

Ohio State Board of Optometry
Board Meeting

Vern Riffe Office Tower
77 S. High St., 31st Floor
Columbus, Ohio

January 17, 2007 at 9:30 a.m.

President Presiding

Gary Hyde, O.D., Board President, convened the meeting at 9:40 a.m. after signing certificates and payroll at the Board office. The meeting was held in Room South A, 31st Floor of the Vern Riffe Office Tower.

Roll Call

Present for the meeting were:

Gary Hyde, O.D., Board President
Beth Workman, O.D., Board Secretary
Larry Barger, O.D., Board Member
Rhonda Riles, O.D., Board Member
Dennis Roark, O.D., Board Member
Ms. Patricia Scharf, Board Member
Mr. Mike Everhart, Executive Director
Mr. Jeff May, Investigator

Mr. Rick Cornett and Brenda Montecalvo, O.D., representing the Ohio Optometric Association were present. Todd Baker representing the Ohio Ophthalmological Society and Assistant Attorney General Todd Newkirk from the Attorney General's Office were also in attendance.

Approve Minutes

President Hyde called for a motion on the minutes of the October 18, 2006 Board meeting. Dr. Workman made a motion to approve the minutes that had previously been mailed to all Board members for review. Dr. Roark seconded the motion and it was passed by the Board.

New Licensees

Mr. Everhart advised there was one application for licensure as listed in Annex A. After review of the packet Dr. Barger made a motion that the applicant listed in Annex A, William Boras, O.D., be granted Ohio optometric and therapeutic licensure. The motion was seconded by Dr. Roark and passed by the Board.

The Board next reviewed two applicants for licensure reinstatement. Dr. Roark moved that Dr. Amanda Stoltman and Dr. Vishakha Thakrar be granted reinstatement of their Ohio optometric and therapeutic licenses which was seconded by Dr. Barger and passed by the Board.

Continuing Education

Dr. Barger explained the recap on continuing education courses received at the Board office since the October 18, 2006 meeting. (Annex B.) There were 46 courses reviewed with one of those courses only approved in part.

Dr. Barger made a motion that courses 2007-073P through 2007-118P be approved as listed. Motion was seconded by Dr. Riles and passed by the Board.

Therapeutic Optometry Matters

Dr. Workman discussed the summary of Drug-Induced Side Effect reports that the Board office has received since the past Board meeting (Annex C.) There were two reports during this period and there were no unusual occurrences or problems that were not resolved.

Licensure Matters

Mr. May presented an overview of the current status of license renewals for 2007. He advised that 37 optometrists had failed to either submit the required continuing education or pay their renewal fee for 2007. Of the 37 doctors 25 of them have out of state addresses or moved out of state during the year. Certified letters have been sent to them about their status. None of the doctors are currently practicing in Ohio.

Twelve in state optometrists were delinquent but upon being contacted by the Board or on their own, 7 of them have paid the late renewal fees and are now valid. None of the five remaining delinquent doctors are currently practicing in Ohio.

Executive Session

President Hyde called for a motion that the Board go into Executive Session to discuss the investigation of charges and complaints against a licensee with the Board attorney, Todd Newkirk.

Dr. Barger moved that the Board go into Executive Session and that Mr. Newkirk, Mr. Everhart and Mr. May remain in the room. Dr. Workman seconded the motion.

President Hyde directed Mr. Everhart to take a roll call vote on the motion.

President Hyde, Yes; Secretary Workman, Yes; Dr. Barger, Yes; Dr. Riles, Yes; Dr. Roark, Yes; Ms. Scharf, Yes. Motion was passed and the Board entered Executive Session at 9:57 a.m.

President Hyde called for a motion to end the Executive Session and move back into open meeting. Dr. Workman moved that the Board end the Executive Session and return to the open meeting. Dr. Riles seconded the motion.

President Hyde asked Mr. Everhart to take a roll call on the motion.

President Hyde, Yes; Secretary Workman, Yes; Dr. Barger, Yes; Dr. Riles, Yes; Dr. Roark, Yes; Ms. Scharf, Yes. Motion was passed and the open meeting resumed at 10:12 a.m.

Dr. Barger moved to approve the Consent Agreement between Amy Brunswick, O.D. and the Ohio State Board of Optometry. Dr. Riles seconded the motion.

Dr. Hyde directed Mr. Everhart to take a roll call vote on the motion.

President Hyde, Yes; Secretary Workman, Yes; Dr. Barger, Yes; Dr. Riles, Yes; Dr. Roark, Abstain; Ms. Scharf, Yes. Motion was passed with Dr. Roark abstaining.

Administration

Dr. Barger discussed an educational conference held recently in Chicago. Part of the mandate from that meeting dealt with the COPE committee and a desire to start completing on-site audits of COPE courses to ensure quality of continuing education. Dr. Barger encouraged all Board members to consider becoming COPE reviewers.

