

**Ohio State Board of Optometry
Board Meeting**

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

March 13, 2013 at 9:30 a.m.

President Presiding

President Warn convened the meeting at 9:35 a.m. The meeting was held in the Boardroom on the 31st floor of the Vern Riffe Center.

Roll Call

Present for the meeting were:

Stanley Warn, O.D., Board President
Thomas Bobst, O.D., Board Secretary
Michael Everhart, Board Member
Jeff Fogt, O.D., Board Member
Thomas Nye, O.D., Board Member
Karen Riccio, O.D., 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; Judy Martin representing Luxottica; Rick Cornett and Elizabeth Muckley, O.D. representing the Ohio Optometric Association and Ms. Charissa Payer from the Attorney General's Office.

Approve Minutes

President Warn called for a motion on the minutes of the December 12, 2012 Board meeting. Dr. Riccio moved to approve the minutes which was seconded by Dr. Bobst. The motion was then passed by the Board.

New Licensees

Dr. Warn advised that there were two completed licensure applications. Dr. Riccio made a motion that the following optometrists be granted Ohio optometric and therapeutic licensure: Cecelia C. Koetting, O.D. and Kathleen P. O'Leary, O.D. Dr. Bobst seconded the motion. Motion passed.

The Board next reviewed an applicant for licensure who has been unsuccessful in passing the NBEO exams. The matter was tabled until the applicant passes all parts of the NBEO exams.

An application from Joyce Misel, O.D. was brought before the Board for discussion. Dr. Misel graduated from the OSU College of Optometry in 1997 but did not obtain an Ohio license. She practiced in Iowa for four years but has not practiced optometry since 2001. Dr. Nye made a motion that Dr. Misel be required to obtain 16 hours of remedial clinical externship, to include observation and proficiency experience and provide the Board with a letter of recommendation. The matter would then be voted on at the next meeting on June 12, 2013. Motion seconded by Dr. Riccio and passed by the Board.

Two endorsement applications were presented to the Board. Bridget I. Fath, O.D. from Indiana and Susan H. McCutcheon, O.D. Motion was made from Dr. Riccio to approve these two endorsement applicants. Seconded by Dr. Fogt. Motion passed.

Discussion was held regarding an endorsement application from William Billman, O.D. Motion was made by Dr. Nye to approve Dr. Billman for licensure upon receipt of his missing materials and ten hours of COPE approved pharmacology continuing education. Motion was passed with Mr. Everhart abstaining.

The Board next reviewed two applicants for licensure reinstatement. Dr. Riccio moved that James Dickey, O.D. be granted reinstatement of his Ohio optometric and therapeutic license. Motion was seconded by Dr. Fogt and passed by the Board. Dr. Riccio moved that Kimberly Castellucci, O.D. be granted reinstatement of her Ohio optometric and therapeutic license upon receipt of the query from the National Practitioners Data Bank. Dr. Fogt seconded the motion. Motion passed.

The Board directed Mr. Greene to draft a policy for approval at the next meeting clarifying continuing education requirements for reinstatement applicants.

Continuing Education

Dr. Fogt explained the recap on continuing education courses received at the Board office since the December 12, 2012 meeting. (Annex A) There were 58 courses reviewed. Dr. Fogt made a motion that courses 2013-093P through 2013-150P 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 is out of the country for an extended period of time and was requesting to be permitted to do all 25 hours of C.E. on line. Dr. Riccio moved to approve the waiver which would allow this doctor to complete all 25 hours of C.E. on line. Motion was seconded by Mr. Everhart and then passed by the Board.

Therapeutic Optometry Matters

There were no drug-induced side effect reports received since the December 12, 2012 meeting.

Administration

NBEO Report – Nothing to report.

ARBO Report - Dr. Bobst updated the Board on his participation on the COPE Committee Meeting he attended in January and the upcoming meeting in Chicago in April. Dr. Riccio made a motion for Dr. Bobst and Mr. Greene to attend the ARBO Annual Conference in June. Motion was seconded by Mr. Everhart and passed by the Board.

AOA Reports – Nothing to report.

OOA Reports - Rick Cornett discussed several legislative issues including:

- Budget Bill – Medicaid Expansion, Sales Tax and Income Tax
- The Identification Bill
- Telemedicine
- FDA proposed changes regarding Schedule II & III drugs
- HIPAA

Mr. Greene updated the Board on the following:

- Budget Testimony
- Four law changes/updates in the Budget Bill
 - 4725.16 – incorporate the word email
 - 4725.171 – add wording that the Board may impose additional requirements for reinstatement
 - 4725.21 – add wording regarding self-reporting
 - 4725.24 – clarify and add wording regarding automatic suspension of license
- Board Certification Policy Statement
- AOA's position on the drug schedule changes proposed by the FDA

Mr. Greene then discussed with the Board the five year rule review, receiving input regarding changes to our current rules. Mr. Greene will prepare the changes and present it to the Board at the next meeting in June for final approval.

Patient Complaint Investigations

The Board members reviewed the recap of patient complaints received since the December 12, 2012 Board meeting. Two new complaints were received during this period and are pending investigation. No complaints were pending prior to the March 13, 2013 meeting (Annex B.)

The Investigator's Activity Report, Annex C, was reviewed by the Board members. In addition to the two complaints that were filed, thirty-eight on-site inspections were conducted. One advertising letter was sent out and is pending. Five office inquiry/office

complaints were initiated and completed. The staff traveled 1,285 miles during the period. There were no completed complaints for the Board to review.

Optometric Advertising Violations

The one advertising violation notification letter that had been sent out is pending a response from the optometrist. (Annex D)

Other Investigative Matters

The laws and rules presentation will be held at the OSU College of Optometry on March 27, 2013 at 6:00 p.m.

Approve Expenses

A motion was made by Dr. Riccio and seconded by Mr. Everhart 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 June 12, 2013.

Adjourn

Dr. Riccio made a motion to adjourn the meeting which was seconded by Mr. Everhart. The Board passed the motion and the meeting adjourned at 12:30 p.m.

Stanley Warn, O.D.
Board President

Thomas Bobst, O.D.
Board Secretary