

**TENNESSEE BOARD OF DISPENSING OPTICIANS  
MINUTES**

**DATE:** January 15, 2008

**TIME:** 9:00 a.m., CST

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

**BOARD MEMBERS**

**PRESENT:** Kelly Godsey, DPO, Chair  
Kathy Hawkins, DPO  
Kimberly Jackson, DPO  
Donald Wells, DPO  
Dr. Edward Risby, Consumer Member

**BOARD MEMBERS**

**ABSENT:** Stacy Chitwood, DPO

**STAFF**

**PRESENT:** Melody Spitznas, Board Administrator  
Barbara Maxwell, Administrative Director  
Lexie Whittemore, Advisory Attorney  
Lakita Taylor, Administrator

**GENERAL PUBLIC**

**ATTENDEES:** Tish Craven  
Roy R. Ferguson, Ph.D.  
John Williams  
Amanda Sheri Moore, LDO  
Sheryl Palasieski, LDO  
Elizabeth Buyum  
Jay Taylor, LDO  
Jan E. Raleus, LDO  
Brian Burton

Mr. Godsey, Chair, called the meeting to order at 9:37 am. A sufficient number of members were present to constitute a quorum.

## **Ratify October 29, 2007 Board Meeting Minutes**

Upon review of the October 29, 2007 Board meeting minutes, Mr. Wells made a motion, seconded by Mr. Risby, to ratify the minutes as written. The motion carried.

## **Conflict of Interest Policy Statement**

Ms. Whittmore 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. Whittmore stated that if a Board member has a conflict of interest they must recuse him/herself from the proceedings and leave the room during the hearing.

## **Office of General Counsel Report**

Ms. Whittmore stated the rule amendments regarding the apprenticeship training program, use of titles, the jurisprudence exam and petitions for stay and reconsideration were sent to the Office of the Attorney General on July 11, 2007 where they remain.

Ms. Whittmore said the Office of General Counsel currently has one (1) open case pertaining to the Board of Dispensing Opticians.

## **Investigative Report**

Ms. Stone reviewed the investigative report stating there are five (5) complaints year to date against dispensing opticians. Ms. Stone stated two (2) complaints have been closed; one (1) with no action and one (1) with a letter of warning.

Ms. Whittmore stated letters of concern or warning would not be brought before the board because a violation was not found or the infraction was very minor.

Mr. Godsey asked if the public would be made notice of letters of concern or warning against practitioners.

Ms. Whittmore said the public is not made aware of letters of concern or warning against a licensee because a violation had not been found.

Ms. Hawkins asked if any unlicensed practitioner violations are addressed with a letter of concern or warning.

Ms. Stone stated that any violation regarding practicing without a licensed would always be presented to the Board.

Ms. Stone said the office of investigations has received three (3) requests from individuals interested in becoming a consultant for this Board.

Ms. Whittmore stated qualifications of all individuals who submit interest are reviewed and considered to be a consultant and the Board has the authority to select the consultants desired.

### **Disciplinary Report**

Ms. Stone reviewed the disciplinary report stating there are currently six (6) practitioners being monitored.

### **Financial Report**

Ms. Spitznas reviewed the financial report stating the Board has a cumulative carryover as of June 30, 2007 of \$167,805.98.

### **Administrative Report**

Ms. Spitznas reviewed the administrative report stating as of January 3, 2008, there are currently 798 licensed dispensing opticians, 195 retired and 403 failed to renew and 112 deceased. Ms. Spitznas stated there are currently 243 active apprentices.

Ms. Spitznas stated there is no longer a limitation on travel and all requests must be submitted 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 said out of 68 licensees who renewed their license, twelve (12) renewed online. Ms. Spitznas asked Board Members to encourage their colleagues to utilize this service.

### **Discuss and/or consider contract regarding issuing new RFP regarding the practical examination**

The Board discussed a RFP for the development and administration of the practical examination.

Upon discussion, Ms. Hawkins made a motion, seconded by Mr. Wells, to begin the bidding process regarding the practical examination. The motion carried.

Mr. Wells asked if a member of the Board would be allowed to be present during the selection.

Ms. Whittmore advised that a Board member should not be present because of the risk of conflict of interest and a consultant would be more ideal.

### **Ratify Newly Licensed**

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

**Stacey Bell  
Alvin Clouse  
Gregory Davis  
Richard Downey  
Sherry Hixon  
Mica Kidd  
Susan Marrone  
Amanda Rose  
Sidney Yates**

The motion carried.

