

**Ohio State Board of Optometry
Board Meeting**

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

December 11, 2013 at 9:30 a.m.

President Presiding

President Warn convened the meeting at 9:50 a.m. The meeting was held in the Boardroom on the 31st floor of the Vern Riffe Center. Upon calling the meeting to order Dr. Warn reminded the Board members their charge, "to protect the citizens of Ohio."

Our newest Board member, Cheryl Archer, O.D. was introduced to the Board.

Roll Call

Present for the meeting were:

Stanley Warn, O.D., Board President
Thomas Bobst, O.D., Board Secretary
Cheryl Archer, O.D., Board Member
Michael Everhart, Board Member
Jeff Fogt, O.D., Board Member
Thomas Nye, O.D., Board Member
Mr. Jeffrey Greene, Executive Director
Mr. Brian Landis, 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; Rick Cornett and Linda Fette representing the Ohio Optometric Association; and Mr. Steven Kochheiser and Ms. Charissa Payer from the Attorney General's Office.

Approve Minutes

President Warn called for a motion on the minutes of the September 18, 2013 Board meeting. Dr. Bobst moved to approve the minutes which was seconded by Dr. Fogt. The motion was then passed by the Board.

New Licensees

Dr. Warn advised that there was one completed application for licensure. After review of the packet Mr. Everhart made a motion that Ami Patel, O.D. be granted Ohio

optometric and therapeutic licensure with an effective date of December 11, 2013. The motion was seconded by Dr. Archer and passed by the Board. (Annex A)

Dr. Warn advised that there were four more completed applications for licensure who requested an effective date of January 2, 2014. After review of the packets Dr. Archer made a motion that Kimberly Hoyle, O.D., John Kim, O.D., Lisa Loftis, O.D. and Leah Steele, O.D. be granted Ohio optometric and therapeutic licensure with an effective date of January 2, 2014. The motion was seconded by Dr. Bobst and passed by the Board. (Annex A)

The Board next reviewed one completed application for licensure reinstatement. Mr. Everhart moved that Joseph R. Woodley, O.D. be granted reinstatement of his Ohio optometric and therapeutic licenses with an effective date of December 11, 2013. Motion was seconded by Dr. Fogt and passed by the Board.

The Board then reviewed two applications for licensure reinstatement with missing material. Dr. Bobst moved that Marcia Hoepf, O.D. and Brandi Orr, O.D. be granted reinstatement of their Ohio optometric and therapeutic licenses upon receipt of their missing material and with an effective date of January 2, 2014. Motion was seconded by Dr. Fogt and passed by the Board.

Continuing Education

Dr. Fogt explained the recap on continuing education courses received at the Board office since the September 18, 2013 meeting. (Annex B) There were 59 courses reviewed. Dr. Fogt made a motion that courses 2013-233P through 2013-238P and 2014-032P through 2004-084P (excluding 2014-048 which was canceled) be approved as listed. Motion was seconded by Dr. Riccio and passed by the Board.

The Board reviewed a request for waiver of continuing education requirements. The waiver was related to an optometrist who was experiencing some undue hardship and was requesting a waiver of 5½ hours. Mr. Everhart moved to approve the waiver. Motion was seconded by Dr. Bobst and then passed by the Board.

Therapeutic Optometry Matters

Dr. Nye reported that there were no drug-induced side effect reports received since the September 18, 2013 Board meeting.

Administration

OOA Reports – Rick Cornett shared the following information:

- Our own, Nancy Ott, was presented the President's Award from the OOA
- AOA CEO has stepped down
- New employee at the OOA, Dan Orzano, primarily in charge of social media

- Discussed the following
 - 3rd Party Payer Summit
 - Accountable Care Organization
 - OHIP
 - Student Night – Wednesday, January 8, 2014
 - Pike County, Kentucky – proposing a College of Optometry

- Legislative Updates
 - H.B. 258 – passed the house, now in the Senate
 - S. B. 224 – Sales Tax Bill
 - Telemedicine Bill

Mr. Greene presented the following to the Board:

Discussion regarding our current law/rule regarding clinically significant drug induced side effects and considering rescinding. No decision was made at this time.

