

shall not be subject to the payment of any annual renewal fee and he shall not engage in the business of or practice ophthalmic dispensing in the District.

12-2632. *Restoration to active status.* Any person on the non-practicing list may restore his license to active status by requesting such a change in status and filing with the Director a properly completed application and renewal fee for the current license year. *Provided, however,* That a person who permitted his license to lapse prior to requesting inactive status, must comply with the restoration provisions contained in Section 12-2630 of these Regulations.

DENIAL, SUSPENSION, OR REVOCATION OF LICENSE

12-2633. *Grounds for denial, suspension or revocation of license.* The Commission may refuse to issue or may suspend or revoke any license to practice ophthalmic dispensing in the District, for any one or combination of the following grounds:

A person—

- (a) has been guilty of fraud or deceit in procuring or attempting to procure a license required by these Regulations;
- (b) has been convicted of a crime involving moral turpitude;
- (c) has willfully or repeatedly violated any provision of the Regulations promulgated by the Commissioners;
- (d) is an intemperate consumer of intoxicating liquors or is addicted to the use of habit-forming drugs;
- (e) is guilty of conduct which disqualifies him to practice ophthalmic dispensing with safety to the public;
- (f) is guilty of hiring, supervising, permitting, or aiding unlicensed persons to practice ophthalmic dispensing in the District, except as authorized by Section 12-2605 of these Regulations;
- (g) is guilty of practicing while his license is suspended;
- (h) is guilty of willfully deceiving or attempting to deceive the Commission with reference to any matter which it has under investigation;
- (i) is guilty of making a rebate of any kind to any person for directing ophthalmic dispensing business to him or his establishment;
- (j) is guilty of advertising individual superiority or the performance of ophthalmic dispensing services in a superior manner;
- (k) is guilty of knowingly violating or aiding any person to violate the laws or regulations governing ophthalmic dispensing of any jurisdiction; and

- (l) is guilty of knowingly practicing in the employment of, or in association with, any person who is practicing in an unlawful manner.

12-2634. *Investigation of grounds.* The Commission may upon its own motion and shall upon the sworn complaint in writing of any person setting forth charges which, if proved, would constitute grounds for refusal, suspension, or revocation of the license as hereinabove set forth, request the Director to investigate the actions of any person holding, claiming to hold, or applying to hold any license provided for in these Regulations.

12-2635. *Opportunities for applicant or licensee to have a hearing.* Every licensee or applicant for a license except applicants for reinstatement after revocation, shall be afforded notice and an opportunity to be heard prior to the action of the Commission, the effect of which would be:

- (a) to deny permission to take examination for a licensee, for which applicant has correctly filed and whose application has been accepted;
- (b) to deny a license after examination for any cause other than failure to pass an examination;
- (c) to deny a license by endorsement to an applicant who meets the qualifications specified in Section 12-2608 of these Regulations;
- (d) to suspend a license; or
- (e) to revoke a license.

12-3636. *Notice of contemplated action. Request for hearing and notice of hearing.*

(a) When the Commission contemplates taking any action of the type specified in subsections (a), (b), or (c) of Section 12-2635 of these Regulations, it shall give to the applicant a written notice containing a statement:

(1) that the applicant has failed to satisfy the Commission as to his qualifications to sit for examination or to be issued a license, as the case may be;

(2) indicating in what respect the applicant has failed to satisfy the Commission; and