

**BEFORE THE FITNESS TO PRACTISE COMMITTEE  
OF THE GENERAL OPTICAL COUNCIL**

**GENERAL OPTICAL COUNCIL**

**F(10)20**

**AND**

**JOHN EDWARD STEVENSON (01-8437)**

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**NOTICE OF INQUIRY  
SUBSTANTIVE HEARING**

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Take notice that an inquiry will be conducted in the above matter by the Fitness to Practise Committee of the General Optical Council. A substantive hearing will be conducted at the **General Optical Council, 41 Harley Street, London, W1G 8DJ** and will commence at **09:30 hrs** on **Monday, 19 March 2012** (and 20-23 March, if required).

The Inquiry will be based upon the allegation submitted by the Council (see below) and will determine whether the fitness to practise of **John Edward Stevenson** is impaired by virtue of the provisions contained in section 13D(2) of the Opticians Act 1989.

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David Henley BEM  
Hearings Manager, General Optical Council  
9 January 2012

## ALLEGATION

The Council alleges that in relation to you, John Stevenson, whilst in practice at 2 Deer Park, Tenby, Pembrokeshire:

1. Between 1 April 2005 and 31 May 2007, you submitted claims for payment for supplying National Health Service ("NHS") General Ophthalmic Services ("GOS"), namely sight tests, to each of the patients set out in 1 (i) to (x) below, when:

- (a) you had not undertaken a full sight test sufficient for the claim for payment; or
- (b) you had not undertaken a full sight test sufficient for the claim for payment and you were acting dishonestly in submitting such a claim; or
- (c) having undertaken a full sight test sufficient for the claim for payment, you failed to include in the patient's record sufficient clinical detail of such a sight test to support such a claim;
  - (i) patient C (EB) relating to a GOS1 form dated 5 May 2005; and/or
  - (ii) patient E (MC) relating to a GOS1 form dated 28 April 2006; and/or
  - (iii) patient E (MC) relating to a GOS1 form dated 6 June 2006; and/or
  - (iv) patient G (MD) relating to a GOS1 form dated 2 February 2006; and/or
  - (v) patient H (LD) relating to a GOS1 form dated 8 February 2005; and/or
  - (vi) patient J (HME) relating to a GOS1 form dated 14 April 2005; and/or
  - (vii) patient K (EE) relating to a GOS1 form dated 19 January 2005; and/or
  - (viii) patient S (LW) relating to a GOS1 form dated 28 April 2006; and/or
  - (ix) patient AF (BB) relating to a GOS1 form dated 15 August 2006; and/or
  - (x) patient AI (EAB) relating to a GOS1 form dated 19 October 2006;

2. Between 1 April 2005 and 31 May 2007, you submitted claims for payment for supplying NHS GOS sight tests to each of the patients set out in 2 (i) to (x) below, when:

- (a) you had undertaken a sight test of the patient before the end of the minimum interval between routine sight tests (as set out in the Memorandum of Understanding on Frequency of GOS Sight Tests (2002)) ("the minimum interval"), when there was no clinical justification for doing so and when you were therefore not entitled to make such a claim for payment; or
- (b) you had undertaken a sight test of the patient before the end of the minimum interval when there was no clinical justification for doing so, when you were therefore not entitled to make such a claim for payment and you were acting dishonestly in making such a claim; or
- (c) having undertaken such sight tests before the end of the minimum interval, you failed to include in each patient's record any or any sufficient detail to record why each sight test had been undertaken before the end of the minimum interval;
  - (i) patient B (LB) relating to a GOS1 form dated 19 August 2005; and/or
  - (ii) patient B (LB) relating to a GOS1 form dated 22 June 2006; and/or
  - (iii) patient D (EHB) relating to a GOS1 form dated 9 January 2007; and/or

- (iv) patient F (AC) relating to a GOS1 form dated 4 April 2005; and/or
- (v) patient N (RVJ) relating to a GOS1 form dated 27 February 2007; and/or
- (vi) patient O (PJN) relating to a GOS1 form dated 9 March 2007; and/or
- (vii) patient Q (IT) relating to a GOS1 form dated 16 January 2007; and/or
- (viii) patient R (JT) relating to a GOS1 form dated 25 October 2006; and/or
- (ix) patient R (JT) relating to a GOS1 form dated 12 March 2007; and/or
- (x) patient AX (RL) relating to a GOS1 form dated 2 February 2007;

3. Between 1 April 2005 and 31 May 2007, you submitted claims for payment for supplying NHS GOS sight tests to each of the patients set out in 3 (i) to (vi) below, when