Nancy provided the Board an update of our current renewal period.

Discussed information Ohio licensed optometrists are receiving regarding Board Certification. Mr. Greene is going to notify all licensees about the correspondence.

Provided an update to the Board regarding the Ohio Attorney General's Office lawsuit against Stanton Optical.

Discussed the possibility of the FDA moving Hydrocodone from Schedule III controlled substance to Schedule II and the ramifications it would have on our current laws and rules. No action taken at this time. Assistant Attorney General Charissa Payer is going to collect additional information for the Board.

The Board was provided an update on the on-going five year rule review.

Dr. Fogt made a motion to approve rules to be amended and current no change rules. Mr. Everhart seconded the motion. Motion passed.

Rules to be amended:

4725-7-06

Prescription Release

4725-9-02

Approved Education Programs

4725-9-05

Certificate of Attendance

4725-11-02

Fee for Mailing Notice

4725-16-03

Prescribing Controlled Substances

Rules with no changes:

4725-5-14

Procedures for reporting clinically induced reactions

4725-5-16

Display of Name and Office Requirements

4725-5-17

Notification of Examination Services to Patient

4725-5-19

Utilizing Controlled Substances for self and family

4725-7-01

Prescription Specifications

4725-7-04

Permitted

Confirmed that all Board members and staff have completed the Human Trafficking Training and advised the Board that a link for the training is on our website and Mr. Greene will be forwarding an email to all licensees to request they view the 30 minute video.

Provided the Board an update on House Bills 359, 314, and 332.

House Bill 98 has been enacted regarding licensure of veterans. It requires all Boards to complete rules regarding licensure for veterans.

Scope of Practice discussions were held regarding dilation and billing and vision therapy/neuro-optometric rehab.

The Board also reviewed a request from a person wishing to form an Independent Practice Association in Ohio. More information was requested from the Board and AAG Payer will review once the information is received.

At the request of our Assistant Attorney General, the Executive Session was taken off of the agenda for today.

Patient Complaint Investigations

The Board reviewed the recap of patient complaints (Annex C) which were received since the last Board meeting on September 18, 2013. Five new complaints were received during this period with four complaints being finalized and one pending. The pending complaint was discussed with the Board member supervising and will be finalized prior to the next meeting.

The Investigator's Activity Report (Annex D) was reviewed with the Board members. In addition to the five complaints, there were three on-site inspections completed which resulted in one with a minor violation noted. The mileage traveled by staff members has been 3,752 year to date thus far. There were no completed complaints for the Board to review.

Optometric Advertising Violations

There were three advertising violations requiring action during this period (Annex E.) One occurred in Bucyrus, Columbus, & Ironton respectfully. Each optometrist was notified and corrected the matter immediately. No further action was taken or necessary.

Other Investigative Matters

There were no other investigative matters.

Approve Expenses

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

Board Meeting Dates

The Board meeting dates for 2014 are: March 12, 2014, June 11, 2014, September 10, 2014 and December 10, 2014.

Election of Officers

Dr. Warn made a motion for nomination of Board President for 2014. He nominated Dr. Bobst for Board President. Dr. Fogt seconded the motion which was then passed by the Board.

Dr. Nye made a motion for nomination of Board Secretary for 2014. He nominated Dr. Fogt for Board Secretary. Dr. Bobst seconded the motion which was then passed by the Board.

Plaque for Dr. Riccio

A plaque was approved by the Board for presentation to Dr. Karen Riccio who recently finished her five year term with the Board. She wasn't able to be present, but Mr. Greene will present the plaque to her with the Board's praise for her dedicated service.

Ethics Training

Mr. Greene provided Ethics Training to all members of the Board and the Board staff utilizing the DVD and Facilitator's Manual provided by the Ohio Ethics Commission.

Adjourn

Dr. Bobst made a motion to adjourn the meeting which was seconded by Dr. Archer. The Board passed the motion and the meeting adjourned at 12:20 p.m.

Stanley Warn, O.D.
Board President

Thomas Bobst, O.D.
Board Secretary