

TENNESSEE BOARD OF OPTOMETRY MEETING MINUTES

DATE: October 14, 2016
TIME: 10:04 A.M., ET
LOCATION: Park Vista Hotel
705 Cherokee Orchard Road
Gatlinburg, TN 37738

BOARD MEMBERS

PRESENT: Brad S. Lindsey, O.D.
Torrey J. Carlson, O.D.
Jennifer G. Uhl, O.D., Secretary
Edie Clemons, Citizen Member

BOARD MEMBER

ABSENT: David K. Talley, O.D., Chair

STAFF

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

Dr. Lindsey, Acting Chair, called the meeting to order at 10:04 A.M. A roll call was conducted and a quorum was present.

Review/Approve July 13, 2016 Board Meeting Minutes

Upon review of the April 6, 2016 Board Meeting minutes Dr. Uhl made a motion, seconded by Dr. Carlson to approve the minutes as written. The motion carried.

Office of Investigations

Ms. Wilkins stated one (1) license is suspended, one (1) is on probation and one (1) is on a five (5) year probation which began in 2012.

Office of General Counsel

Mr. Gibbs stated there are no open cases or pending rule amendments in their office.

Mr. Gibbs introduced Stefan Cange and stated he will be the Board's new attorney as he has been reassigned.

Mr. Cange said he had been the Board’s attorney for two (2) years prior to Mr. Gibbs.

The Board thanked Mr. Gibbs for his service and welcomed Mr. Cange.

Administrative Report

Ms. Hernandez stated there are 1,257 licensed Optometrists as of October 10, 2016. Ms. Hernandez said there were eighteen (18) new licenses and forty-five (45) renewals in July with twenty-eight (28) renewing online for a percentage of sixty-two (62) percent. Ms. Hernandez said there were five (5) new licenses and forty-one (41) renewals in August with twenty-two (22) renewing online for a percentage of fifty-four (54) percent. Ms. Hernandez said there were four (4) new licenses and fifty-nine (59) renewals in September with thirty-five (35) renewing online for a percentage of fifty-nine (59) percent.

Mr. Hernandez reviewed the following scheduled Board meeting dates for 2017:

- January 18, 2017
- April 12, 2017
- July 12, 2017
- October 13, 2017 – Gatlinburg, TN (tentative)

Review, Approve/Deny Licensure Applicants

Upon review Dr. Uhl made a motion, seconded by Dr. Clemons, to approve the following applicants for licensure:

- Rachelle Moriah Alstadt**
- David J. Baptiste**
- Artis L. Beatty**
- Desirae A. Brinkley**
- Jamisin Lee Carr**
- Benjamin P. Gootee**
- Charles M. Hornby**
- Stephanie I. Johnson**
- Lauren E. Lusardi**
- Jacob C. Moretemore**
- Brittany Nicole Newman**

- Jenna M. Nieman**
- Shilpa Patel**
- Jin Qian**
- Jamin D. Quilla**
- Brittany N. Rigdon**
- Spencer T. Sechler**
- Andrew M. Shum**
- Austin Coy Swain**
- James J. Wachter**
- Cheryl Lynn Witse**

The motion carried.

Review, Approve/Deny Reinstatement Applicants

Upon review Dr. Carlson made a motion, seconded by Dr. Uhl, to approve the following reinstatement applicants:

- Irwin S. Landa**

Clive James Thomson

The motion carried.

Correspondence

The Board reviewed correspondence from Daniel Carrey, Director of State Government Relations of the American Optometric Association, requesting approval to allow Tennessee optometrists to prescribe and dispense a Nasal Lacrimal Stimulation Device manufactured by Allergan.

Upon discussion Dr. Carlson asked Mr. Gibbs to send the American Optometric Association a letter stating this product appears to meet their requirements.

Dr. Joe Wende, Medical Director of EyeMed Vision Care, discussed a letter he sent the Board requesting approval to provide temporary or mobile offices in Tennessee to allow employer clients and their employees eye care and eyewear. Upon discussion Dr. Carlson made a motion, seconded by Dr. Uhl, to approve EyeMed Vision Care's request. The motion carried.

The reviewed a letter from Artis L. Beatty, O.D. requesting to use the name "MyEyeDr. Optometry of Tennessee, LLC. Upon discussion Dr. Uhl made a motion, seconded by Dr. Carlson, to approve Dr. Beatty's request. The motion carried.

The Board reviewed correspondence from Daniel Carey, of the American Optometric Association, stating www.simplecontacts.com promotes its business as an online re-filler of contact lens prescriptions, utilizing app based technology from a smart phone, computer or tablet. Mr. Carey asked based on the information provided on their website and the Board's current statutes and regulations would they find this business to be legal in Tennessee. Upon discussion the Board tabled this discussion to the January 2017 meeting.

The Board reviewed an e-mail from A. Shum, O.D. asking if he can provide a procedure called the Quickert 3-suture technique for treating spastic entropion. Dr. Shrum stated there is no scalpel, scissor or cautery use in the procedure and requires a local injected anesthetic and sutures. Dr. Carlson stated it appears to him this is a cosmetic procedure. Dr. Uhl stated this is a procedure to create scar tissue for spastic entropion which is painful. Upon discussion, the Board tabled this discussion to the January 2017 meeting.

Discuss legislation and take action if needed

Mr. Gibbs stated the legislation session has ended and there is nothing to discuss.

Other Board Business

Ms. Wilkins said a retired optometrist came by their booth yesterday asking if he could obtain a volunteer license to provide eye care to people in disaster areas.

Mr. Gibbs said Rule 1045-02-.02 allows an for an inactive volunteer license to optometrists to exclusively practice optometry without compensation on patients who receive optometric services from organization granted a determination of exemption pursuant to Section 501 (c)(3) of the Internal Revenue Code to obtain an inactive volunteer license to retire their active license, and have submitted to the Board office from the qualified organization proof of the determination of exemption issued pursuant to the Internal Revenue Code, certify that they are practicing optometry exclusively on the patients of the qualified entity and that such practice is without compensation.

Mr. Gibbs said inactive volunteer licenses are subject to all rules governing renewal, retirement, reinstatement and reactivation as provided by Rule 1045-02-.04 and are subject to disciplinary action for the same causes and pursuant to the same procedures as active licenses.

Adjourn

With no other Board business to conduct Ms. Clemons made a motion, seconded by Dr. Uhl, to adjourn at 10:47 a.m. The motion carried.

Ratified by the Board on January 18, 2017