

**TENNESSEE BOARD OF DISPENSING OPTICIANS
MEETING MINUTES**

DATE: October 28, 2015
TIME: 9:00 A.M., CST
LOCATION: Health Related Boards Conference Center
Poplar Room
663 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS

PRESENT: LeRhonda Walton-Hill, DPO, Chair
Felda Stacey, DPO, Secretary
Greg DeCrow, DPO
Dr. Edward Risby, Consumer Member

BOARD MEMBERS

ABSENT: Kimberly Jackson, DPO
Donald L. Wells, DPO

STAFF

PRESENT: Yvette Hernandez, Board Administrator
Teddy Wilkins, Unit One Director
Matt Gibbs, Assistant General Counsel

Ms. Walton-Hill, Chair, called the meeting to order at 9:39 A.M. A roll call vote was conducted and a quorum was present.

Contested Case Hearing – Darrell C. Lassiter

Judge Collier, Administrative Law Judge, presided over the Contested Case Hearing for Darrell C. Lassiter. Judge Collier said Mr. Lassiter was present; however, since two Board members have recused themselves from the hearing, there will not be a quorum to proceed.

Judge Collier continued the case to the January 20, 2015 Board meeting and will provide an Order of Continuance.

Judge Collier stated that Mr. Lassiter could hire an attorney and provide a witness and exhibit list and should be served to Mr. Gibbs a minimum of seven (7) days before the hearing.

Minutes

Upon review of the July 29, 2015 minutes Dr. Risby made a motion, seconded by Mr. DeCrow, to approve the minutes as written. The motion, carried.

Office of General Counsel Report

Mr. Gibbs said there are four (4) open disciplinary cases in the Office of General Counsel.

Mr. Gibbs said the proposed rules heard by the Board on February 4, 2014 have been approved and became effective June 30, 2015. Mr. Gibbs said the Joint Government Operations Committee made a recommendation for the rule packet and offered a few suggestions for future rules including a hardship waiver provision in the apprenticeship training program.

Mr. Gibbs said the rule amendment proposing that all licensees obtain one (1) hour of jurisprudence as part of the continuing education requirements, in addition to the current continuing education requirements, has been approved and becomes effective December 10, 2015.

Mr. Gibbs said he has a Consent Order to present but since a Board member has recused himself he asked if Ms. Hernandez could contact Ms. Jackson to see if she could vote telephonically.

Administrative Report

Ms. Hernandez said as of September 30, 2015 there were eight hundred and fifty-three (853) licensed Dispensing Opticians and four hundred and forty-three (443) apprentices.

Ms. Hernandez stated that in July, August and September there were twenty (20) newly licensed apprentices, eleven (11) newly licensed, two (2) retired and seven (7) expired.

Ms. Hernandez said of the thirty-seven (37) Dispensing Opticians who renewed their licenses in July, sixteen (16) renewed on-line (47%); of the forty-nine (49) who renewed their licenses in August, twenty-seven (27) renewed on-line (55%); and, of the forty (40) who renewed their licenses in September, sixteen (16) renewed on-line (40%).

Office of Investigations Report

Ms. Dorroh stated there are three (3) complaint cases in Investigations with a review scheduled for this afternoon.

Ms. Dorroh reviewed the currently monitored practitioners stating one license was revoked, two suspended and three under Board orders.

Newly Licensed

Mr. DeCrow made a motion, seconded by Dr. Risby, to approve the following newly licensed Dispensing Opticians. The motion carried.

Robert W. Bearss
Whitley Ann Coxey
Sarah B. Fordham
Brandye J. Hankins
Megan C. Jones
Emily Hannah Reid
Sherrie Lynn Stringfellow
Brittany Thompson
Dorothy S. True

Apprenticeships

Mr. DeCrow made a motion, seconded by Dr. Risby, to approve the following newly licensed Apprentices. The motion carried.

