

**Ohio State Board of Optometry
Board Meeting**

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

March 30, 2016 at 9:30 a.m.

President Presiding

Board President, Thomas E. Nye, O.D. convened the meeting at 9:30 a.m. The meeting was held in the 31st floor Boardroom of the Vern Riffe Center.

Roll Call

Present for the meeting were:

Thomas E. Nye, O.D., Board President
Cheryl Archer, O.D., Board Secretary
Jeff Fogt, O.D., Board Member
Thomas Bobst, O.D., Board Member
LaMar Zigler, O.D., Board Member
Mr. Jeffrey Greene, Executive Director
Mr. David Bailey, Investigator
Mrs. Lopez-Wellman, Administrative Assistant

The following persons were also in attendance at the meeting: David Corey representing Luxottica; Keith Kerns representing the Ohio Optometric Association; Nelson Heise representing the Ohio Physicians Health Program; Dr. Jack Terry representing National Board of Examiners in Optometry and Ms. Emily Pelphrey from the Attorney General's Office.

Approve Minutes

Dr. Nye called for a motion on the minutes of the December 9, 2015 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. Nye advised that there was one application complete for licensure. After review of the application, Dr. Zigler made a motion that Kelsey Thomson, O.D. be granted Ohio optometric and therapeutic licensure. The motion was seconded by Dr. Bobst and passed by the Board.

Dr. Nye advised that there were two applications for licensure with missing material. After review of the applications Dr. Archer moved that Katherine Hogan, O.D. and

Ronald J. Mannarino, O.D. be granted Ohio optometric and therapeutic licensure upon receipt of their missing materials. Motion was seconded by Dr. Zigler and passed by the Board.

Dr. Nye advised that there was one application for licensure via endorsement. Dr. Fogt moved that Martin Rudick, O.D. be granted Ohio optometric and therapeutic licensure as soon as the Board receives license verification from Michigan, BCI/FBI background check and session on laws. Motion was seconded by Dr. Archer and passed by the Board.

The Board then reviewed one completed application for licensure reinstatement. Dr. Archer moved that Candice L. Seagraves, O.D. be granted reinstatement of her Ohio optometric and therapeutic license. Motion was seconded by Dr. Zigler and passed by the Board.

Continuing Education

Dr. Zigler advised the new process of approving continuing education courses was working very well.

Dr. Zigler made a motion that courses 2016-083P through 2016-146P be approved as listed. Motion was seconded by Dr. Bobst and passed by the Board.

The Board reviewed one continuing education waiver for CE year 2016. Dr. Zigler made a motion to approve the waiver. Motion was seconded by Dr. Bobst.

Therapeutic Optometry Matters

Dr. Archer reported that there was one Drug Induced Side Effects Report (DISER) filed since the December 9, 2015 meeting.

Administration

NBEO Reports:

Dr. Jack Terry from NBEO made a presentation to the Board regarding the new Continued Professional Development in Optometry exam. The Board will utilize this test as a tool for optometrists who may have been out of practice for some time or when a licensee may need remedial training. The Board approved the exam for four (4) hours of continuing education every other year. The hours would be approved for pharmacology.

There was also discussion with Dr. Terry about our next Board meeting on May 25th and the release of scores for some graduates around the country who may be pursuing licensure in Ohio, but graduate after the Board meeting. The Board was extremely appreciative of Dr. Terry and NBEO for coming from North Carolina to make his presentation.

ARBO Report:

The Board approved a motion for Dr. Bobst and Mr. Greene to attend the ARBO Conference in Boston June 26-28th.

AOA Report – No discussion.

OOA Report:

Mr. Kerns provided a legislative update for ongoing legislation related to optometry including:

House Bill 275 – regarding vision care providers and health insuring corporations
Senate Bill 216 – Sales Tax Bill

Mr. Kerns also mentioned the OOA hosting their annual Practice Management Institute on May 4th at Columbus State Conference Center.

He also reported the Ohio Optometric Foundation is raising funds for an endowment scholarship for a 4th year student at OSU College of Optometry in the amount of \$10,000.

Dr. David Sterna met with the Board regarding the use of the term “Board Certified”. Dr. Sterna and 27 other Ohio licensed O. D.’s have obtained Board Certification through the American Board of Optometry. Dr. Sterna is a Diplomat for ABO and wanted the Board to consider a change to the language contained in Ohio Administrative Rule 4725-5-13. After discussion, the Board decided to make no changes to our current rules denying Dr. Sterna’s request. It is noted the Board did adopt a policy in 2013 regarding answering “yes” to the question, “are you Board Certified”, when asked by a 3rd party payer.

Mr. Greene presented the following to the Board:

Advised the Board that on February 9th he presented testimony to the Sunset Review Committee, which is considering the Board of Optometry absorbing the Optical Dispenser’s Board. The Committee has a June 30th deadline for their report, but stated their goal is to have it completed by the end of April.

Updated the Board regarding the IT Assessment, the purchase of new computers and the new e-Licensing system that is scheduled for the Board of Optometry in the spring of 2017.

Provided the Board with a copy of the minimum data set of questions from the Ohio Department of Health and the Governor’s Resource Center. The questions will become part of the renewal process once the new e-Licensing system is in place, most likely the renewal period for 2018.

The Board was provided the information to complete their ethics training sometime during the year and provide Mr. Greene with their certificate of completion.

The Board reviewed talking points put together by the interested parties committee regarding the North Carolina Dental Board Case and there was discussion about the possible restructuring of all the health care boards in the future.

The Board was also reminded to complete their financial disclosure report by May 16th.

President Nye called for a motion for the Board to enter Executive Session to discuss investigative matters. Dr. Bobst moved that the Board enter Executive Session and asked that Ms. Pelphrey, Mr. Greene, Mrs. Lopez-Wellman and Mr. Bailey remain in the room. Dr. Zigler seconded the motion. Mr. Greene took a roll call vote with all members being in attendance. The motion was passed and the Board entered Executive Session at 11:15 a.m.

After discussion the Board returned to the public meeting at 12:55 p.m. President Nye called for a motion to adjourn Executive Session. Dr. Archer made a motion to adjourn Executive Session. Dr. Bobst seconded the motion. Motion passed.

No actions or motions were made at this time.

Patient Complaint Investigations

The Board reviewed the summary of patient complaints (7a & b) received since December 9, 2015. Six new complaints were received during this time period. Six complaints have been successfully closed, including four of the newest. One complaint from May of 2015 remains open. This open investigation (2015-05) is assigned to the Ohio Attorney General's Medicaid Fraud Unit. A conference took place on March 25, 2016 with Agent Thomas Smith regarding the status of this open case.

The Investigator Activity Report (7c) was reviewed by the Board. Twelve on-site inspections were conducted. No advertising letters were sent during this period. Nine office/informal complaints were received and finalized. The investigator traveled approximately 67.5 during this period.

Optometric Advertising Violations

No formal advertising complaints were received during this time period.

Other Investigative Matters

There are none to report.

Approve Expenses

A motion was made by Dr. Bobst and seconded by Dr. Zigler 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 May 25, 2016.

Adjourn

Dr. Bobst made a motion to adjourn the meeting which was seconded by Dr. Zigler. The Board passed the motion and the meeting adjourned at 1:00 p.m.

Thomas E. Nye, O.D.
Board President

Cheryl Archer, O.D.
Board Secretary