

Dr. Harry Hart, O.D.
855 High Street
Chestertown, Maryland, 21620

May 10, 2013

Jo Anne Brilliant, O.D., President
Maryland State Board of Examiners in Optometry
4201 Patterson Avenue, Room #307
Baltimore, MD 21215

Dear Dr. Brilliant and Members of the Board:

Please be advised that I have decided to permanently surrender my license to practice optometry in the State of Maryland, License Number TA, 0626, effective immediately. I understand that upon surrender of my license, I may not engage in the practice of optometry on any individual, with or without compensation in the State of Maryland as it is defined in the Optometry Practice Act (the "Act"), Md. Health Occ. Code Ann. ("HO"), §11-101(g), *et seq.* (2009 Repl. Vol.) and other applicable laws. In other words, as of the effective date of this Letter of Surrender, *i.e.*, the date the Board accepts this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual in the State of Maryland.

I understand that this Letter of Surrender is a public document and on the Board's acceptance, becomes a final order of the Board.

My decision to permanently surrender my license to practice optometry in the State of Maryland has been prompted by a criminal conviction on April 15, 2013 for a fourth degree sex offense and a second degree assault offense under the Maryland Criminal Code, Md. Crim. Law Code Ann., § 3-308 and § 3-203, case number: 5L00012094. The case history regarding this conviction is incorporated into this Letter of Surrender as Exhibit 1.

I have decided to surrender my license to practice optometry in the State of Maryland in compliance with the terms of my probation and to avoid further disciplinary action by the Board in response to my being charged and convicted of a crime of moral turpitude, in violation of the Act. Md. Health Occ. Code Ann. § 11-313(3).

I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender as a condition of my probation and to avoid disciplinary action by the Board for the aforementioned criminal charge. I understand that by executing this Letter of Surrender I am waiving any right to contest the disciplinary charges and the investigative findings in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and all other substantive and procedural protections provided by law, including the right to appeal.

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Board of Optometry

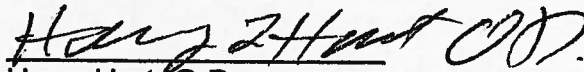
I hereby affirm that as a condition of the Board's acceptance of this Letter of Surrender, I agree to personally surrender my license and wall certificate to the Board Executive Director within forty-eight (48) hours of the execution of this letter, and further agree not to apply or in any way seek reinstatement of my optometry license in Maryland.

I understand that this letter is a public document and may be released to the general public, and that the Board will advise in response to an inquiry, that I have surrendered my license in accordance with the terms of my probation and in lieu of further disciplinary action under the Act. I also understand that in the event I would apply for licensure in any form in another state or jurisdiction, that this Letter of Surrender may be released or published by the Board to the same extent as a final order that would result from disciplinary action, pursuant to Md. State Gov't Code Ann. §10-611 *et seq.* (2012), and that this Letter of Surrender shall constitute a disciplinary action by the Board.

I affirm that I have not renewed my license to practice optometry during the 2013 renewal period, and have discontinued the practice of optometry.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Very truly yours,



Harry Hart, O.D.

Respondent

NOTARY

STATE OF MARYLAND
CITY/COUNTY OF Kent

I HEREBY CERTIFY that on this 15th day of May, 2013, before me, a Notary Public of the City/County aforesaid, personally appeared Harry Hart, O.D., and declared and affirmed under the penalties of perjury that the signing of this Letter of Surrender was his voluntary act and deed.

AS WITNESS my hand and Notarial seal.

Debra D. Maloney
Notary Public



My commission expires: 3/9/2017.

ACCEPTANCE

On behalf of the Maryland State Board of Examiners in Optometry, on this 29 day of May, 2013, I, Jo Anne Brilliant, O.D., accept Harry Hart's, O.D. **PERMANENT SURRENDER** of his license to practice optometry in the State of Maryland.

Jo Anne Brilliant, O.D.
Jo Anne Brilliant, O.D., President
Maryland State Board of Examiners in Optometry

cc: Patricia G. Bennett, Executive Director, Maryland State Board of Examiners in Optometry