

TENNESSEE BOARD OF OPTOMETRY MEETING MINUTES

DATE: September 14, 2007
TIME: 9:00 a.m., EST
LOCATION: Park Vista Hotel
P.O. Box 30-705 Cherokee Road
Gatlinburg, TN 37738

BOARD MEMBERS

PRESENT: Scott Spivey, OD, Chair
Jerry Richt, OD, Secretary
Eddie Abernathy, OD
Richard Orgain, OD
Linda Tharp, OD

BOARD MEMBERS

ABSENT: Pier Briley, Consumer Member

STAFF

PRESENT: Stacy Lannan, Board Administrator
Barbara Maxwell, Administrative Director
Nicole Armstrong, Advisory Attorney

Dr. Spivey, Board Chair, called the meeting to order at 9:01 a.m. A sufficient number of members were present to constitute a quorum.

Review May 23, 2007 Minutes

Upon review of the May 23, 2007 Board meeting minutes, Dr. Abernathy made a motion, seconded by Dr. Orgain, to approve the minutes as corrected. The motion carried.

Conflict of Interest Policy Statement

Ms. Armstrong 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 that could affect the performance of their duties as Board members. Ms. Armstrong 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. Armstrong stated the rules pertaining to education accreditation, injectible and therapeutic certification, and PC/PLLCs became effective June 5, 2007.

Ms. Armstrong said 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 November 2, 2006, where they remain.

Ms. Armstrong stated the rule pertaining to the jurisprudence exam and continuing education were sent to the Attorney General for review March 19, 2007, where they remain.

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

Investigative Report

Ms. Armstrong stated the Office of Investigations new Disciplinary Coordinator is Juanita Stone. Ms. Armstrong reviewed the investigative report stating there are currently nine (9) complaints in Investigations against optometrists. Ms. Armstrong said one (1) has been closed with no action, one (1) with a letter of concern, two (2) with a letter of warning and one (1) referred to OGC.

Disciplinary Report

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

Financial Report

Ms. Lannan reviewed the Financial Report reflecting the board had a cumulative carryover of \$254,268.45 as of June 30, 2007.

Administrative Report

Ms. Lannan said the Administrative Report indicates there are currently 1121 active optometrists, 834 retired, 452 failed to renew and 177 deceased.

Ms. Lannan stated of the 215 optometrists who renewed their licenses between May 7, 2007 and September 5, 2007, 46 renewed online.

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

Discuss and Approve a Policy for Criminal Background Checks and Unreadable Prints

Upon discussion, Dr. Abernathy made a motion, seconded by Dr. Tharp, to adopt the following policy regarding criminal background checks and unreadable prints:

The board shall require the applicant to submit to an FBI/TBI fingerprint scan through the State of Tennessee's approved vendor or its equivalent as determined by the board.

The motion carried.

Discuss/Develop a policy regarding Applications for Licensure, Renewals and Reinstatements with Criminal Convictions

The Board discussed adopting a policy for applications indicating past criminal convictions. Ms. Armstrong stated the policy will determine felony convictions that occurred ten (10) or more years prior to the date of application or a single misdemeanor conviction or group of misdemeanor convictions all arising out of a single incident which occurred five (5) or more years prior to the date of application for licensure may be initially approved by the Board's designee. Ms. Armstrong said such approval will be subject to ratification by the full Board at its next regularly scheduled meeting.

Ms. Lannan stated having a Board member to review files indicating criminal convictions would be beneficial to speeding up the licensure process.

Upon discussion, the Board decided to table this discussion until the next meeting.

Ratify Newly Licensed Optometrists

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

Seema Bhula, OD
Shavon C. Billingsley, OD
Rebecca L. Bills, OD
Nathaniel A. Bolen, OD
Adam G. Coats, OD
Andrew B. Costello, OD
Erika P. Cox, OD
Cayce W. Davis, OD
Jeremy L. Diamond, OD
Melissa B. Dow, OD
Nicholas P. Engle, OD
Elissa B. Fleming, OD
Amy M. Foster, OD
Amber R. Fritsch, OD
Ryan P. Fritsch, OD
Mindy M. Gaston, OD
Matthew C. Gerstberger, OD
Jennifer K. Giles, OD
Bradley S. Grant, OD
Brian J. Hale, OD

Parres Harris-Roberts, OD
James C. Hughes, OD
Kristi M. Johnson, OD
Karen N. Johnson, OD
Stephanie N. Judkins, OD
John A. Kirby, OD
Kristi L. Liu, OD
Mary A. Lord, OD
Emily K. Lough, OD
Socrates P. Maroudis, OD
James B. McNeely, OD
Nicole M. Mills, OD
Jacob P. Moll, OD
Lindsay C. Moran, OD
Matthew R. Morrison, OD
Haylie L. Mulliniks, OD
Stephen R. Mullins, OD
John M. Neal, OD
Zakiya O. Nicks, OD
Aimee E. Parter, OD
Rochelle K. Parks, OD
Jennifer L. Peek, OD
Harold C. Phillips, OD
Derrick A. Pierce, OD
Joseph A. Pruitt, OD
Kristina L. Ramsey, OD
Ashley M. Ramshur, OD
Bradley A. Shaffer, OD
James E. Stamper, OD
Erin E. Tatum, OD
Brooke C. Vegas, OD
Jack B. Vontillius, OD
Cortney M. Waycaster, OD
Benjamin J. Wheeler, OD
Tracy M. Winton, OD
Katy L. Woodall, OD
Laura E. Wooldridge, OD
Nooshin Yazdanpanah, OD

The motion carried.