- (a) you had not undertaken a full sight test but you had instead undertaken a contact lens check and you were therefore not entitled to make such a claim for payment; or
- (b) you had not undertaken a full sight test but you had instead undertaken a contact lens check, you were therefore not entitled to make such a claim for payment and you were acting dishonestly in making such a claim; or
- (c) having undertaken a full sight test you failed to include in the patient's record any or any sufficient clinical detail of a sight test to support such a claim;
  - (i) patient M (CG) relating to a GOS1 form dated 5 January 2007; and/or
  - (ii) patient T (TB) relating to a GOS1 form dated 11 May 2006; and/or
  - (iii) patient U (MC) relating to a GOS1 form dated 4 December 2006
  - (iv) patient V (JD) relating to a GOS1 form dated 24 November 2006; and/or
  - (v) patient W (JAW) relating to a GOS1 form dated 4 April 2007; and/or
  - (vi) patient X (HW) relating to a GOS1 form dated 13 February 2007;

4. Between 1 April 2005 and 31 May 2007, in relation to each of the patients set out in 4(i) to 4(iv) below, for whom you had recorded raised levels of intraocular pressure ("IOP"), you failed to:

- (a) undertake further investigation; and/or
- (b) record in the patient's records adequately or at all any further investigation undertaken by you; and/or
- (c) record adequately or at all why you did not undertake further investigation; and/or
- (d) refer the patient to a specialist; and/or
- (e) record adequately or at all the fact that you had referred the patient to a specialist; and/or
- (f) record adequately or at all the reasons for not referring the patient to a specialist;
  - (i) patient AN (MEA), for whom patient records dated 5 April 2005 recorded IOP as 30 and 25; patient records dated 12 October 2005 recorded

IOP as 30 and 31; and patient records dated 5 June 2006 recorded IOP as 23 and 26;

(ii) patient AO (TB), for whom patient records dated 27 September 2005 recorded IOP as 23 and 28; and patient records dated 2 February 2006 recorded IOP as 30 and 27; and/or

(iii) patient AP (VB), for whom patient records dated 15 May 2006 recorded IOP as 32 and 38; and/or

(iv) patient AI (EAB ) for whom patient records dated 12 June 2006 recorded IOP as 31 and 36; and patient records dated 19 October 2006 recorded IOP as 40 and 35;

5. Between 1 April 2005 and 31 May 2007, you submitted claims by way of GOS4 vouchers, applying for payment for the repair and/or replacement of spectacles belonging to the patients set out in 5 (i) to (vii) below when:

(a) no replacement and/or repair was necessary and you were therefore not entitled to make such a claim for payment; or

(b) no replacement and/or repair was necessary, you were therefore not entitled to make such a claim and you were acting dishonestly in making such a claim; or

(c) you failed to include in the patient's record any or any sufficient detail as to the reason for repair and/or replacement;

(i) patient AQ (KB) by way of a GOS4 voucher dated 21 March 2007; and/or

(ii) patient AR (LC), by way of a GOS4 voucher dated 20 September 2006; and/or

(iii) patient AS (DG) by way of a GOS4 voucher dated 2 March 2007; and/or

(iv) patient AT (ROM) by way of a GOS4 voucher dated 7 September 2006; and/or

(v) patient AU (AP) by way of a GOS4 voucher dated 25 May 2006; and/or

(vi) patient AV (LW) by way of a GOS4 voucher dated 2 November 2006;

6. Between 1 April 2005 and 31 May 2007, you submitted two GOS 3 claim forms, both dated 2 May 2006, seeking payment respectively for the provision to patient AW (AJ) of one pair of spectacles for near vision and one pair of spectacles for distance vision, when you had in fact supplied the patient with one pair of bifocal spectacles and one pair of tinted distance vision spectacles; and when:

(a) you were not entitled to payment by way of NHS GOS claims for the spectacles you had in fact supplied; or

(b) you were not entitled to such payment, you knew that you were not so entitled and you were therefore acting dishonestly in making such a claim;

AND

by virtue of the matters set out above, your fitness to practise is impaired by reason of your misconduct.

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**Committee Members:** Mr A Baldwin (Lay)  
Ms M Hallendorff MBE (Lay)  
Ms F Jones (Lay)  
Mr P Charlesworth (Optometrist)  
Mr S Reily (Optometrist)

**Legal Adviser:** Mr A McFarlane

**Hearings Manager:** Mr D Henley BEM

**Transcribers:** Fiona Shipley Transcriptions Limited

If you require further information relating to this hearing, please contact the Council's Hearings Manager at 41 Harley Street, London, W1G 8DJ or, by telephone, on 020 7580 3898. If you require information relating to any non-hearing matters, please contact the Council's Communications Department on 020 7580 3898.