

**Ohio State Board of Optometry  
Board Meeting**

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

**October 10, 2012 at 9:30 a.m.**

**President Presiding**

President Riccio convened the meeting at 9:47 a.m. The meeting was held in Room East B on the 31st floor of the Vern Riffe Center.

Mr. Greene introduced our new Assistant Attorney General, Charissa Payer, along with Assistant Attorney Generals Kathy Bockbrader and Yazan Ashrawi.

**Roll Call**

Present for the meeting were:

Karen Riccio, O.D., Board President  
Stanley Warn, O.D., Board Secretary  
Thomas Bobst, O.D., Board Member  
Jeff Fogt, O.D., Board Member  
Dennis Roark, O.D., Board Member  
Patricia Scharf, Board Member  
Mr. Jeffrey Greene, Executive Director  
Mr. Jeff May, Investigator  
Mrs. Nancy Ott, Administrative Assistant

The following persons were also in attendance at the meeting: Jennifer Flatter from The Success Group; David Corey representing Luxottica; Ms. Charissa Payer, Ms. Kathy Bockbrader and Mr. Yazan Ashrawi from the Attorney General's Office, Rick Cornett representing the Ohio Optometric Association, Kelley Long and David Goldberg, D.O. from the Ohio Physicians Health Program, Tom Nye, O.D. and Mike Everhart.

**Approve Minutes**

President Riccio called for a motion on the minutes of the July 11, 2012 Board meeting. Dr. Roark moved to approve the minutes which was seconded by Dr. Bobst. The motion was then passed by the Board.

**New Licensees**

Dr. Riccio advised that there were five completed applications for licensure as listed in Annex A. After review of all packets Dr. Bobst made a motion that the five applicants listed in Annex A with all materials submitted be granted Ohio optometric and therapeutic licensure. The motion was seconded by Ms. Scharf and passed by the Board.

There were two applications pending due to missing material. Dr. Warn made a motion that Lana Tu, O.D. be granted Ohio optometric and therapeutic licensure upon receipt of her license verification from California. Ms. Scharf seconded the motion. Motion passed. Dr. Bobst made a motion that William Davis, O.D. be granted Ohio optometric and therapeutic licensure upon receipt of his National Practitioners Data Bank query. Dr. Warn seconded the motion. Motion passed.

The Board next reviewed an application from Justin Terry, O.D. Dr. Roark made a motion that Dr. Terry be granted Ohio optometric and therapeutic licensure upon receipt of passing scores from the NBEO. Ms. Scharf seconded the motion. Motion passed.

### **Continuing Education**

Dr. Warn explained the recap on continuing education courses received at the Board office since the July 11, 2012 meeting. (Annex B) There were 77 courses reviewed. Dr. Warn made a motion that courses 2012-211P through 2012-237P and 2013-001P to 2013-050P be approved as listed. Motion was seconded by Dr. Roark and passed by the Board.

The Board reviewed two requests for waiver of continuing education requirements. The first waiver was related to an optometrist who has had some undue hardship within the past year. Dr. Fogt moved to approve the waiver for the remaining 7 hours. Motion was seconded by Dr. Bobst and then passed by the Board. The second waiver was related to an optometrist who has had some recent health issues. Dr. Warn moved to approve the waiver for the remaining 9 hours. Motion was seconded by Ms. Scharf and then passed by the Board.

The Board discussed a question which has been brought to their attention regarding optometrists receiving C.E. credit for lectures in which they are the presenter. The Board directed Mr. Greene to gather information from other states and will discuss at the next meeting in December.

### **Therapeutic Optometry Matters**

There were no drug-induced side effect reports received since the July 11, 2012 meeting.

### **Administration**

The Board discussed the requirement of a 30 hour remedial training course for candidates who fail Part 3 more than four times. At the present time there are no courses available.

There were no new AOA Reports.

Rick Cornett from the Ohio Optometric Association discussed some legislative issues, including House Bill 125.

A presentation was made from the Ohio Physical Health Program Medical Director Dr. David Goldberg and Executive Director Kelley Long. The presentation centered around drug and alcohol monitoring and the "one-bite rule." Discussion and questions took place by the Board after the presentation.

The Board was updated on the new procedures for continuing education reporting using the OE Tracker Program.

The response from the Common Sense Initiative Office, received October 9<sup>th</sup> at 1:45 p.m., was provided to the Board. President Riccio suggested tabling the discussion on CSI's response until all the Board members had time to review.

The Board was presented with copies of the new renewal application cards which this year MUST be signed by the licensee and they MUST answer all three questions on the card or they will be returned.

Mr. Greene updated the Board about adding the National Practitioner's Data Bank query to the application process for out-of-state applicants. The Board members were provided a copy of the updated application.

A request from Dr. Edward Jagela was presented to the Board regarding support for an appeal to the UPMC. UPMC denied an insurance claim basing their decision that in their perspective VEP (Visual Evoked Potential) is not in the scope of the practice of optometry. The Board was unanimous in support of Dr. Jagela's appeal and directed Mr. Greene to write a letter of support to UPMC.

A request from Dr. Norman Ginis was presented to the Board asking the Board to consider changing the current continuing education year (October 1 – September 30) to allow hours taken in September to be a "swing" month, meaning hours in September could be used for the current or for the next C.E. reporting year. After much discussion, the Board decided to keep the C.E. reporting year the same.

Mr. Greene provided a copy of the Biennial Budget for FY 14/15.

Ms. Payer did not have anything to report for the Assistant Attorney General's Report.

### **Patient Complaint Investigations**

The Board members reviewed the recap of patient complaints received since the July 11, 2012 Board meeting. Five new complaints were received during this period and all five of the complaints were finalized. The two complaints which were pending prior to the July 11, 2012 meeting were completed with Consent Agreements approved at the last Board meeting. (Annex C.)

The Investigator's Activity Report, Annex D, was reviewed by the Board members. In addition to the five complaints that were filed, fifty-one on-site inspections were conducted. No advertising letters were sent out. Nine office inquiry/office complaints were initiated and completed. The staff traveled 2,295 miles during the period. The Board members also reviewed the summary of completed complaints and had no questions concerning the complaints.

### **Optometric Advertising Violations**

There were no advertising violations notification letters sent out.

### **Other Investigative Matters**

There were no items for Other Investigative Matters.

### **Approve Expenses**

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

### **Board Meeting Dates**

The next Board meeting is scheduled for December 12, 2012. Dates for 2013 will be: March 13, June 12, September 18 and December 11.

The Board then took the opportunity to recognize Dr. Dennis Roark and Ms. Pat Scharf for their 10 years of dedicated service and many contributions to the Board and the profession of optometry.

### **Adjourn**

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

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Karen Riccio, O.D.  
Board President

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Stanley Warn, O.D.  
Board Secretary