

BEFORE THE WEST VIRGINIA BOARD OF OPTOMETRY

WEST VIRGINIA BOARD OF  
OPTOMETRY,

*Complainant,*

V.

Complaint No. 13-07

SONA KALRA,  
License No. 1074-OD,

*Respondent.*

CONSENT AGREEMENT AND ORDER

The Respondent, Sona Kalra (hereinafter "Respondent"), and the West Virginia Board of Optometry (hereinafter "Board"), execute this Consent Agreement and Order for the purpose of resolving the above complaint filed against Respondent. As reflected in this Consent Agreement and Order, the parties have reached an agreement in which Respondent agrees and stipulates to the Findings of Fact, Conclusions of Law and Order set forth herein concerning the proper disposition of this matter. The Board, having approved such agreement, does hereby Find and Order as follows:

Findings of Fact

1. The Respondent, Sona Kalra, is a licensee of the West Virginia Board of Optometry and is subject to the license requirements of said Board

2. The Board received a telephone call in February 2013 from Dr. Maria Pham who had previously worked for the Respondent to report that he uses unlicensed personnel to perform optometric procedures at his place of business, The Eye Care Center.

3. Approximately two to three days later, Respondent self-reported and admitted to the Board he had used unlicensed personnel to perform optometric procedures at his place of business, The Eye Care Center, during February 2013.

#### Conclusions of Law

1. The Board is a State entity created by W. Va. Code § 30-8-1 *et seq.*, and is empowered to regulate the practice of optometry.

2. That the Board is empowered to suspend, revoke or otherwise discipline an individual's license to practice optometry under the authority granted to it by W. Va. Code §§ 30-8-5 and 30-8-18.

3. The Board has promulgated rules, approved by the legislature, governing the practice and procedure of the practice of optometry, those rules being W. Va. Code R. § 14-4-1 *et seq.*

4. Respondent's behavior violated the accepted standards of care as described in W. Va. Code § 30-8-18(g)(8) and (9) and W. Va. Code R. § 14-4-4.

5. Because of this violation and pursuant to W. Va. Code § 30-8-18, Respondent is subject to disciplinary action.

### Consent

Respondent, by signing below, agrees to the following:

1. That I have had the opportunity to consult with counsel and execute this Consent Agreement and Order voluntarily, freely, without compulsion or duress and mindful that it has legal consequences.
2. That no person or entity has made any promise or given any inducement whatsoever to encourage me to make this settlement other than as set forth herein.
3. That I acknowledge that I may pursue this matter through appropriate administrative and/or court proceedings, and I am aware of my legal rights regarding this matter, but intelligently and voluntarily waives such rights.
4. That I waive any defenses including, but not limited to, laches, statute of limitations, and estoppel, that I may have otherwise claimed as a condition of this agreement.
5. Respondent consents to the entry of the following Order affecting his license as an Optometrist in the State of West Virginia.

### Order

On the basis of the foregoing and with the agreement of the Respondent, the Board hereby ORDERS as follows:

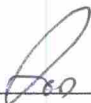
1. The Respondent's license is hereby suspended for a period of three years effective upon entry of this *Order* hereto; however, said suspension shall be stayed for

the entire three year period contingent upon successful completion of the following conditions which shall be completed within three months of entry of this *Order*:

- a. Respondent shall provide an Affidavit attesting repayment of all monies received by providers for care from unlicensed personnel performing optometric procedures;
  - b. Respondent shall complete and successfully pass the online jurisprudence examination;
  - c. Respondent shall provide the Board with names and all contact information, including addresses for the unlicensed personnel he employed at his place of business, The Eye Care Center.
2. Respondent shall be placed on probation, effective upon the stay of the suspension, for a period of three years.
  3. Any violations of this agreement or any violations of the Board's governing statute or rules during the probationary period shall be grounds for additional discipline up to and including suspension for the remainder of the probationary period.
  4. This document is a public record as defined in W. Va. Code § 29B-1-2(4).
  5. This *Consent Agreement and Order* constitutes the entire agreement between the parties.

In recognition of this *Consent Agreement and Order*, we hereby affix our signatures.

Reviewed and Agreed to by:

  
Sona Kalra  
Respondent


5/27/14  
DATE

Sworn and subscribed before me this 27<sup>th</sup> day of May 2014.

My Commission expires: Feb 04, 2023

Elizabeth T Lloyd-Russek  
Notary Public

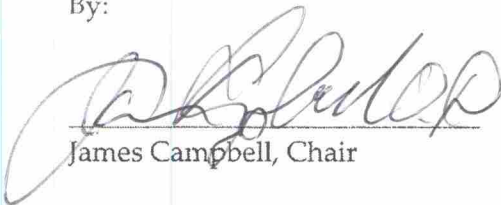


  
Lisa L. Lilly, Esquire (#5860)  
Counsel for the Respondent

5/27/14  
DATE

WEST VIRGINIA BOARD OF OPTOMETRY

By:

  
James Campbell, Chair

5/29/14  
DATE

BEFORE THE WEST VIRGINIA BOARD OF OPTOMETRY

WEST VIRGINIA BOARD OF  
OPTOMETRY,

*Complainant,*

v.

Complaint No.: 13-07

SONA KALRA, O.D.  
License No.: 1074-OD

*Respondent.*

AFFIDAVIT OF SONA KALRA O.D.

STATE OF West Virginia  
COUNTY OF Jefferson, to-wit:




After first being duly sworn upon oath I, Sona Kalra, O.D., hereby deposes and states as follows:

1. I am an Optometrist, duly licensed by the State of West Virginia to practice optometry.
2. I own The Eye Care Center located in Martinsburg, West Virginia.
3. I am familiar with the allegations and evidence brought forth against me in relation to above-referenced Complaint No. 13-07.
4. I have reviewed, agreed-to and signed the "Consent Agreement and Order", proposed by the West Virginia Board of Optometry in relation to the above-stated Complaint.

5. Pursuant to the requirements of Paragraph 1(a) of the "Order" section of the aforementioned document, I hereby attest that I have repaid all monies I and/or The Eye Care Center received by providers for optometric care provided by personnel, not licensed by the West Virginia Board of Optometry, to perform such optometric procedures.

Further, the affiant saith not.

  
\_\_\_\_\_  
Sona Kalra, O.D.  
West Virginia License No.: 1074-OD

STATE OF West Virginia

COUNTY OF Jefferson, to-wit:

I, Elizabeth T Lloyd Russek notary public in and for said state do, hereby certify that, Sona Kalra, O.D., whose name is signed to the writing above, has this day acknowledged the same before me.

Given under my hand this 27<sup>th</sup> day of May, 2014.

My Commission expires Feb. 04, 2023, 20    .

Elizabeth T Lloyd-Russek  
NOTARY PUBLIC

(NOTARIAL SEAL)

