

**TENNESSEE BOARD OF DISPENSING OPTICIANS
MINUTES**

DATE: January 6, 2010
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 37243

BOARD MEMBERS

PRESENT: Kathy Hawkins, DPO, Chair
Larry Christopher, DPO, Secretary
Donald Wells, DPO
Kimberly Jackson, DPO
Edward Risby, PhD, Consumer Member

STAFF

PRESENT: Lakita Taylor, Board Administrator
Diona Layden, Attorney
Benjamin Mezer, Attorney
Juanita Stone, Disciplinary Coordinator
Elizabeth Miller, Director of Health Related Boards
Barbara Maxwell, Director of Dispensing Opticians Board

Ms. Hawkins, Chair, called the meeting to order at 9:15 a.m. A quorum was present.

October 21, 2009 and November 4, 2009 Board Meeting Minutes

The Board reviewed the October 21, 2009 and November 4, 2009 Board meeting minutes. Mr. Wells made a motion, seconded by Ms. Jackson, to approve the minutes. The motion carried.

Office of General Counsel

Mr. Mezer introduced Diona Layden as the Board's new attorney.

Ms. Layden reviewed the conflict of interest policy with the Board.

The appeal of the Declaratory Order in the case of Mark S. Partain, DPO, was heard on February 13, 2009. The Chancellor took the matter under advisement and has not yet ruled.

Investigative and Disciplinary Reports

There are sixteen (16) complaints in the Office of Investigations for Dispensing Opticians. Three (3) cases are in first review, five (5) cases being investigated, and eight (8) cases in second review.

Two (2) licensees are currently being monitored, and two (2) licenses were revoked.

Ms. Stone presented a proposal from Charles Hudson, revoked license #860, requesting a settlement of assessed civil penalties. Upon discussion, Mr. Christopher made a motion, seconded by Ms. Jackson, to deny Mr. Hudson's request. The motion carried.

Administrative Report

There are currently 815 active dispensing opticians and 251 active apprentices. Five (5) dispensing optician and eight (8) apprentice applications were received since the last meeting.

For the period of June 2009 through November 2009, nineteen (19) dispensing opticians were audited for continuing education, and ninety-five percent (95%) were compliant.

Newly Licensed

Dr. Risby made a motion, seconded by Mr. Christopher, to approve the following newly licensed Dispensing Opticians:

Jade Black
Chrissy Bledsoe
Jessica Daugherty
Kristy Flatford
Sarah Fox
Hali Gibson
Eman Kiswani
Lenora Moore
Cynthia Perry

The motion carried.

Ratify Reinstatements

Dr. Risby made a motion, seconded by Mr. Risby, to approve the following reinstated Dispensing Optician(s):

Nancy Burnette
R. Timothy Mayo
Charles Owens

The motion carried.

Practical Exam Results

The Board reviewed the results of the November 9, 2009 practical examination. Scores and the number of times candidates who retook the examination were also reviewed.

Review Continuing Education Requests

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

The Learning Curve:

February 15, 2010 – Holiday Inn, Johnson City, TN

March 14, 2010 – Holiday Inn, Chattanooga, TN

March 21 and November 14, 2010 – Cookeville Regional Hospital, Cookeville, TN

April 18 and September 12, 2010 – Holiday Inn, Knoxville, TN

Speaker: Roy R. Ferguson, PhD

“General Anatomy of the Eye”

“General Physiology of the Eye”

“Diabetes Mellitus and Vision”

“Vertex Distance and Effective Power”

“Computers and Vision”

“Pediatric Eyewear”

“Ophthalmic Tools”

“Dang, These are Ugly!” (Eyeglass Fabrication)

March 7 and August 29, 2010 – Palmer Plaza, Nashville, TN

Speaker: Roy R. Ferguson, PhD

“Surgical Overview for Opticians”

“Dry Eye Etiology and Treatment”

“Refractive and Accommodation”

“Most Common Topical and Oral Medications That Affect the Eye”

“Refractive Surgery for the Ophthalmic Professional”

“Vertex Distance and Effective Power”

“Pediatric Eyewear”

“Diabetes mellitus and Vision”

TDOA:

March 21, 2010 – Chattanooga Chapter, Chattanooga, TN

Speaker: Diane Drake

“Dry Eyes and Contact Lenses”
“Fitting the Presbyope with Soft Contact Lenses”
“Anatomy and Physiology – How does the eye work?”
“Optical Triage for the Optical Practice”
“Making the Most of Your Laboratory Relationship”
“The Benefits of Freeform Technology”
“The Big Benefits of Package Pricing”

April 11, 2010 – Johnson City Chapter, Bristol Motor Speedway, Bistol, TN

Speaker: Jackie O’Keefe

“Positively Polarized for Me & My Patients”
“10 Dispensing Aids You Can’t Do Without”
“Patient Profiles & Multiple Sales... 12 Step Strategy”

Speaker: Diane Drake

“Focus on Presbyopia – Keeping Patients in Contact Lenses”
“Patient Education – The Contact Lens Dispenser’s Responsibility”
“The Solution May Be the Solution”
“Update on Soft Multifocal Contact Lenses”

Memphis 2010:

April 18, 2010 – Hyatt Place Memphis/Wolfchase Galleria, Memphis, TN

Program Chairman: C. Dexter Lowery, DPO

Speaker: Warren McDonald, PhD

“Management in a Changing Environment”
“Myopia and Other Ametropias”
“Gas Perm Fitting Basics”
“Troubleshooting the Difficult Rx”
“Working with Patients with UN-Equal Prescriptions”
“Update on Silicone Hydrogels”

The motion carried.