Ratify Reinstated Optometrists

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

Derek S. Maroun, OD

The motion carried.

Consider/Ratify Professional Practice Name Requests

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

Visionary Eyecare Center

Nashville, TN

The motion carried.

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

Visionary Eyecare

Cordova, TN

The motion carried.

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

Williamson Eye Partners, PLLC

Franklin, TN

The motion carried.

Consider/Ratify Injectable Certifications

Upon review of the injectible certification request of **Richard Orgain, OD**, indicating a current CPR card and completion of required injections course, Dr. Tharp made a motion, seconded by Dr. Spivey, to approve Dr. Orgain for injectible certification. The motion carried.

Upon review of the injectible certification request of **Shawna L. Hill, OD**, indicating completion of an unapproved injections course, Dr. Abernathy made a motion, seconded by Dr. Orgain, to deny Dr. Hill injectible certification due to unapproved course. The motion carried

Upon review of the injectible certification request of **Phillip E. Agee, OD**, indicating a current CPR card and completion of required injections course, Dr. Spivey made a motion, seconded by Dr. Tharp, to approve Dr. Agee for injectible certification. The motion carried.

Upon review of the injectible certification request of **Kevin D. Schmidt, OD**, indicating a current CPR card and completion of required injections course, Dr. Spivey made a motion, seconded by Dr. Orgain, to approve Dr. Schmidt for injectible certification. The motion carried.

Ratify Closed Files

Upon review, Dr. Richt made a motion, seconded by Dr. Tharp, to ratify closure of the following files:

Lianne Ines
Amy Henley

The motion carried.

Maria Barnes appeared before the Board, requesting an extension to keep her application open until completion of Part III of the NBEO examination. Ms. Armstrong stated Rule 1045-2-.92(10) gives the Board the authority to keep an application open when special circumstances require an extension.

Upon discussion, Dr. Tharp made a motion, seconded by Dr. Orgain, to grant Ms. Barnes an extension and have administration issue an approval letter upon successfully passing Part III of the NBEO examination. The motion carried.

Review Licensure Files

Upon review of the application of **Adam Haire, OD**, indicating drug convictions on the criminal background check, Dr. Tharp made a motion, seconded by Dr. Richt, to approve Dr. Haire for licensure pending completion of eight (8) hours of substance abuse counseling and successfully passing a drug screen. The motion carried.

Upon review of the application of **Alicia Talega, OD**, indicating failure to comply with the Board's request to obtain an evaluation for past DUI(s), Dr. Tharp made a motion, seconded by Dr. Richt to deny Dr. Talega for licensure. The motion carried.

Dr. Spivey asked if any Board members would be willing to review applicant files prior to Board meetings. Dr. Orgain stated he would be willing.

Review Continuing Education Courses for Approval

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

VRF Eye Specialty Group Ophthalmology Service at SCO
"Refractive Cataract Surgery"
1 hour DTM

COVD

“Evaluation and Management of Visual Information Acquisition Problems”
“Evaluation and Management of Visual Information Processing Problems”
“Optometric Management of Patients with Acquired Brain Injury”
“Evaluation and Management of Strabismus and Amblyopia”
14 hours DTM

Southeast Eye Specialists

“Treatment Strategies for Corneal Infections: The Do’s and Don’ts”
2 hours DTM
“Ocular Pharmacotherapeutic Update”
2 hours DTM
“Vascular Occlusions”
1 hour DTM
“Targeting Plano with New Technology IOL’s”
2 hours DTM

Allied Eye Associates

“Ocular Manifestations of Metabolic Disease”
2 hours DTM
“The Glaucoma Handbook”
2 hours DTM
“The Corneal Atlas, Corneal Disease in Everyday Practice”
2 hours DTM
“Ocular Inflammation Part 2: Anterior and Posterior Uveitis”
2 hours DTM

Tennessee Academy of Optometry

“Instrument Sterilization”
1 hour DTM
“Neural Plasticity of the Visual System”
1 hour DTM
“Disinfection and Sterilization of Instruments in the Optometrists Office: What’s the Solution?”
1 hour DTM
“Case Reports in Rural Eyecare”
2 hours DTM
“Things I Have Seen...and You Will Too”
1 hour DTM

West Tennessee Eye

“Ocular Disease...Perils, Pearls and Potpourri”
2 hours DTM

Eye Health Partners – Murfreesboro

“Post Operative Complications with Cataract and Refractive Surgeries”
1 hour DTM
“New Implantable Lenses for Cataract and Refractive Patients”
1 hour DTM

The motion carried.

Correspondence

Upon review of the letter from **C. Wade Hyatt, III, OD**, requesting an extension to complete the required continuing education hours for 2007, Dr. Orgain made a motion, seconded by Dr. Tharp, to approve Dr. Hyatt's request for an extension to complete required continuing education. The motion carried.

With no other board business to conduct, Dr. Tharp made a motion, seconded by Dr. Richt, to adjourn the meeting at 12:01 p.m. The motion carried.

Ratified by the Board of Optometry at the November 9, 2007 board meeting.