

TENNESSEE BOARD OF OPTOMETRY MEETING MINUTES

DATE: February 13, 2008

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, Vice Chair
Linda Tharp, OD, Secretary
Jerry Richt, OD
Eddie Abernathy, OD
David Talley, OD

BOARD MEMBERS

ABSENT: Scott Spivey, OD, Chair
Pier Briley, Consumer Member

STAFF

PRESENT: Stacy Lannan, Board Administrator
Barbara Maxwell, Administrative Director
Lexie Whittemore, Advisory Attorney
Lakita Taylor, Administrator

Dr. Orgain called the meeting to order at 9:08 a.m. A sufficient number of members were present to constitute a quorum.

Dr. Orgain welcomed new Board member, David Talley, and thanked him for his willingness to serve on the Board.

Election of Officers

Dr. Richt made a motion, seconded by Dr. Tharp, to nominate Dr. Orgain as Board Chair. The motion carried.

Dr. Richt made a motion, seconded by Dr. Talley, to nominate Dr. Tharp for Vice Chair. The motion carried.

Dr. Tharp made a motion, seconded by Dr. Richt, to nominate Dr. Talley for Secretary. The motion carried.

Review November 9, 2007 Minutes

Upon review of the November 9, 2007 Board meeting minutes, Dr. Tharp made a motion, seconded by Dr. Richt, to approve the minutes as corrected. The motion carried.

Conflict of Interest Policy Statement

Ms. Whittemore reviewed the conflict of interest policy statement with the Board which requires all Board members to disclose any existing or potential conflict of interest they may have which could affect the performance of their duties as Board members. Ms. Whittemore said if a Board member has a conflict of interest they must recuse him/herself from the proceedings and leave the meeting room during the proceedings.

Ms. Whittemore asked Dr. Talley to sign the conflict of interest policy and return to Ms. Lannan.

Office of General Counsel Report

Ms. Whittemore stated the rules pertaining to continuing education, petitions for stay and reconsideration, and practice in or in conjunction with retail merchants were sent to the Attorney General for review on November 2, 2006, where they remain.

Ms. Whittemore said the rules pertaining to the jurisprudence exam and continuing education were sent to the Attorney General for review on March 19, 2007, where they remain.

Ms. Whittemore stated there is one (1) open case pertaining to the Tennessee Board of Optometry.

Investigative Report

Ms. Stone reviewed the investigative report stating there are currently fifteen (15) complaints year to date against optometrists. Ms. Stone said eleven (11) complaints have been closed; six (6) with no action; two (2) with letters of concern; two (2) with letters of warning and one (1) referred to OGC.

Dr. Orgain and Dr. Tharp asked if general information regarding complaints could be disclosed through the Board's newsletter or within the reports presented during scheduled Board meetings.

Ms. Whittemore said she and Ms. Moran, Director of the Investigation Division, will discuss the trends and categorization of complaints with the Board at the next meeting.

Disciplinary Report

Ms. Stone reviewed the Disciplinary Report stating there is currently one (1) practitioner being monitored.

Financial Report

Ms. Lannan reviewed the financial report stating the Board had a cumulative carryover of \$218,979.00 as of June 30, 2007.

Administrative Report

Ms. Lannan reviewed the administrative report stating there are currently 1122 active optometrists, 846 retired, 452 failed to renew and 177 deceased.

Ms. Lannan stated of the 108 optometrists who renewed their licenses between October 26, 2007 and January 31, 2008, 38 renewed online. Ms. Lannan asked Board members to encourage their colleagues to utilize the online renewal system.

Ms. Lannan said all travel request must be submitted for approval within 120 days of the event.

Ms. Lannan stated with the exception of new applications received, all files for this profession have been imaged.

Ms. Lannan said the continuing education audit for 2004/2005 will be conducted by pulling five percent (5%) of each month's renewals.

Ratify Newly Licensed Optometrists

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

Lesley N. Brooks, OD
Dana S. Chitwood, OD
Christina M. Danley, OD
Tram N. Do, OD
Stuart M. Greenberg, OD
Matthew H. Habel, OD
Laverda M. Richards-Golden, OD

The motion carried.

Ratify Reinstated Optometrists

Upon review, Dr. Richt made a motion, seconded by Dr. Tharp, to approve the following reinstated optometrists:

Brady M. Palmer, OD

The motion carried.

Consider/Ratify Professional Practice Name Requests

Upon review, Dr. Richt made a motion, seconded by Dr. Tharp, to approve the following professional practice name request:

Martin Eye Care, Inc.

Lenoir, TN

The motion carried.

Upon review, Dr. Tharp made a motion, seconded by Dr. Richt, to approve the following professional practice name request:

Family Eye Care, PLLC

Columbia, TN

The motion carried.