**Ratify Reinstatements**

Upon review, Ms. Hawkins made a motion, seconded by Mr. Wells, to approve the following for reinstatement:

**William Housewright  
Karen Huckaba  
Melissa Taris  
Lisa Winstead**

The motion carried.

**Review and Ratify Initial Determinations made by Board Member/Consultant**

Upon review, Ms. Chitwood made a motion, seconded by Mr. Wells, to approve the following applicants, initially approved by the consultant, to sit for the practical examination:

**Douglas Allen  
Dennis Morphis  
Jay Shelby**

The motion carried.

Upon review, Ms. Hawkins made a motion, seconded by Mr. Risby, to approve the following to re-take the practical examination:

**Amanda Barnes  
Thomas Danko  
Lisa Davis  
Johanna Wolford  
Nathan Wright**

The motion carried.

Upon review, Ms. Hawkins made a motion, seconded by Mr. Wells, to approve the following to take the practical after missing the last scheduled examination:

**Martha Kirkpatrick**  
**Emily Walkup**  
**Ruth Willey**

The motion carried.

**Review Continuing Education**

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

**International Vision Expo East:**

April 10-13, 2008 – Jacob Javits Convention Center, New York, NY  
*Multiple Courses*

**CEDO Inc.:**

April 5, 2008 – Hilton Garden Inn, Knoxville, TN  
April 6, 2008 – Embassy Suites, Nashville, TN  
Speaker: Anthony Record  
*“Premium Optical Products Part I”*  
*“Premium Optical Products Part II”*  
*“New Technology in Progressive Lenses”*  
*“Patient Follow-Up Care”*

**TDOA – Tennessee Dispensing Opticians Association:**

March 2, 2008 – Memphis Chapter  
Speaker: Ray Dennis  
*“Communications Skills for Success in an Optical Business”*  
*“The Economics of Sunwear”*  
*“The Evolution of Modern Progressive Lenses”*

Speaker: Jane Buckland  
*“Managing the Presbyope with Contact Lenses”*  
*“Tinted contact Lenses Workshop”*  
*“Contact Lenses for Fun and Profit”*

June 21, 2008 – TDOA Annual Convention, Pigeon Forge, TN  
Speaker: Diane Drake  
*“Ar Lenses: It’s What You don’t See That Makes the Difference”*  
*“Progressives in Evolution and Revolution”*  
*“What it Takes to Master Win/Win Dispensing”*

Speaker: Phyllis Rakow

*“Achieving First-Fit Success with Toric Soft Lenses”*

*“Sometimes the Solution Is the solution”*

*“The World Through Blunted Sight Art and the Eye”*

*“When a Contact Lens Wearer Needs Spectacles”*

June 22, 2008 – TDOA Annual Convention, Pigeon Forge, TN

*“Basic Refractive Status of the Eye”*

*“Making the Most of Tinted Contact Lenses”*

### **The Learning Curve:**

February 17, 2008 – Southwest Tennessee Community College, Memphis, TN

March 9, 2008 – Holiday Inn, Knoxville, TN

April 13, 2008 – Holiday Inn, Chattanooga, TN

April 20, 2008 – Holiday Inn, Johnson City, TN

May 25, 2008 – Cookeville Regional Hospital, Cookeville, TN

September 7, 2008 – Holiday Inn, Knoxville, TN

November 16, 2008 – Cookeville Regional Hospital, Cookeville, TN

*“General Anatomy of the Eye”*

*“General Physiology of the Eye”*

*“Applied Prism”*

*“Dog Guide Overview”*

*“Ten Leadership Sins”*

March 30, 2008 – Palmer Plaza, Nashville, TN

September 21, 2008 – Palmer Plaza, Nashville, TN

*“Surgical Overview for Opticians”*

*“Anterior Segment Disorders”*

*“Implantable Lenses”*

*“Contact Lens Methodology”*

*“Strabismus Fundamentals”*

*“Applied Prism”*

*“Dog Guide Overview”*

### **Ratify Closed/Abandoned Files**

Upon review, Ms. Jackson made a motion, seconded by Mr. Risby, to ratify closure of the following applicant files:

**Eric Daily**

**Dann Dunham**

**Deborah Dartt**

**Hannah Gibbons**

**Sandra Guinn**

**Thomas Hill**

**Michelle Huguley**  
**Jared Moffett**  
**Carlettia Newby**  
**Stacy Pehau**  
**Anna Roberts**  
**Dirk Weibezahn**

The motion carried.

