

**TENNESSEE BOARD OF DISPENSING OPTICIANS
MINUTES**

DATE: June 17, 2008

TIME: 9:00 a.m., CST

LOCATION: Health Related Boards Conference Center
Poplar Board Room
Heritage Place Metro Center
227 French Landing, Suite 150
Nashville, TN

BOARD MEMBERS

PRESENT: Kathy Hawkins, DPO, Secretary
Kimberly Jackson, DPO
Stacey Chitwood, DPO
Dr. Edward Risby, Consumer Member
Shane Partain, DPO

STAFF

PRESENT: Melody Spitznas, Board Administrator
Barbara Maxwell, Administrative Director
Lexie Whittemore, Advisory Attorney
Libby Miller, Director of Health Related Boards
Juanita Stone, Disciplinary Coordinator

GENERAL PUBLIC

ATTENDEES: Roy R. Ferguson, Ph.D.
Martha Gentry
Tish Craven
Bob Mason
Michael J. White
Jason Lane
Brian Burton

Ms. Hawkins, Secretary, called the meeting to order at 9:15 a.m. A sufficient number of members were present to constitute a quorum. Ms. Hawkins welcomed new Board member, Mr. Shane Partain.

Election of Officers

Ms. Hawkins entertained a motion to nominate the Chair of the Board. Ms. Chitwood made a motion, seconded by Ms. Jackson to nominate Ms. Hawkins as Chair. A roll call vote was conducted and all members voted in the affirmative to elect Ms. Hawkins. The motion carried.

Ms. Chitwood nominated Ms. Jackson as Secretary of the Board. Ms. Jackson declined the nomination. Dr. Risby made a motion, seconded by Ms. Jackson to nominate Mr. Partain as Secretary to the Board. A roll call vote was conducted and all members voted in the affirmative to elect Mr. Partain. The motion carried.

Ratify March 26, 2008 Board Meeting Minutes

Upon review of the March 26, 2008 Board meeting minutes, Ms. Chitwood made a motion, seconded by Mr. Risby, to approve the minutes as written. The motion carried.

Conflict of Interest Policy Statement

Ms. Whittemore reviewed the conflict of interest policy with the Board, which requires all Board members to disclose any conflict of interest they may have, whether existing or potential, which could affect the performance of their duties as Board members. Ms. Whittemore stated that if a Board member has a conflict of interest he or she must recuse himself/herself from the proceedings and leave the room during the hearing.

Office of General Counsel Report

Ms. Whittemore stated the Office of General Counsel currently has no litigation pending before the Board of Dispensing Opticians.

Investigative and Disciplinary Reports

Ms. Stone stated that there are currently eight (8) open complaints in the Office of Investigations.

Ms. Stone reviewed the disciplinary report, which lists disciplined licensees currently being monitored. Ms. Stone stated that if the licensees did not comply with the terms of their discipline, they would be pursued as being in violation of the Board's Order.

Ms. Stone explained the complaint review process to the Board. Ms. Stone stated that cases receive different priorities and can take anywhere from six (6) months to several years to process. Ms. Stone stated that the investigators must prioritize their caseload and that interim reviews occur frequently. Ms. Stone informed the Board that there are two levels of processing, P1 and P2. At P1 the Board's attorney reviews the complaint to determine if there is a violation of the rules. At the P2 process the Board's attorney and a consultant reviews the complaint to determine whether the case should be sent to the Office of General Counsel. Ms. Stone stated that the investigative process will move more quickly due to having more consultants.

Financial Report

Ms. Spitznas reviewed the financial report stating the Board has a cumulative carryover as of June 30, 2007, of \$167,805.98 and stated the Board should have a new report by the next Board meeting.

Administrative Report

Ms. Spitznas reviewed the administrative report stating as of June 9, 2008, there are currently 800 licensed dispensing opticians, 199 retired, 409 who failed to renew their license, and 114 are deceased. Ms. Spitznas stated there are currently 248 active apprentices.

Ms. Spitznas stated all requests for travel must be submitted to the Board's administrative office at least sixty (60) days prior to travel.

Ms. Spitznas said with the exception of incoming files, all files for this profession have been imaged.

Ms. Spitznas stated there are currently no projects in progress.

Ms. Spitznas informed the Board that the following issue(s) were to be addressed at the Board meeting: 1) Consider adding to the CE Provider Form that a Board Member may attend any CE session as a visitor/spectator, but will not receive CE credit unless they pay for the course; 2) Set Board meeting dates for 2009.

Ratify Newly Licensed

Upon review, Ms. Chitwood made a motion, seconded by Ms. Jackson, to approve the following applicants who passed the practical examination:

Douglas Robert Allen
Jennifer Lee Cooper
Nathan Lane Wright

The motion carried.

Ratify Reinstatements

Upon review, Ms. Chitwood made a motion, seconded by Dr. Risby, to approve the following applicants for reinstatement of their license:

Kathy J. Yearwood
Jean F. Meyer

The motion carried.