Roxie Amburgey
Charity Faith Arnold
Rachel Burton
Amy Lee McColley
Kiefer W. Smith
Melody B. Thomas
Deborah Varna
Pamela Virta
Debra Watson
Lisa Wiggins
Megan Wiggins
Priscilla Willis

Reinstatements

Ms. Stacey made a motion, seconded by Mr. DeCrow, to approve the following reinstatement Dispensing Opticians. The motion carried.

Angela C. Chatman
Alysia M. Deloach
Sarah D. Malone
Melinda S. Rosenthal
Nancy Kathleen Williams

Application Review

Upon review of the application of Donald Akins, who submitted his application October 22, 2015 and asking that his application be expedited

Mr. Donald Akins submitted his application October 22, 2015 and is asking that it be expedited in order for him to sit for the practical exam.

Mr. Akins said his sponsor will be on maternity leave in December and his co-sponsor is only in the office one day a week.

Mr. Gibbs stated that the rules require that applications be submitted thirty (30) days prior to the Board meeting.

Upon discussion, Mr. DeCrow made a motion, seconded by Dr. Risby, to table Mr. Akins application until the January 20, 2015 Board meeting. The motion carried.

Approved to sit for Practical Examination

Ms. Stacey made a motion, seconded by Mr. DeCrow, to approve the following applicants to sit for the practical exam: The motion carried.

Nicole M. Brewer
Jennifer Dodson
Faye Foster
Tiffany E. Goss
Donyell Klepper
Tracy Larson
Kellie M. Phillips
Ryan W. Powers
Brittany E. Ridenour
Brandon Rowell
Leigh Ann Stiles
Adrienne Whaley

Reinstated

Mr. DeCrow made a motion, seconded by Dr. Risby, to approve the following reinstated licenses. The motion carried.

Linda P. Dixon
Darrell C. Lassiter
Paula D. Taylor-Veal

James Morris - Practical Exam Presentation

Mr. Jim Morris, Esq., General Counsel and Executive Director of the American Board of Opticianry and National Contact Lens Examiners, gave a presentation of the ABO-NCLE computerized practical examination for the Board's review and consideration.

Mr. Morris said the computerized exams are available to licensing states as an addendum to the existing basic examinations for an additional cost of \$75 per applicant, per practical exam.

Mr. Morris said the exam includes virtual capabilities, combined with "hot spot" technology, video and audio questions, item completion and numerous other advantages, including a free on-line tutorial. Mr. Morris stated there is also a hands-on exam also.

Mr. Gibbs stated the Board has a contract with NCSDRB that does not expire until June 30, 2018 and to terminate a contract would require a request for proposal which could take six (6) months or longer.

Mr. Gibbs asked the Board to place the practical exam on the agenda for the January 2016 meeting.

Ms. Wilkins reminded the Board members that they voted at the last meeting to conclude the Task Force, not accept their recommendations at this time and to continue with the exam offered by NCSORB.

Discuss approving Erie Community College in Buffalo, New York, for an Opticianry Program

Ms. Kathy Hawkins, Board Consultant, stated she submitted the information on the Erie Community College as she has a colleague who attended the program but it is not currently recognized as an approved program in Tennessee.

Ms. Hawkins requested that the Board include Erie Community College as an approved program.

Upon review and discussion of the course curriculum, Dr. Risby made a motion, seconded by Ms. Stacey, to accept the opticianry program offered by the Erie Community College. The motion carried.

Mr. Gibbs stated he would prepare a policy statement regarding opticianry programs for the Board's review at the January 2016 meeting.

Other Board Business

Ms. Stacey stated that in previous years the administrative office mailed out letters each January regarding the continuing education requirements for that year but that no letter was mailed out this year.

Ms. Wilkins said a letter is not required by rule; however, it will be mailed immediately.

Mr. Gibbs requested that the letter include language that the jurisprudence continuing education requirement must be postmarked by December 31, 2015.

Ms. Stacey said it would not be necessary to send a letter in 2016 as the amended rules, which become effective December 10, 2015, state the annual continuing education requirements.

Adjourn

With no other Board business to conduct, Dr. Risby made a motion, seconded by Mr. DeCrow, to adjourn at 12.58 p.m. The motion carried.

Ratified by the Board of Dispensing Opticians on January 20, 2016