

**Ohio State Board of Optometry
Board Meeting**

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

July 8, 2009 at 9:30 a.m.

President Presiding

Rhonda Riles, O.D., Board President, convened the meeting at 9:35 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:

Rhonda Riles, O.D., Board President
Larry Barger, O.D., Board Secretary
Karen Riccio, O.D., Board Member
Dennis Roark, O.D., Board Member
Ms. Patricia Scharf, Board Member
Beth Workman, O.D., Board Member
Mr. Mike Everhart, Executive Director
Mrs. Nancy Ott, Administrative Assistant
Mr. Jeff May, Investigator

The following persons were also in attendance at the meeting: Mr. Rick Cornett representing the Ohio Optometric Association, Ms. Kristen Starr from the Attorney General's Office, Todd Baker from the Ohio Ophthalmological Society and David Corey from PACA Inc.

Approve Minutes

President Riles called for a motion on the minutes of the April 22, 2009 Board meeting. Dr. Roark made a motion to approve the minutes that had previously been mailed to all Board members for review. Dr. Workman seconded the motion and it was passed by the Board.

New Licensees

Mr. Everhart advised that there were 73 completed applications for licensure as listed in Annex A. After review of the packets Dr. Barger made a motion that the 73 applicants listed in Annex A with all material submitted be granted Ohio optometric and therapeutic licensure. The motion was seconded by Dr. Workman and passed by the Board.

Dr. Workman made a motion that the four applicants listed in Annex A with missing material be granted Ohio optometric and therapeutic licensure pending receipt of the required material. Dr. Barger seconded the motion and it was passed by the Board.

Continuing Education

Dr. Riccio explained the recap on continuing education courses received at the Board office since the April 22, 2009 meeting. (Annex B) There were 34 courses reviewed and approved.

Dr. Riccio made a motion that courses 2009-154P through 2009-186P and 2010-001P be approved as listed. Motion was seconded by Dr. Roark and passed by the Board.

Therapeutic Optometry Matters

There were no drug-induced side effect reports received since the April 22, 2009 meeting.

There was one application for therapeutic certification submitted by Lucinda Poston, O.D. Dr. Workman made a motion to approve Dr. Poston's application. Motion was seconded by Dr. Roark and passed by the Board.

Licensure Matters

The Board received three "Application for Waiver of Continuing Education Requirements." The first request was from Julius Foxman, O.D. to be permitted, in his 60th and final year of practicing optometry, to be able to submit 10 lecture hours and 15 on-line hours for the C.E. period ending September 30, 2009. Dr. Roark made a motion to accept these hours which was seconded by Dr. Workman. The motion was approved by the Board.

The next waiver involved a medical waiver due to recent surgeries and recovery time. After review of the available medical information and certification from the optometrist's physician, Dr. Riccio moved to accept the current 10 hours the optometrist had accumulated and to waive the remaining 15 hours. The motion was seconded by Ms. Scharf and approved by the Board.

The Board also considered a third request involving continuing education submitted by William Campbell, O.D. The Board currently grants 5 hours of continuing education to Ohio licensed optometrists who participate in a VOSH mission. The Board was asked to consider approving 5 hours for each of two VOSH missions completed during this C.E. period for a total of 10 hours credit. Dr. Workman made a motion to approve the request for a total of 10 hours for the current C.E. period for Dr. Campbell. Dr. Barger seconded the motion and it was approved by the Board. The Board did clarify that any requests for more than 5 credit hours for a VOSH mission would be considered on a case-by-case basis.

The Board's final licensure matter involved an out-of-state applicant that had been required to take and pass Part III of the NBEO before licensure in Ohio could occur. The applicant has been unsuccessful in completing this requirement and is not likely to take the test again prior to the new changes to the testing. In short, the applicant was attempting to clarify what portion of the new NBEO would be required by the Board in order to be licensed. Dr. Workman "volunteered" to contact Dr. Jack Terry at NBEO to discuss this matter and determine the appropriate testing.

Administration

Dr. Barger provided an overview of his attendance at the Association of Regulatory Boards of Optometry (ARBO) annual meeting. Dr. Barger indicated there had been considerable dialogue about the proposed board certification and eligibility requirements.

Mr. Rick Cornett, representing the Ohio Optometric Association, discussed several issues including board certification, ongoing budget issues, the Foundations upcoming major event in October and an effort to increase the number of eye exams in under-served populations.

The Board discussed two inquiries from Ohio optometrists. The first one was a brief discussion concerning the permissibility to treat a sudor cyst “by a single puncture with a sterile needle and expressing the contents.” The Board reiterated that a “single puncture with a sterile needle” would be construed as an invasive procedure which is prohibited by ORC 4725.01(F).

The second inquiry was a clarification regarding pupillary distances (PD). The Board reaffirmed their position that there was a great deal of respect for the professional integrity and training of our optometrists and neither the Board, nor the law, has mandated a step-by-step process to examine their patients. However, if a pupillary distance is done and documented in the patient’s records, it is subject to release to the patient.

Mr. Everhart advised the FY10 and FY11 budget had not been approved by the legislation and that the Board was still operating on a weekly interim budget.

Patient Complaint Investigations

The Board members reviewed the recap of patient complaints received since the April 22, 2009 Board meeting. Five new complaints were received during this period with one of the complaints being finalized. Three complaints were pending prior to the April 22, 2009 meeting and all are still 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-two on-site inspections were conducted and six office inquiries/office complaints were initiated and completed. The staff traveled 368 miles during the period. The Board members also reviewed the summary of completed complaints and had no questions concerning the complaints.

Optometric Advertising Violations

No advertising violation notification letters were sent out. (Annex E.)

Other Investigative Matters

There were no “Other Investigative Matters” to discuss at this meeting.

Approve Expenses

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

Dates of the Next Board Meetings

The next Board meeting is scheduled for October 14, 2009 in Columbus, Ohio.

Adjourn

Dr. Barger made a motion to adjourn the meeting which was seconded by Ms. Scharf. The Board passed the motion and the meeting adjourned at 11:30 a.m.

Rhonda Riles, O.D.
Board President

Larry Barger, O.D.
Board Secretary