

## TENNESSEE BOARD OF OPTOMETRY MEETING MINUTES

**DATE:** February 11, 2009

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

**LOCATION:** Health Related Boards Conference Center  
Poplar Room  
227 French Landing, Suite 150  
Heritage Place MetroCenter  
Nashville, TN 37243

### **BOARD MEMBERS**

**PRESENT:** Richard Orgain, OD, Chair  
Linda Tharp, OD, Vice Chair  
David Talley, OD  
Scott Spivey, OD  
Jeff Foster, OD  
Kimberly Button, Citizen Member

### **STAFF**

**PRESENT:** Stacy Lannan, Board Administrator  
Libby Miller, Director  
Al Partee, General Counsel  
Lucy Bond, Attorney  
Barbara Maxwell, Administrative Director

Dr. Orgain called the meeting to order at 9:00 a.m. All Board members were present.  
Dr. Orgain welcomed Kimberly Button, the Board's new citizen member.

Mr. Partee, General Counsel, introduced Ms. Bond as the Board's new attorney.

### **Minutes**

Dr. Tharp made a motion, seconded by Dr. Spivey, to approve the November 5, 2008 minutes.  
The motion carried.

### **Conflict of Interest**

Ms. Bond reviewed the conflict of interest and asked the Board members to contact Mr. Partee, Ethics Compliance Officer, if they had any questions.

## **Office of General Counsel**

Ms. Bond said the rule amendments regarding COPE approved continuing education and the requirement of separate entrances for dispensing opticians and optometrists' offices have been returned from the Attorney General's office.

Dr. Tharp made a motion, seconded by Dr. Talley, to approve the Agreed Citations for **Michael Redus** and **Gregory Smith** for working on expired licenses. Dr. Redus and Dr. Smith agreed to pay civil penalties in the amount of \$100 each. The motion carried.

## **Investigative Report**

Ms. Stone presented an Order of Compliance for **Mark Jaynes**, who completed the stipulations of his Agreed Order dated November 30, 2005, for the Board's acceptance. Dr. Foster made a motion, seconded by Dr. Tharp, to approve the Order of Compliance. The motion carried.

Ms. Stone said there are nineteen (19) open complaints against optometrists. The Board asked that the types of complaints being filed be reported in the newsletter.

## **Financial Report**

The Financial Report indicated that the Board has a carryover balance of \$36,248.29 after the transfer of \$254,044.21 to the State's General Fund.

## **Administrative Report**

There are 1132 licensed, 888 retired, 460 failed to renew and 183 deceased optometrists. Between January 2008 and October 2008, fifty-two (52) optometrists were audited. Forty-five (45) licensees were in compliance and seven (7) were non-compliant.

## **ARBO Presentation**

Dr. Richt gave a presentation of the ARBO OE Tracker System, a database for reporting continuing education. Dr. Richt said the cost is \$20 per practitioner. The Board expressed interest in decreasing the renewal fee and to require a fee of \$20 per practitioner per year to fund the system.

Dr. Orgain suggested that the Board conduct an audit of all licensees.

Ms. Miller suggested to the Board that a contract would become effective before a rule, and discussed the process. It was also noted that, without a contract, ARBO could raise the \$20 fee at any time. Dr. Talley made a motion, seconded by Dr. Scott, to amend the rules to require all practitioners to use the OE Tracker System. The motion carried.

## **Approve Newly Licensed Optometrists**

Dr. Scott made a motion, seconded by Dr. Tharp, to approve the following newly licensed optometrists:

**Scott Chamberland**  
**Patricia Cisarik**  
**Amy Henson**  
**Maryke Neiberg**  
**Guru Sharma**  
**Kelly Thompson**  
**Eric Toppen**

The motion carried.

### **Approve Reinstated Optometrists**

Dr. Spivey made a motion, seconded by Dr. Talley, to approve the following reinstated optometrist:

**Walter Guerard**

The motion carried.