Closed Files

Ms. Jackson made a motion, seconded by Dr. Risby, to close the following licensure applications and/or apprenticeship:

Christen Benson	Incomplete apprentice application
Judy Bingham	Failure to submit semi-annual evaluation reports
Derek Black	Incomplete DPO licensure application
Robert Booher	Failure to submit semi-annual evaluation reports
Alicia Brown	Incomplete apprentice application
Erica Edwards	Failure to submit supervisor form & evaluation reports

**Ruth George
Kelly Pettigrew
Steven Staten
Carolyn Thomason**

**Failure to submit semi-annual evaluation reports
Incomplete DPO licensure application
Incomplete apprentice application
Failure to submit semi-annual evaluation reports**

The motion carried.

Application Review

Reinstatements

Mr. Christopher made a motion, seconded by Mr. Wells, to approve the following reinstatement applications:

**Amy Arndt – License No. 1118
Desiree Coffman – License No. 596
Suzan Inscho – License No. 914
Duane Ware – License No. 1012**

The motion carried.

DPO Applicants

Mr. Wells made a motion, seconded by Mr. Christopher, to approve the following applicants to sit for the practical examination:

**Veronica Blake-Sias
Sherisa Johnson
Sarah McFarland
Teresa Miller
Mary Ramsey
Candace Stone**

The motion carried.

Apprentice Applicants

Mr. Christopher made a motion, seconded by Dr. Risby, to approve the following apprentice applicants for apprenticeship training:

**Amanda Burroughs
Bradley Carroll
Angela Greene
Glinda Howell
Tammy Telker
Kellie White**

The motion carried.

Correspondence

The Board reviewed a letter from **Roy Ferguson**, dated September 18, 2009, requesting that applicants from unlicensed states, who have practiced for a number of years, be eligible to obtain licensure through a form of reciprocity. The Board deferred action on the matter until Mr. Ferguson submits a draft of a certification process he is currently developing.

The Board reviewed a letter from **Catherine Frye**, dated December 30, 2009, requesting an extension to obtain the required continuing education for 2009. Mr. Wells made a motion, seconded by Mr. Christopher, to request additional information from Ms. Frye explaining why she was unable to obtain the required continuing education. The motion carried.

The Board reviewed a letter from **Emmit Hayes**, dated December 15, 2009, requesting a waiver of the required practical examination. Mr. Christopher made a motion, seconded by Ms. Jackson, to deny Mr. Hayes' waiver request. The motion carried.

The Board reviewed a letter from **Milton Salomon, OD**, dated December 15, 2009, making an informal proposal to design and administer a practical examination for licensure. Ms. Jackson made a motion, seconded by Mr. Wells, to send Dr. Salomon a letter providing proposal and bidding information for state contracts.

The Board reviewed a letter from **Roy Hodge**, dated December 7, 2009, requesting the Board to examine the fairness of the practical examination. Mr. Christopher made a motion, seconded by Dr. Risby, to send Mr. Hodge a letter stating the Board's intent to continue evaluation of the practical examination. The motion carried.

Discuss practical examination

The Board discussed concerns with the practical examination. There was a review of the practical exam by a committee consisting of Mr. Ferguson, a Board consultant, and the Board Chair. The committee concluded that the exam provides a practical assessment of the skills necessary to become a licensed dispensing optician in Tennessee. The Board discussed and considered the development of a review course that would assist candidates in preparing for the practical exam.

Upon discussion, Mr. Christopher made a motion, seconded by Dr. Risby, to send apprentices and apprentice supervisors a list of topics covered on the practical examination and recommended reading material which will assist in preparing for the exam. The motion carried.

Discuss and consider rule amendments

Ms. Layden presented a rule amendment regarding fee increases, which amends rule 0480-01-.06 and increases fees as follows:

Apprentice application - \$100
Dispensing Optician application - \$150
Dispensing Optician renewal - \$300
Apprentice renewal - \$100/yr

Mr. Christopher made a motion, seconded by Dr. Risby, to approve the amendment and hold a rulemaking hearing. The motion carried.

Set Continuing Education Requirement for 2010

The Board discussed establishing the continuing education requirement for 2010. Upon discussion, Ms. Jackson made a motion, seconded by Mr. Christopher, to require all licensees to obtain at least four (4) hours of continuing education pertaining to spectacles, at least two (2) hours pertaining to contact lenses, two (2) hours pertaining to either spectacles or contact lenses and one (1) hour of jurisprudence for the year 2010. The motion carried.

The Board discussed changing the questions for the 2010 jurisprudence exam. Dr. Risby made a motion, seconded by Mr. Christopher, to appoint a committee of the Board Chair and another Board member to draft new questions. The motion carried.

With no other Board business to conduct, Dr. Risby made a motion, seconded by Ms. Jackson, to adjourn the meeting at 1:40 p.m. The motion carried.