

TENNESSEE BOARD OF OPTOMETRY MEETING MINUTES

DATE: May 6, 2009

TIME: 9:00 A.M., CST

LOCATION: Health Related Boards Conference Center
Poplar Room
227 French Landing, Suite 150
Heritage Place, Metro Center
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 Tarr, Board Administrator
Libby Miller, Director
Lucy Bond, Attorney
Barbara Maxwell, Administrative Director

Dr. Orgain called the meeting to order at 9:12 a.m. A quorum was present.

Minutes

Dr. Tharp made a motion, seconded by Dr. Foster, to approve the February 11, 2009 Board meeting minutes. The motion carried.

Conflict of Interest

Ms. Bond reviewed the conflict of interest reminding all Board members to notify her if they have a possible conflict with matters coming before the Board.

Consent Order

Ms. Bond presented a Consent Order to lift the probation for **William David Holladay, OD**, who fulfilled the requirements of his agreed order. Dr. Foster made a motion, seconded by Dr. Spivey, to approve the Consent Order for Dr. Holladay. The motion carried.

Office of General Counsel Report

Ms. Bond said the amendments to Rules 1045-02-.06, 1045-02-.03 and 1045-02-.05 were signed by the Secretary of State and will become effective May 16, 2009.

The Board asked Ms. Bond if the effective date for Rule 1045-2-.05(2)(a) regarding the approval of continuing education could be stayed. Ms. Bond said the rules could be stayed for a period not to exceed sixty (60) days. Dr. Foster made a motion, seconded by Dr. Tharp, to stay the effective date for Rule 1045-2-.05(2)(a) for sixty (60) days. The motion carried.

Ms. Bond said the proposed rule amendment to require all practitioners to use the ARBO OE Tracker System has been written and is being reviewed at the Office of General Counsel.

Investigative Report

There are currently seventeen (17) complaints against optometrists in the Office of Investigations.

Disciplinary Report

One (1) practitioner is currently being monitored and one (1) practitioner's license was revoked.

Financial Report

The Board had a balance of \$36,248.29 as of June 30, 2008. Ms. Tarr said the updated financial report is has been delayed by Edison.

Dr. Spivey asked when the Board would be audited for a sunset review. Ms. Miller said the next audit would be in June 2010.

Administrative Report

There are 1129 actively licensed optometrists.

Ms. Tarr said between January 2008 and November 2008 fifty-four (54) optometrists were audited for continuing education. Of the fifty-four (54) audited, forty-five (45) were in compliance and seven (7) were non-compliant.

Discuss Fee Amendment

Dr. Orgain suggested that instead of reducing renewal fees, the surplus funds should be used for the OE Tracker System.

Trip to ARBO Meeting

Dr. Tally made a motion, seconded by Dr. Foster, to have Dr. Orgain attend the ARBO Meeting in National Harbor, MD. The motion carried.

Dr. Tally made a motion, seconded by Dr. Tharp, to have Ms. Miller attend the ARBO Meeting in National Harbor, MD. The motion carried.

New Licenses

Dr. Foster made a motion, seconded by Dr. Tharp, to approve the following optometry applications for licensure:

Kyle Matthew Barnes
Jennifer Peeples Carter
Alisha J. Cornish
Christina Michelle Newman
Ann Marie Roush

The motion carried.

Reinstatements

Dr. Tharp made a motion, seconded by Dr. Spivey, to approve the reinstatement application for **Eric Michael Lee, OD**. The motion carried.

Dr. Tharp made a motion, seconded by Dr. Talley, to approve the reinstatement application for **Molly Lee, OD**. The motion carried.

Review Licensure Files

Dr. Talley made a motion, seconded by Dr. Spivey, to approve the licensure application for **Gregory Wright, OD**. The motion carried.

Dr. Spivey made a motion, seconded by Dr. Tally, to waive Part III of the NBEO examination for **Angela Howell, OD** and approve her for licensure. The motion carried.

Professional Name Requests

Dr. Foster made a motion, seconded by Dr. Talley, to defer action on the request for approval of **The Center for Vision Development, Inc.** and request that Dr. Danley submit a letter or attend the Board's next meeting to discuss the name of the vision center. The motion carried.

Dr. Tharp made a motion, seconded by Dr. Spivey, to deny the professional name request of **Elite Vision** as it implies superiority. The motion carried.

Dr. Tharp made a motion, seconded by Dr. Spivey, to approve the professional name request of **Schmeka Cofer, O.D.** The motion carried.

Dr. Tharp made a motion, seconded by Dr. Spivey, to approve the professional name request of **Millington Eye Care.** The motion carried.

Dr. Tharp made a motion, seconded by Dr. Foster, to approve the professional name request of **Fountain City Eyecare.** The motion carried.

Dr. Talley made a motion, seconded by Dr. Tharp, to approve the professional name request of **Volunteer Vision Center(s).** The motion carried.

Continuing Education

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

Conquering Ocular Surface Disease
The Orbit and Systemic Disease
Update and Overview of Periorbital Rejuvenation
Tear Dysfunction & Dry Eye
Presbyopia Correcting Lens Implants
Uveitis: Ocular Inflammation.
Retinopathy in Diabetes Mellitus

The motion carried.

Correspondence

Dr. Tharp made a motion, seconded by Dr. Talley, to approve **Nancy Wong, O.D.** and **Kristopher A. May, O.D.** for COPE continuing education reviewers. The motion carried.

Criminal Background Checks

Ms. Tarr asked the Board to consider allowing an applicant to submit a name based background check after two unreadable fingerprint checks. Dr. Spivey made a motion, seconded by Dr. Foster, to allow a name based background check after two unreadable fingerprint checks. The motion carried.

With no other Board business to conduct, Dr. Talley made a motion, seconded by Dr. Tharp, to adjourn at 10:55 a.m. The motion carried.