### **Approve Professional Name Requests**

Dr. Spivey made a motion, seconded by Dr. Tharp, to approve the professional name change of Drs. Denaburg & Jordan, PLLC to Drs. Jordan & Bondurant, PLLC. The motion carried.

### **Approve Closed Files**

Dr. Spivey made a motion, seconded by Dr. Tharp, to approve the following closed files:

**Robert Orgain**  
**Robert Crenshaw**  
**Ligy Varkey**  
**Wesley Sands**  
**Allan Rhoads**  
**Faranz Khankhanian**

The motion carried.

### **Approve Continuing Education Courses**

Dr. Talley made a motion, seconded by Dr. Foster, to approve the following continuing education courses:

**ALOA Annual Convention**  
November 7-8, 2008

December 1, 2008

**Dry Eye Update**

October 14, 2008

**Ocular Imaging: Spectral Domain Tomography**

January 27, 2009

**SECO International Conference 2009**

March 4-8, 2009

**Crack the Code for Economic Success**

February 7, 2009, March 28, 2009 and April 25, 2009

**Peripheral Retinal Lesions & Retinal Detachments  
Update on Wet Age-Related Macular Degeneration**

December 18, 2008

**Diagnosis Imaging for Glaucoma**

November 20, 2009

December 2, 2008

**TOP: What Does the Measurement Mean?**

November 20, 2008

December 2, 2008

The motion carried.

**Correspondence**

Dr. Talley made a motion, seconded by Dr. Foster, to grant **Dr. Amber Fritsch's** request to make up the nine (9) hour deficit for her 2008 continuing education requirement within six (6) months. The motion carried.

Dr. Talley made a motion, seconded by Dr. Tharp, to grant **Dr. Elina Davidoff's** request to make up the six (6) hour deficit for her 2008 continuing education requirement within six (6) months. The motion carried.

**Dr. Stephen Davis** sent the Board a letter asking what he should do about his patient files that were partially destroyed by a flood at his home. The Board determined that Dr. Davis should salvage the patient records.

**Exams**

Dr. Spivey made a motion, seconded by Dr. Tharp, to approve the following practitioners to serve as proctors for the 2009 National Board Exams:

**Dr. Edwin G. Anderson**

**Dr. Larry W. Bloomingburg**  
**Dr. Cory J. Bosanko**  
**Dr. Jennifer Kane Bulmann**  
**Dr. Frances D. Bynum**  
**Dr. Joshua Ava Coleman**  
**Dr. Robin J. Drescher**  
**Dr. Matthew T. Drew**  
**Dr. Janette D. Dumas**  
**Dr. Cheryl E. Ervin**  
**Dr. Leonard E. Hampton**  
**Dr. Whitney H. Hauser**  
**Dr. Shelly R. Hay**  
**Dr. Bradley N. Hines**  
**Dr. Karmen M. Holdinghausen**  
**Dr. Lara E. May**  
**Dr. Sonya M. Nelmes Smoak**  
**Dr. Mohammad R. Rafieetary**  
**Dr. Shilpa J. Register**  
**Dr. Miriam m. Rolf**  
**Dr. Jennifer A. Sanderson**  
**Dr. Richard S. Savoy**  
**Dr. Glenn Saxon**  
**Dr. Mollie Saxon**  
**Dr. Dipti Singh**  
**Dr. Makesha L. Sink**  
**Dr. James T. Sloan**  
**Dr. Clifton C. Stephens**  
**Dr. Michael R. White**  
**Dr. Nadia S. Zalatimo**

The motion carried.

**2010 Board Meeting Dates**

February 17, 2010  
Poplar Room  
9:00 a.m.

May 26, 2010  
Poplar Room  
9:00 a.m.

August 25, 2010  
Poplar Room  
9:00 a.m.

October 27, 2010

Poplar Room  
9:00 a.m.

With no other business to conduct, Dr Tharp made a motion, seconded by Dr. Foster, to adjourn at 12:05 p.m. The motion carried.

**Ratified by the Board of Optometry at the May 6, 2009 board meeting.**