

**Ohio State Board of Optometry
Board Meeting**

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

March 11, 2015 at 9:30 a.m.

President Presiding

Board President, Jeff Fogt, O.D. convened the meeting at 9:48 a.m. The meeting was held in the 31st floor Boardroom of the Vern Riffe Center.

Roll Call

Present for the meeting were:

Jeff Fogt, O.D., Board President
Thomas Nye, O.D., Board Secretary
Cheryl Archer, O.D., Board Member
Thomas Bobst, O.D., Board Member
Michael Everhart, Board Member
LaMar Zigler, O.D., Board Member
Mr. Jeffrey Greene, Executive Director
Mrs. Nancy Ott, Administrative Assistant

The following persons were also in attendance at the meeting: Todd Baker representing the Ohio Ophthalmological Society; Judy Martin representing Luxottica; Rick Cornett, Keith Kerns, and Shane Foster, O.D. representing the Ohio Optometric Association; and Ms. Emily Pelphrey from the Attorney General's Office.

Approve Minutes

Dr. Fogt called for a motion on the minutes of the December 10, 2014 Board meeting. Dr. Bobst moved to approve the minutes which was seconded by Dr. Archer. The motion was then passed by the Board.

New Licensees

Dr. Fogt advised that there were four completed applications for licensure. After review of the packets, Dr. Archer made a motion that the applicants listed in Annex A be granted Ohio optometric and therapeutic licensure. The motion was seconded by Dr. Nye and passed by the Board.

The Board then reviewed two applications for licensure with missing material. Mr. Everhart moved that Nancy Cozzi, O.D. and Leslie Wilderson, O.D. be granted Ohio

optometric and therapeutic licensure upon receipt of their missing material. Motion was seconded by Dr. Zigler and passed by the Board.

The Board also reviewed an application for licensure submitted by John Davis, O.D. from Florida. Dr. Davis applied for Ohio licensure via endorsement, however, he did not qualify since he had not been licensed in a therapeutic state for three years. He also did not qualify for regular licensure since he did not have all three parts of the National Board. Dr. Archer made a motion to approve Dr. Davis for optometric licensure and therapeutic certification as soon as he successfully passes Part 3 of the NBEO exams. Motion was seconded by Dr. Bobst and passed by the Board.

The Board next reviewed one completed application for licensure reinstatement. Mr. Everhart moved that Richard Hermann, O.D. be granted reinstatement of his Ohio optometric and therapeutic license. Motion was seconded by Dr. Archer and passed by the Board.

The Board then reviewed one application for licensure reinstatement with missing material. Dr. Archer moved that Francis Brown, IV, O.D. and be granted reinstatement of his Ohio optometric and therapeutic license upon receipt of the missing material. Motion was seconded by Dr. Bobst and passed by the Board.

Continuing Education

Dr. Archer explained the recap on continuing education courses received at the Board office since the December 10, 2014 meeting. (Annex B) Dr. Archer made a motion that courses 2015-080P through 2015-132P be approved as listed. Motion was seconded by Mr. Everhart and passed by the Board.

The Board discussed how the Board currently approves continuing education courses and changes that are forthcoming regarding COPE and the AOA concerning accrediting of continuing education. No action was taken on this issue.

Therapeutic Optometry Matters

Mr. Everhart reported that there were no drug-induced side effect reports received since the December 10, 2014 Board meeting.

Administration

NBEO Reports – No discussion.

ARBO Report:

The ARBO Annual Meeting is to be held June 21-23, 2015 in Seattle, Washington. The Board discussed who would be representing the Ohio Board at this meeting. A motion was made by Mr. Everhart and seconded by Dr. Zigler to send Dr. Bobst and Mr. Greene as our representatives and to pay their expenses. Motion was passed.

AOA Report – No discussion.

OOA Report:

Mr. Cornett is retiring this month and this was his last Board meeting.

He provided a legislative update for several ongoing bills related to optometry including:

Sales Tax
Telemedicine

Mr. Cornett's replacement, Keith Kerns, was introduced and gave a short bio.

Todd Baker, from the Ohio Ophthalmological Society, gave a brief update about the upcoming changes to Medicare rates.

President Fogt presented to Mr. Cornett a desk clock and thanked him for his dedicated service to the profession of optometry.

Mr. Greene presented the following to the Board:

Senate Bill 33, which has been introduced in the 131st General Assembly. The bill concerns a requirement for health care professionals to complete instruction in cultural competency. The bill has been sent to committee for review.

Mr. Greene provided the Board with an update regarding budget testimony to the Higher Education Sub-Committee.

The Board reviewed a request from licensees to revisit the Board's stance on prescribing Latisse for cosmetic purposes. There was some discussion, but at this time it is believed it may take a law change for this request to be granted. No action was taken.

Mr. Greene provided the Board with an update to the current rule being amended (4725-16-03) regarding prescribing controlled substances. A Public Hearing is scheduled on April 6, 2015.

Mr. Greene advised the Board that a five-year rule review is required on five administrative rules (4725-13-02 through 13-06). The Board reviewed the rules and found no amendments were necessary. A motion approving Mr. Greene to file the five-year review of these rules as no-change was made by Mr. Everhart. Motion was seconded by Dr. Bobst and passed by the Board.

The Board reviewed a request from HealthDrive concerning establishing temporary offices in Ohio. The Board had several questions that Mr. Greene will follow-up with their representatives. No action was taken on this request.

The Board also reviewed another request from a licensee regarding Anthem denying payment for certain procedures. While the Board could take no formal action on this request, they did recommend some other alternatives for the licensee to consider.

Mr. Greene also provided the Board with an update regarding the current Investigator position opening and also the upcoming Administrative Assistant opening.

Ms. Pelphrey updated the Board on the upcoming hearing scheduled on April 23, 2015.

Patient Complaint Investigations

The Board reviewed the recap of patient complaints which were received since the last Board meeting on December 10, 2014. Two new complaints were received during this period both of which are still pending. Six complaints have been finalized during this same period. The pending complaints were discussed with the supervising Board member and will be finalized in the future. (Annex C)

The Investigator's Activity Report (Annex D) was reviewed with the Board members. There were no on-site inspections completed and there has been no mileage traveled by staff members year to date for calendar year 2015 due to the Investigator position being vacant.

Optometric Advertising Violations

There were no advertising violations reported during this period. (Annex E)

Other Investigative Matters

There were no other investigative matters for this meeting.

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 date of the next meeting is June 10, 2015.

Adjourn

Dr. Nye made a motion to adjourn the meeting which was seconded by Dr. Bobst. The Board passed the motion and the meeting adjourned at 12:15 p.m.

Jeff Fogt, O.D.
Board President

Thomas Nye, O.D.
Board Secretary