

**Ohio State Board of Optometry  
Board Meeting**

**Vern Riffe Center  
77 S. High Street  
Columbus, Ohio**

**May 24, 2017 at 9:30 a.m.**

**President Presiding**

Board President, Cheryl Archer, O.D. convened the meeting at 9:30 a.m. The meeting was held in the 31<sup>st</sup> floor Boardroom of the Vern Riffe Center.

**Roll Call**

Present for the meeting were:

Cheryl Archer, O.D., Board President  
LaMar Zigler, O.D., Board Secretary  
Thomas Bobst, O.D., Board Member  
Thomas E. Nye, O.D., Board Member  
Mr. Jeffrey Greene, Executive Director  
Mr. David Bailey, Investigator  
Mrs. Lopez-Wellman, Administrative Assistant

The following persons were also in attendance at the meeting: Linda Fitzgerald and Mark Glasper from the Opticians Association of Ohio; David Corey representing Luxottica; Keith Kerns representing the Ohio Optometric Association; Monica Braun an optometry student from The Ohio State University; and Mr. Steve Kochheiser from the Attorney General's Office.

**Approve Minutes**

Dr. Archer called for a motion on the minutes of the March 8, 2017 Board meeting. Dr. Bobst moved to approve the minutes which was seconded by Dr. Zigler. The motion was then passed by the Board.

**New Licensees**

Dr. Archer advised that there was 45 completed applications for licensure with an effective date of May 24, 2017. After review of the packets, Dr. Zigler made a motion that the applicants be granted Ohio optometric and therapeutic licensure. The motion was seconded by Dr. Bobst and passed by the Board.

The Board then reviewed 16 applications for licensure with missing material. Dr. Zigler moved that the 16 applicants be granted Ohio optometric and therapeutic licensure upon receipt of their missing material. Motion was seconded by Dr. Nye and passed by the Board.

### **Continuing Education**

Dr. Nye made a motion that courses 2017-120P through 2017-158P and 2018-001P-2018-002P be approved as listed. Motion was seconded by Dr. Zigler and passed by the Board.

### **Therapeutic Optometry Matters**

Dr. Zigler reported that there were no Drug Induced Side Effects to Report (DISER).

### **Administration**

NBEO Reports: Dr. Bobst had nothing to report.

ARBO Reports: Dr. Bobst attended a COPE Conference in April in Chicago regarding accreditation of continuing education courses. He advised this process is moving forward at ARBO.

OOA Report: Keith Kerns provided the Board an update of lobbying efforts regarding the consolidation of the Board of Optometry with the Optical Dispenser's Board and that he had provided written testimony to the Senate Health and Medicaid Finance Subcommittee.

Mr. Kerns also provided a legislative update for ongoing legislation related to optometry including:

House Bill 116  
House Bill 154

Mr. Kerns discussed the upcoming AOA Conference coming up in June in Washington D. C. and the fact that the number of optometry students planning to attend is up significantly, including Ohio, which has approximately 70 students signed up to go.

Mr. Greene presented the following to the Board:

The Board reviewed the comments received about the proposed rule amendment for OAC 4725-9-03, regarding volunteer continuing education credit and also credit for the Continuing Professional Development in Optometry exam by the National Board of Examiners in Optometry.

Three Ohio licensed optometrists had requested the Board add the American Board of Optometry exam to the rule amendment so that credit could be received for their board

certification exam.

After a lengthy discussion, the Board decided to remove the entire language in the rule amendment regarding receiving CE credit for either exam. A motion was made by Dr. Zigler and seconded by Dr. Bobst and passed by the Board to have Mr. Greene file the amended rule with only the language about the volunteer CE hours.

There was one question from a licensee about the Board's position on what the obligation is for a licensed optometrist when confronted with an elderly driver, whose sight is impaired enough that they should not be operating a motor vehicle. After discussing it, the Board requested Mr. Greene send an email/newsletter in the near future to share the Board's discussion and offer options to optometrists who may be presented with this scenario.

Mr. Bailey provided the Board with a demonstration of the new eLicensing system which goes live on June 19<sup>th</sup>. Mr. Greene advised the Board on the training staff has been receiving and the correspondence forthcoming regarding the new system. All licensees will need to register with the new system prior to renewing their license for 2018.

President Archer called for a motion for the Board to enter Executive Session to discuss consent agreement 2013-23. Dr. Bobst moved that the Board enter Executive Session and asked that Ms. Pelphrey, Mr. Greene, Mrs. Lopez-Wellman and Mr. Bailey remain in the room. Dr. Zigler seconded the motion. Mr. Greene took a roll call vote with four members being in attendance. The motion was passed and the Board entered Executive Session at 11:30 a.m.

After discussion the Board returned to the public meeting at 11:45 p.m. President Archer called for a motion to adjourn Executive Session. Dr. Zigler made a motion to adjourn Executive Session. Dr. Nye seconded the motion. Motion passed.

There was no motion taken on Consent Agreement number 2013-23.

### **Patient Complaint Investigations**

The board members reviewed the summary of patient complaints (7a & b) received since March 08, 2017. Four new complaints were received during this time period. Three of these new complaints have been resolved, with one remaining active and open. Three complaints from earlier in 2016/2017 were closed during this time period, with one resulting in disciplinary action against a licensee.

The Investigator Activity Report (7c) was reviewed by the board members. Twelve on-site inspections were conducted. No advertising letters were sent during this period. Twenty-three informal complaints were received and finalized. The investigator traveled approximately 410 miles during this period to accomplish field investigations or inspections.

### **Optometric Advertising Violations**

No formal advertising complaints were received during this time period.

### **Other Investigative Matters**

The Board received requests for investigative support from the Ohio Department of Insurance Fraud and Enforcement Section and the Ohio Optical Dispensers Board.

### **Approve Expenses**

A motion was made by Dr. Zigler and seconded by Dr. Nye to approve the Board member's expenses for this meeting. The motion was passed by the Board.

### **Adjourn**

Dr. Nye made a motion to adjourn the meeting which was seconded by Dr. Zigler. The Board passed the motion and the meeting adjourned at 12:00 p.m.

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Cheryl Archer, O.D.  
Board President

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LaMar Zigler, O.D.  
Board Secretary