A discussion took place on the growing concerns about the influence of corporate sponsorships on continuing education. Care has always been taken to clearly acknowledge at the beginning of the presentation that a speaker is sponsored by a corporation to avoid any conflict of interest. Todd Baker shared that this is a real concern of all medical disciplines. The U.S. Senate Finance Committee is getting involved and now with more stringent controls being placed on industry, there is a growing concern on how this will affect continuing education. Two main concerns are the cost of CE to the individual practitioner if industry is no longer able to underwrite the cost of CE meetings. Increased costs will be passed on to the individual doctors making it more costly to maintain CE requirements. The other concern is whether doctors who are actually on the cutting edge and doing the research will be available to practitioners for education if the requirements become so stringent that corporate employees and those involved in corporate sponsored research are not allowed to speak at meetings.

Dr. Workman reminded everyone about the need for clinical examiners for the NBEO. Anyone interested should contact Dr. Workman or the National Board. Mr. Everhart informed the Board that Mrs. Ott and he had participated had participated in a Alive

meeting@ conducted by ARBO. The meeting provided a complete overview of O.E. Tracker and permitted the audience to ask clarifying questions. O.E. Tracker will now list both COPE and non-COPE courses as well as allow the doctor to print out certificates verifying their participation in the course.

Rick Cornett introduced Dr. Brenda Montecalvo, a new board member for the OOA. Mr. Cornett discussed several changes at the OOA including the length of board terms. Mr. Cornett also discussed changes in government administration as well as a provider coalition and a bill that is being drafted that is patient centered.

Mr. Everhart updated the Board on the fingerprint bill. A second meeting was facilitated between LSC and the board representatives by State Representative Tony Core on January 9, 2007. Several proposed changes were accepted and the bill is going back to LSC for a second draft.

The Board reviewed the AAnnual Report@ which is mandated by Ohio law. There were several changes necessary due to clerical errors in one section. Those errors have been corrected and the report is now ready for submission.

The Board was updated on the new OAKS e-pay system. All pay vouchers will now be paperless and can be accessed by the individual employee=s unique identification number and password. Should any members have problems gaining access, just contact the Board.

Governor Strickland has recently sent out Executive Order 2007-01S regarding new ethics requirements as well as a message to all state employees concerning his core beliefs. Both pieces of correspondence were reviewed and discussed by the Board.

Mr. Everhart reminded all Board members that the Financial Disclosure Statements have been mailed and must be returned no later than April 15, 2007.

Patient Complaint Investigations

The Board members reviewed the recap of patient complaints received since the October 18, 2006 Board meeting. Four new complaints were received during this period with three of the complaints being finalized. Three complaints were pending prior to the October 18, 2006 meeting and all were completed at or prior this meeting. (Annex D.)

The Investigator's Activity Report, Annex E, was reviewed by the Board members. In addition to the four complaints that were filed, thirty-three on?site inspections were conducted, three advertising violation letters were sent out and completed, and seven office inquiries/office complaints were initiated and completed. The staff traveled 1,163 miles during the period. The Board members also reviewed the summary of completed complaints and had no questions concerning the complaints.

Optometric Advertising Violations

The three advertising violation notification letters that had been sent out have been responded to by the doctors that corrective action was being taken. A list of the violations was provided to the Board for their information. (Annex F.)

Other Investigative Matters

OI-06-20. Doctor contacted Board about doing verrucae/removing eyelid warts with dichloroacetic acid. Board recommends that the patient be referred so it can be removed and then a biopsy performed. Also Pharmacy Board advised dichloroacetic acid is a prescription drug, not a topical ocular agent, and is not on optometry=s formula.

OI-06-22. Doctor contacted the Board with a question about some testing conducted by an occupational therapist and their scope of practice. Doctor directed to contact OT/PT Board to afford an opportunity to review if tests are within their scope and a proper evaluation.

OI-07-01. Doctor inquired during an on-site inspection about issuing/release of a contact lens Rx when patient does not return to allow doctor to complete diagnosis. Doctor has been providing a prescription without expiration date but writes on Rx ARx not finalized.@ After discussion by Board, it was felt that this was not a valid prescription.

Approve Expenses

A motion was made by Dr. Barger and seconded by Dr. Riles to approve the Board member expenses for this meeting. The motion was passed by the Board.

Board Member Assignments for 2007

Dr. Hyde announced the assignment of Board member responsibilities for 2007 which are as follows:

Investigation of Complaints: Dr. Beth Workman

ARBO, COPE and NBEO Liaison: Dr. Larry Barger, Dr. Beth Workman

Continuing Education: Dr. Rhonda Riles

Legislation: Dr. Gary Hyde, Dr. Dennis Roark

Budget: Ms. Patricia Scharf, Dr. Lawrence Barger

OSU Senior Class: Dr. Dennis Roark

Re: Laws and Rules

Pharmacology Matters: Dr. Larry Barger

Dates of the Next Board Meetings

The next Board meeting date is March 21, 2007.

Adjourn

Dr. Barger made a motion to adjourn the meeting which was seconded by Dr. Workman. The Board passed the motion and the meeting adjourned at 11:40 a.m.