Ratify Closed Files

Upon review, Ms. Chitwood made a motion, seconded by Ms. Jackson, to close the files of the following applications for licensure and/or apprenticeship:

Bre'Shay Baker – Failure to submit semi-annual evaluation reports

Annie Bennett –	Failure to complete application within allotted timeframe
Jessica Draper -	Failure to submit semi-annual evaluation reports
Eileen Fantoni -	Failure to submit semi-annual evaluation reports
Denise Fuston -	Failure to submit semi-annual evaluation reports
Candice Jackson -	Failure to submit semi-annual evaluation reports
Brandy Gravitt -	Failure to submit semi-annual evaluation reports
Ryan Hardison -	Failure to submit semi-annual evaluation reports
Scott Kenkel -	Failure to submit semi-annual evaluation reports
Lardell Montgomery -	Failure to submit semi-annual evaluation reports
Mary Ramsey -	Failure to submit semi-annual evaluation reports
Timothy Reeves -	Failure to complete application within allotted timeframe
Linda White -	Failure to submit semi-annual evaluation reports
Jonathan Wilburn -	Failure to submit semi-annual evaluation reports
Gwendolyn Williams -	Failure to submit semi-annual evaluation reports

Review and Ratify Initial Determinations made by Board Member/Consultant

Upon review, Mr. Partain made a motion, seconded by Dr. Risby, to approve the following applicants, initially approved by the consultant, to sit for the practical examination:

- Adam Burns**
- Laura Keith**
- Sheri Lindsay**
- Jonathan Trentham**

The motion carried.

Upon review, Mr. Partain made a motion, seconded by Dr. Risby, to approve the following applicants, initially approved by the consultant, to sit for the practical examination:

Upon review, Ms. Chitwood made a motion, seconded by Ms. Jackson, to approve the following apprenticeship applicants:

- Robert Amonette**
- Leslie Arender**
- Stacy Breazelae**
- Bruce Cole**
- Julie Cole**
- Kimberly Collins**
- Michael Dekeyser**
- Brandi Felts**
- Jason Ferguson**
- Christine Goolsby**
- Angela Holt**
- Heather Klatt**

**Melanie Maddox
Michael McDonald
Alex Oduro-Kusi
Robert Parker
Tammy Reeves
Glenda Scales
Russell Sexton
Sara Shorter
Larry Shyblosky
Jennifer Wages
Kenneth Wormsley**

The motion carried.

Review Continuing Education Requests

Upon review, Mr. Partain made a motion, seconded by Dr. Risby, to approve the following continuing education courses:

SouthEastern Opticians Conference

August 1 – 3, 2008 – Jonesboro, GA
Multiple Courses and Speakers

All hours were approved with the exception of ten (10) hours regarding the “Refraction Workshop”

Ms. Hawkins stated that the reason the ten (10) hours were not approved is because dispensing opticians are not allowed to perform refractions. Dr. Ferguson stated that some dispensing opticians are allowed to refract under the direct supervision of an Ophthalmologist or Optometrist. Dr. Ferguson stated that the Board has been operating under statutes that date back to 1955. Mr. Partain stated that the statutes need to be changed and addressed concern over courses teaching how to refract. Mr. Partain made a motion, seconded by Ms. Chitwood to deny the ten (10) hours regarding refraction.

C.E.D.O.

August 17, 2008 – Embassy Suites – Nashville, TN
Speaker: Anthony Record, LDO

“Premium Optical Products Pt. 1”
“Premium Optical Products Pt. 2”
“New Technology in Progressive Lenses”
“Patient Follow-up Care”

Costco

September 23, 2008 – Orlando Airport Marriott – Orlando, FL

Speakers: John Alofs and Walter Hanlin

“Birth of a Frame”

“Perception of Value & the Ophthalmic Consumer”

September 25, 2008

Speakers: Jennifer Smythe, Susan Connelly and Michael Ward

“SCL Update: Tools, Design, Materials and Care”

“Member Service Standards”

“Understanding Contemporary Lens Care Products for HEMA and Silicone Hydrogel Lenses

“Soft Contact Lens Materials Update”

The Board had voted at the March 26, 2008 Board meeting not to approve these courses, except on an individual basis. Ms. Chitwood made a motion, seconded by Ms. Jackson to approve the individuals that submitted requests for approval to attend the courses in Orlando, FL. The motion carried.

International Vision Expo West 2008:

October 2 - 6, 2008 – Sands Expo and Convention Center – Las Vegas, NV

Multiple Courses and Speakers

Ms. Chitwood made a motion, seconded by Mr. Partain to deny the hours due to the request being received beyond the Board’s thirty (30) day deadline. The motion carried.

Mr. Partain made a motion, seconded by Ms. Jackson to add to the Board’s request for continuing education form that a member of the Board may attend a continuing education session, but not receive continuing education credit unless the Board member pays for the course. The motion carried.

2009 Board Meeting Dates

The Board set the following dates for the 2009 Board meetings: January 14, 2009, April 15, 2009, June 9, 2009 and October 21, 2009.

Correspondence

The Board reviewed a letter from **Alex Oduro-Kusi** requesting approval of, in lieu of the three (3) year apprenticeship program, his BS degree in Biological Sciences and a post graduate diploma in Optometry from Ghana. The Board decided to place this issue on the agenda for the next Board meeting and review after Mr. Oduro-Kusi’s transcripts are received.

The Board reviewed a letter from **Vicki Bomer Bowers** requesting the Board to grant her a license without having to complete the three (3) year apprenticeship program. Ms. Bowers is a missionary and works with a program titled "Eyes to See". The Board instructed Ms. Spitznas to send Ms. Bowers a letter stating that although the Board commends her on her efforts, she must first go through the process to become licensed, including completion of the apprenticeship program.

With no other Board business to conduct, Ms. Chitwood made a motion, seconded by Dr. Risby to adjourn the meeting at 11:20 a.m. The motion carried.

Ratified by the Tennessee Board of Dispensing Opticians on October 15, 2008.