

**Ohio State Board of Optometry
Board Meeting**

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

April 13, 2011 at 9:30 a.m.

President Presiding

President Roark convened the meeting at 9:45 a.m. The meeting was held in Room West B & C, 31st floor of the Vern Riffe Center.

Roll Call

Present for the meeting were:

Dennis Roark, O.D., Board President
Karen Riccio, O.D., Board Secretary
Larry Barger, O.D., Board Member
Patricia Scharf, Board Member
Stanley Warn, O.D., Board Member
Mr. Mike Everhart, Executive Director
Mr. Jeff May, Investigator

The following persons were also in attendance at the meeting: Rick Cornett and Linda Fette representing the Ohio Optometric Association; Todd Baker from the Ohio Ophthalmological Society; David Corey representing LensCrafters and Ms. Yvonne Tertel from the Attorney General's Office.

Prior to the beginning of the regular scheduled meeting a Public Hearing was conducted related to changes in the continuing education rules.

Approve Minutes

President Roark called for a motion on the minutes of the January 12, 2011 Board meeting. Dr. Barger moved to approve the minutes which was seconded by Dr. Riccio. The motion was then passed by the Board.

New Licensees

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

There was one application with missing material. After review, Dr. Barger moved that the one applicant listed in Annex A with missing material be granted Ohio optometric and

therapeutic licensure upon receipt of the necessary item. Dr. Riccio seconded the motion which was passed by the Board.

The Board next reviewed three applicants for licensure reinstatement. Dr. Barger moved that Maria Bencsath, O.D. and Minna Huang, O.D. be granted reinstatement of their Ohio optometric and therapeutic license. Motion was seconded by Dr. Riccio and passed by the Board. Dr. Riccio moved that Edward Crum, O.D. be granted reinstatement of his Ohio optometric and therapeutic license upon receipt of license verification from the State of West Virginia. Ms. Scharf seconded the motion and it was passed by the Board.

Continuing Education

Dr. Barger explained the recap on continuing education courses received at the Board office since the January 12, 2011 meeting. (Annex B) There were 67 courses reviewed and approved. Dr. Barger made a motion that courses 2011-108P through 2011-174P be approved as listed. Motion was seconded by Dr. Riccio and passed by the Board.

Therapeutic Optometry Matters

There were no drug-induced side effect reports received since the January 12, 2011 meeting.

Licensure Matters

There were no licensure matters to discuss at this meeting.

Administration

The Board discussed the upcoming ARBO meeting and relevant information being compiled for distribution at the meeting. Besides the statistical data being requested, ARBO was also conducting a survey about Board Certification. A decision was made to incorporate the certification questions into the Spring Newsletter in order to determine the licensee's perspective on this matter. Additionally, Dr. Riccio made a motion to approve expenses for Dr. Barger to attend the annual ARBO meeting. The motion was seconded by Dr. Warn and approved by the Board.

Mr. Cornett from the OOA addressed the Board on a wide range of topics including ABO certification, pending legislation at both the state and federal level and electronic health records.

The Board was asked to review the Spring Newsletter and advise the office no later than April 18 of any changes. Mr. Everhart was directed to include the questions relative to certification within the newsletter.

Mr. Everhart provided the Board with an update on the rules related to authorized business entities. The rules have been withdrawn pending receipt of the formal opinion from the Attorney General's office. Based on the content of the formal opinion, the Board will determine an appropriate course of action.

The Board was provided a copy of Executive Order 2011-03K regarding ethics training which was reviewed and will await a decision as to the appropriate legal counsel to provide the yearly training.

Board members were advised by Mr. Everhart that the first budget testimony was presented March 28, 2011 and included the requested fee increases. This testimony was provided to the House subcommittee and we have yet to be notified when testimony will be presented to the Senate.

Mr. Everhart formally announced his last day of employment with the Board will be June 17, 2011. A search committee comprised of Dr. Roark, Dr. Barger and Dr. Riccio was appointed to review potential candidates. Upon completion of that task, the full Board will meet to interview candidates and make a recommendation.

Patient Complaint Investigations

The Board members reviewed the recap of patient complaints received since the January 12, 2011 Board meeting. Five new complaints were received during this period with three of the complaints being finalized and two pending further investigation. Four complaints were pending prior to the January 12, 2011 meeting with two being completed prior to this meeting and two remain pending further investigation. (Annex C.)

The Investigator's Activity Report, Annex D, was reviewed by the Board members. In addition to the five complaints that were filed, thirty on-site inspections were conducted. Three advertising violation letters were sent out of which two were completed and one is pending. Seven office inquiries/office complaints were initiated and completed. The staff traveled 850 miles during the period. The Board members also reviewed the summary of completed complaints and had no questions concerning the complaints.

Optometric Advertising Violations

Three advertising violation notification letters have been sent out since the last meeting. Two have been responded to by the doctor that corrective action was being taken and the other is pending a response from the doctor. A list of the violations was provided to the Board for their information. (Annex E.)

Other Investigative Matters

Board employees will be presenting the Laws and Rules session on April 27, 2011 at 6:00 p.m. to fourth year students at the Ohio State University, College of Optometry.

Approve Expenses

A motion was made by Dr. Barger and seconded by Dr. Riccio to approve the Board member expenses for this meeting. The motion was passed by the Board.

Date of the Next Board Meeting

The next scheduled Board meeting date is July 6, 2011.

Adjourn

Dr. Barger made a motion to adjourn the meeting which was seconded by Dr. Riccio. The Board passed the motion and the meeting adjourned at 11:36 a.m.

Dennis Roark, O.D.
Board President

Karen Riccio, O.D.
Board Secretary