### **Review Licensure Files**

Upon review of the apprentice application of **Jason Jones**, indicating a possible conflict of interest of direct supervision, Mr. Wells made a motion, seconded by Ms. Hawkins, to approve Mr. Jones for the apprenticeship program. The motion carried.

Upon review of the application of **Jennifer Cooper**, indicating missing documents, Mr. Risby made a motion, seconded by Ms. Jackson, to approve Ms. Cooper to sit for the practical examination pending receipt of the mandatory practitioner profile. The motion carried.

Upon review of the applications of **Teresa Griffin** and **Katherine Eldridge**, indicating missing semi-annual evaluation forms, the Board decided Ms. Griffin and Ms. Eldridge will need to reapply for the apprenticeship program.

Upon review of the apprentice application of **Loren Harris**, indicating his current position as a manager, Ms. Hawkins made a motion, seconded by Mr. Wells, to deny Mr. Harris approval into the apprenticeship program on the basis of the Declaratory Order. The motion carried.

Upon review of the application of **Terence Washington**, indicating possible forgery on submitted documents, the Board decided to deny Mr. Washington for licensure and refer his application to the Office of Investigations.

### **Correspondence**

Upon review of a letter from **Jennifer Cline**, requesting reconsideration of approval for apprenticeship training, Ms. Jackson made a motion, seconded by Mr. Wells, to deny approval on the basis that Ms. Cline works in the Doctor's office and not on the optical side. The motion carried.

Upon review of a letter from **Johanna Wolford**, indicating difficulty in passing the practical examination administered by The Learning Curve, Ms. Hawkins asked Roy Ferguson if applicants are given any references to questions missed.

Mr. Ferguson stated a print out of the answer sheet, along with questions missed, is given to individuals who fail the examination.

Upon further discussion, Ms. Jackson made a motion, seconded by Mr. Wells, to address Ms. Wolford by letter explaining her need to retake the practical examination. The motion carried.

### **Discuss appointing consultants and their duties**

The Board discussed appointing consultants and their duties in regards to Investigations and the Board. Ms. Whittmore stated a consultant may have a conflict of interest if appointed to do Board duties and investigative duties and should be kept separate.

Ms. Stone said the Office of Investigations has received the following names for individuals interested in being Board consultants:

**Kristi Hurst**  
**Steven Pendleton**  
**Roy Ferguson**

The following names are recommendations by the Board:

**Felda Stacey**  
**Mandy Dishmun**

Ms. Stone stated all individuals who submit interest in being appointed as a Board consultant will be reviewed for qualifications and presented to the Board for its decision.

Upon discussion, Mr. Risby made a motion, seconded by Mr. Wells, to leave Dexter Lawry as the Board's consultant until the next meeting, at which time selection of new consultants will be made. The motion carried.

### **Schedule Continuing Education Requirements for 2007**

Upon discussion, Ms. Hawkins made a motion, seconded by Dr. Risby, to require a minimum of four (4) continuing education hours in spectacles and two (2) continuing education hours, with a maximum of four (4), in contact lens. The motion carried.

### **Review/Discuss Hillsborough Community College's Opticianry Program**

The Board reviewed the Hillsborough Community College's Associate Degree in Opticianry via Distance Education program. Mr. Godsey stated he had concerns with distance learning because of the inability to know who is actually taking the course and participating in lab work.

Mr. Ferguson said from his knowledge, most distance learning students are at an equivalent learning capacity as on site students. Mr. Ferguson stated the lab work is different, but equivalent.

Mr. Wells stated he believed a better education would be obtained through the education program versus the apprentice program because it would give students an initial knowledge of the instruments used.

Ms. Hawkins said she also thought the program looked good and would give a more thorough education in opticianry.

Upon discussion, Mr. Wells made a motion, seconded by Ms. Jackson, to approve the Hillsborough Community College's opticianry program. The motion carried.

**Discuss sending correspondence to Dispensing Opticians and Apprentices pertaining to: declaratory order, supervisory arrangements, ID badges, display of license, etc.**

The Board discussed sending correspondence to licensees and apprentices pertaining to Board business. Upon discussion, Ms. Hawkins made a motion, seconded by Ms. Jackson, to send correspondence to licensees and apprentices pertaining to any Board business and/or updates. The motion carried.

With no other Board business to conduct, Mr. Risby made a motion, seconded by Mr. Wells to adjourn the meeting at 12:58 p.m. The motion carried.

**Ratified by the Tennessee Board of Dispensing Opticians on March 26, 2008.**