Upon review, Dr. Tharp made a motion, seconded by Dr. Richt, to approve the following professional practice name request:

Rhyné, Patton, and Presson, Optometrists

Knoxville, TN

The motion carried.

Upon review, Dr. Richt made a motion, seconded by Dr. Tharp, to approve the use of the following professional practice name:

Politzer & Durocher, PLC

Nashville, TN

The motion carried.

Review Application Files

Upon review of the application of **James Fitzgerald, OD**, indicating licensure from another state and incompleteness of part three (3) of the NBEO, which was not needed during the time he became licensed, Dr. Tharp made a motion, seconded by Dr. Richt, to approve Dr. Fitzgerald for licensure in the State of Tennessee. The motion carried.

Upon review of the application of **Nida Steiner, OD**, Dr. Richt made a motion, seconded by Dr. Tharp, to approve Dr. Steiner for licensure. The motion carried.

Review Continuing Education

Upon review, Dr. Tharp made a motion, seconded by Dr. Talley, to ratify the following continuing education courses initially approved by Dr. Richt:

Medical Management of Glaucoma

Presenter: Thomas K. Mundorf

1 hour DTM

Eye Health Partners – Murfreesboro

“The Art of OCT: An Introduction to Retinal Cross-Sectional Imaging”

Presenter: H. Eric Kostammaa, MD

2 hours DTM

Cape Regional Eye Center, PLLC

“Dry Eyes and Treatment”

Presenter: Richard C. Cape, MD

2 hours DTM

Middle Tennessee Optometric Society

“Tear Film Under Stress”

Presenter: Larry Alexander, OD, FAAP

2 hours DTM

Insurance Training Course

Presenter: Heather Loveland

3 hours PM

Southeast Eye Specialists

“Visian ICL Grand Rounds”

Presenters: John R. Bierly, MD and Robin Brady, OD

2 hours DTM

Our Favorite Cases 2007

Presenters: John R. Bierly, MD, Edward A. Peterson, MD, Daryl F. Mann, OD, Robin M. Brady, OD and Zachary S. McCarty, OD

2 hours DTM

Advances in Glaucoma

Presenter: Vic Khemsara, MD

Roundtable Discussion

Presenter: Threase E. Dykes, COA

Allied Eye Associates

“The Year in Archives of Ophthalmology”

“The Cornea: Urgent Topics”

“Retinal Disease: Common Problems”

Presenter: Izak F. Wessels, MD

6 hours DTM

The motion carried.

Correspondence

Upon review of a letter from **Wm. Logan McCord, OD**, requesting a waiver of the continuing education hours and his extenuating health issues, the Board asked Ms. Lannan to send Dr. McCord a letter asking him to attend the Board’s next meeting to provide documentation regarding his health issues so the Board can make a decision regarding his request.

Upon review of a letter from **Jennifer Parker** and **Lara DeCarlo, ARBO**, requesting approval of submitted names for COPE Course Reviewers, Dr. Tharp made a motion, seconded by Dr. Richt, to accept the names submitted. The motion carried.

Upon review of a letter from **Robert Simon, OD**, requesting information on the use of titles to include medical optometry or optometric physician, the Board decided to address Dr. Simon by letter citing the rules regarding the use of titles.

NBEO Update

Dr. Richt addressed the Board stating NBEO has made significant changes in their examination. Dr. Richt said Parts I and II will be conjoined and referred to as the applied basic science portion of the examination which will be four (4) sessions over a two (2) day span. Dr. Richt said Part II will be renamed, referred to as the patient assessment portion and lengthened to three (3) sessions at 3 ½ hour durations. Dr. Richt stated the TMOD will no longer be a stand alone section and Part III will be renamed, referred to as the clinical skills portion and expanded to include injectibles.

Dr. Richt stated testing centers have implemented a strategic placement of candidates during testing which should prevent cheating.

Additional Board Business

Dr. Orgain asked if there was any word about the names submitted at the previous meeting regarding consultants.

Ms. Lannan stated she is still waiting to hear word from the Office of Investigations.

Ms. Maxwell said a letter is sent to candidates asking if they are interested in becoming a Board consultant. Ms. Maxwell stated those who are interested are instructed to submit a letter, including a resume, to the Office of Investigations for review of the practitioner's qualifications, including a criminal background check. Ms. Maxwell said if the practitioner meets the qualifications for a Board consultant, Investigations will submit the name to the Board for approval.

Ms. Lannan stated letters will be sent out to the Board members regarding attendance of the Seattle meeting.

Ms. Maxwell said Ms. Miller, HRB Director, stated the Board will only pay for three (3) members to attend the meeting.

With no other Board business to conduct, Dr. Tharp made a motion, seconded by Dr. Richt, to adjourn the meeting at 10:45 a.m. The motion carried.

Ratified by the Board of Optometry at the May 7, 2008 board meeting.