

**Ohio State Board of Optometry
Board Meeting**

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

September 14, 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; Jennifer Flatter representing the Success Group; and Ms. Emily Pelphrey from the Attorney General's Office.

Approve Minutes

Dr. Nye called for a motion on the minutes of the May 25, 2016 Board meeting. Dr. Fogt moved to approve the minutes which was seconded by Dr. Bobst. The motion was then passed by the Board.

New Licensees

Dr. Nye advised that there was 8 applications completed for licensure. After review of the applications, Dr. Archer made a motion that the 8 applicants be granted Ohio optometric and therapeutic licensure. The motion was seconded by Dr. Zigler and passed by the Board.

The Board then reviewed two completed applications for licensure reinstatement. Dr.

Archer moved that Randy A. Omlor, O.D. and Dr. Joseph R. Woodley be granted reinstatement of their Ohio optometric and therapeutic licenses. Motion was seconded by Dr. Zigler and passed by the Board.

The Board then reviewed an application from a doctor who attended college outside of the United States and that is not an accredited college of optometry. The Board was unable to approve the application due to requirements within the Ohio Revised Code.

Continuing Education

Dr. Zigler made a motion that courses 2016-163P through 2016-202P and 2017-002P to 2017-033P be approved as listed. Motion was seconded by Dr. Fogt and passed by the Board.

The Board reviewed two continuing education waivers for CE year 2017. Dr. Zigler made a motion to approve the waivers. Motion was seconded by Dr. Fogt.

Therapeutic Optometry Matters

Dr. Archer reported that there was no Drug Induced Side Effects to Report (DISER).

The Board approved two requests for Therapeutic licenses.

Administration

NBEO Reports:

ARBO Report: Dr. Bobst updated the Board on the ARBO Conference held in Boston in June. The Board also reviewed correspondence from ARBO President Dr. Gregory Moore and other correspondence regarding accreditation of continuing education.

AOA Report – No discussion.

OOA Report: Keith Kerns

Mr. Kerns addressed the Board regarding several issues including:

East/West Eye Conference in October 2016.

President's nights taking place across the State at this time.

He invited everyone to attend a reception for Linda Fette at East/West on Friday evening, October 7th. Linda is retiring in January, 2017.

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

House Bill 275
Senate Bill 216

There was also discussion regarding possible legislation in the future which would mandate eye exams for children.

He also provided information about the loan repayment program, which could provide up to \$5,000 per year toward student loans and that winners of the program will be announced at East/West.

Mr. Greene presented the following to the Board:

Currently, the budget request has been submitted for FY 18 & 19. The Board was advised this will be the first request for additional funds in several years, but it was due to increased administrative costs across the board. There is no plans for any type of fee increase to licensees in the foreseeable future.

He also addressed the Board regarding HB 523, the Medical Marijuana Bill, which became law on September 8th. There have already been inquiries from licensees about prescribing medical marijuana for glaucoma. Mr. Greene explained that at this time the rules have not been completed and that the Pharmacy Board has one year to complete them. At this time, optometrists are not included in the prescribing guidelines. Mr. Greene explained that he is sending a correspondence to all licensees with this information and that when new information is received he would forward it to them in a timely manner.

There were questions regarding scope of practice and practice issues the Board reviewed:

Are we permitted to compress a cataract paracentesis wound on patients to lower intraocular pressure spikes after cataract surgery? - **Yes, that is within the scope of practice for Ohio optometrists.**

Are we permitted to perform electrolysis of eyelash follicles when surgical removal with jeweler's forceps does not remedy the trichiatric eyelash to the patient's wishes? - **Yes, but not for cosmetic purposes.**

The Board reaffirmed their support for the use of Intense Pulsed Light Therapy (IPL) by Ohio licensed optometrists. They did caution that it cannot be used for cosmetic purposes.

The Board reviewed a news article regarding the release of pupillary distance measurement by an optical business.

Also, an Ohio licensed optometrist asked if there were any restrictions in having an optometry blog, which the Board agreed there was no problem with this as long as they were careful not to not give diagnostic or treatment advice to individuals.

Mr. Greene reminded the Board members to complete their Ethics training prior to December 31st.

The Board reviewed information about the Federation of Associations of Regulatory Boards (FARB) and our membership. They also approved travel for Mr. Greene for the FARB Forum in January, 2017.

The Board entered into Executive Session for discussion on one investigative issue at 10:45 a.m.

At 11:20 the Board exited the Executive Session. The Board voted to ratify consent agreement 2016-05.

Patient Complaint Investigations

The board members reviewed the summary of patient complaints (7a & b) received since May 25, 2016. Nine new complaints were received during this time period. Eight of these new complaints have already been resolved, with one remaining active and open. One additional complaint from earlier in 2016 was resolved during this time period as well. Two complaints from early 2016 remain open and pending.

The Investigator Activity Report (7c) was reviewed by the board members. Nineteen on-site inspections were conducted during this time period. No advertising letters were sent during this period. Five informal complaints were received and finalized. The investigator traveled approximately 1,080 miles 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. Archer 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 December 14, 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 11:30 p.m.

Thomas E. Nye, O.D.
Board President

Cheryl Archer, O.D.
Board Secretary