concludes that, if true, the allegation constitutes a violation of the Act, specifically at K.S.A. 65-4967(b).

3. Respondent dispensed contact lenses on or about April 26, 2005 to a patient under order number W3557498. The prescription order for contact lenses had been issued by an optometrist and given to the patient. The prescription order was then altered and faxed to Respondent. Respondent knew or should have known that the contact lenses were not dispensed in conformity with the legitimate prescription order.

4. The Board concludes that, if true, the allegation constitutes a violation of the Act, specifically at K.S.A. 65-4967(b)(9).

5. The Board is authorized to impose an administrative fine in an amount of up to \$10,000 for each violation of the Act.

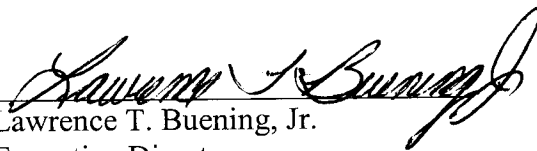
6. The Board finds that it has no record of previous violations of the Act, and that imposition of the maximum fine is not appropriate.

IT IS, THEREFORE, ORDERED that Respondent pay a civil fine in the amount of \$500 for each alleged violation, for a total of \$1000, payable within 30 days following the effective date of this summary order.

PLEASE TAKE NOTICE that this is a summary order. A party to whom a summary order is issued may file a written request for a hearing within 15 days following service of the summary order. If a hearing is not requested, then the summary order shall become effective as a final order of the Board upon the expiration of the time fore requesting a hearing. A request for hearing must be addressed to Lawrence T. Buening, Jr., Executive Director, 235 S. Topeka Blvd., Topeka, KS 66603.

Dated this 14th Day of December 2005.

STATE BOARD OF HEALING ARTS


Lawrence T. Buening, Jr.
Executive Director

Certificate of Service

I certify that the foregoing Summary Order was served this 14th day of December 2005 by depositing the same in the United States Mail, first-class postage prepaid, and addressed to:

Peter M. Clarkson, M.D., Ph.D.
President & CEO
Arlington Contact Lens Service, Inc.
d/b/a SV Contacts.com
4265 Diplomacy Drive
Columbus, OH 43228

