

BEFORE THE WEST VIRGINIA BOARD OF OPTOMETRY

**WEST VIRGINIA BOARD OF
OPTOMETRY,**

Complainant,

v.

Case No. 26-03

**DAVID BRENT GOMEZ, OD
Optometry License Number: 926-IOD
Respondent.**

SUSPENSION ORDER

Pursuant to W. Va. Code § 30-1-8(e)(1) and (2) and W. Va. Code § 30-8-5, the West Virginia Board of Optometry (“Board”), has determined by vote to hereby suspend David Brent Gomez’s (“Respondent”) license to practice optometry. This action is being taken based upon the following:

1. That Respondent, David Gomez, is a licensee of the Board with license number 926-IOD and is subject to the license requirements of said Board. Moreover, that all times relevant to this Order the Respondent held an active license issued by this Board.
2. The Board is a regulatory board created for the purpose of regulating the practice of optometry. W. Va. Code § 30-8-1 *et seq.*
3. In order to carry out its regulatory duties, the Board is empowered to suspend, revoke or otherwise discipline an individual’s optometry license because of authority granted to it by W. Va. Code §§ 30-8-5 and 30-8-18.
4. Pursuant to W. Va. Code § 30-1-8(e)(1) and (2), a board may suspend a license or revoke a license without a hearing in certain instances. A board may suspend a license if the

person's continued practice constitutes an immediate danger to the public, or if after due diligence the board cannot locate the person within sixty days of a complaint being filed against the licensee. Moreover, after thirty days of the suspension order being entered if the board is still unable to locate the person after due diligence, the board may revoke the person's license without a hearing.

5. That on October 23, 2025, the Board initiated a Complaint (26-03) against the Respondent and Respondent had until November 26, 2025, to provide an answer to the Board or waive the right to do so pursuant to W. Va. Code R. § 14-4-5.

6. No response has been received by the Board regarding 26-03.

7. The Board sent this complaint, 26-03, via certified mail, regular mail, electronic mail and Fed Ex, but still with no response.

8. Respondent is required to maintain a valid and current address with the Board pursuant to W. Va. Code R. § 14-4-5.8.

9. The Board has had no contact with the Respondent since July 9, 2025, when he corrected issues with his late license renewal.

10. A complaint (26-04) filed by a member of the public was received by the Board on November 25, 2025. A response was due on December 26, 2025, and none has been received.

11. Again, complaint 26-04 was sent via certified mail, regular mail, electronic mail and Fed Ex.

12. Two more complaints (26-05 and 26-06) were filed by members of the public which were received on December 22, 2025. Respondent has until January 23, 2026, to respond to these complaints; however, no response has been received as of yet and both of these complaints were sent in the same manner as noted on Complaints 26-03 and 26-04.

13. Further, Respondent was arraigned on two criminal charges involving narcotics, one a misdemeanor and the other a felony charge, both in Kanawha County.

14. Respondent has a history of drug abuse, and his license was suspended on February 6, 2006, relating to his abuse of drugs.

15. Respondent's license was reinstated on May 10, 2007, with restrictions, and Respondent's license fully restored with no restrictions on May 12, 2008.

16. The Board has the authority to suspend Respondent's license pursuant W. Va. Code § 30-1-8(e)(1) and (2) because the Board has been unable to locate the Respondent, and it has been more than sixty days from the filing of Complaint 26-03. Moreover, the Respondent has become an immediate danger to the public as exhibited by his actions and arrest along with his previous drug use.

17. The Board met on January 7, 2026, and found that Respondent's license should be suspended pursuant W. Va. Code § 30-1-8(e)(1) and (2).

WHEREFORE upon entry of this Order, Respondent's license to practice optometry is hereby **SUSPENDED** pursuant to W. Va. Code § 30-1-8(e)(1) and (2).

WEST VIRGINIA BOARD OF
OPTOMETRY

By: Sheena Hunt
Sheena Hunt, OD
Board President
West Virginia Board of Optometry

Entered: 01/08/2026
DATE