

**MEETING MINUTES
TENNESSEE BOARD OF DISPENSING OPTICIANS**

DATE: October 24, 2018
TIME: 9:00 A.M., CDT
LOCATION: Health Related Boards
Poplar Room
665 Mainstream Drive
Nashville, TN

BOARD MEMBERS

PRESENT:

William DeCrow, DPO – Chair
Les Freeman, DPO – Secretary
Janet Perry-Martinez, DPO
Brandy Miller, DPO
P. Warren Perry, DPO

BOARD MEMBER

ABSENT:

Consumer member (vacant position)

STAFF

PRESENT:

Yvette Vagle, Board Administrator
Kimberly Hodge, Interim Director
Kaitlin Parham, Assistant General Counsel

Mr. DeCrow called the meeting to order at 9:02A.M. A roll call was conducted and a quorum was present.

Review/Approve July 25, 2018 Board Meeting Minutes

Upon review of the July 25, 2018 Board Meeting minutes, Mr. Perry made a motion, seconded by Mr. Freeman, to approve the minutes as written. The motion carried.

Office of Investigations

Lori Leonard, Disciplinary Coordinator, investigations received two (2) new complaints, zero (0) complaints are closed, of the two (2) complaints; one (1) was for false billing and one (1) for unlicensed practice, currently eight (8) open complaints being investigated and or reviewed. Ms. Leonard stated she is currently monitoring four (4) licensees under Board order, (1) TSAC suspension is being lifted and removed.

Financial Report 2018

Noranda French reviewed the Financial Report for fiscal year 2018; the total direct expenditure of \$46,609.0, total allocated expenditures of \$63,905.90, the Board Fee Revenue of \$134,465.00 and the current year net of \$70,559.10. LARS improvements \$4,831.56 giving the Board a cumulative carryover of \$521,472.65.

Office of General Counsel

Kaitlin Parham stated the Conflict of Interest policy.

Open Meetings Act

Pursuant to the Open Meetings Act, Committee business may only be discussed by the committee members during the meeting. Members should not discuss the Committee's business at any time other than during the open meeting. The prohibition applies to phone calls, emails, and text messages. Committee members should also ensure that all comments during the meeting are stated for all to hear; private conversations between or among members during the meeting are inappropriate.

Rule Activity

Kaitlin Parham stated the rule amendments voted on during the July 25, 2018 board meeting are currently going through the internal review process.

Disciplinary Activity

As of October 15, 2018, the Office of General Counsel has no open complaints.

Administrative Report

Yvette Vagle stated there are 433 apprentices and 874 licensed Dispensing Opticians as of October 23, 2018.

Ms. Vagle stated in July 2018 there were zero (0) apprentices, two (2) newly licensed, ten (10) renewals with zero (0) renewing online for a total of 0%, two (2) expired.

Ms. Vagle stated in August 2018 there were seventeen (17) apprentices, one (1) newly licensed, nineteen (19) renewals with zero (0) renewing online for a total of 0%, three (3) retired and two (2) expired.

Ms. Vagle stated in September 2018 there were zero (0) apprentices, eleven (11) newly licensed, eighteen (18) renewals with zero (0) renewing online for a total of 0%, two (2) retired and one (1) expired.

Board meeting dates for 2019:

January 30, 2018, April 24, 2019, July 24, 2019 and October 23, 2019

Newly Licensed

Mr. Perry made a motion, seconded by Mr. Freeman, to approve the following applicants for licensure:

**Jessica Renee Dunavant
Charleen Ruth Hickey
Williams Kang
Rachel D. Limburg
Kacee Marie Loggains
Hannah Alyce McDaniel**

**Johnna Pope
Sarah Posey
Jami Lee Soard
Abbigail Renee Stilts
Stacy Jean Waechter**

The motion carried.

Newly Approved Apprentices

Ms. Perry Martinez made a motion, seconded by Ms. Miller, to approve the following apprentices:

**Ricardo Alvarez Veneagas
Roxie Amburgey
Charles Blankenship
Reshonda Bonds
Bethany Bredeson
Cherokee Capps
Dianet Charles
Carla Clark
Lisa Cook
Christopher Daugherty
Jillian Dickens
Elizabeth Ebersole
Tia Francfort
Nivin Ghatas
Meagan Goetz
Jannie Gregory
Davina Kilgore**

**Dominic Levenson
Amanda Massey
Carly Mitchusson
Ashley Moore
Rachel Phillips
Alexis Pugh
Madeline Robinson
Christopher Ryan
Lorraine Scholebo
Shannon Seaton
Kellie Steel
Alecia Streicher
Jessica Sullivan
Patricia Tidwell
Rachel Turner
Parveen Walker
Melissa Wolfe**

The Motion carried.

Practical Examination Candidates

Mr. Perry made a motion, seconded by Ms. Perry Martinez, to approve the following applicants to sit for the practical examination:

**Shannon Cayce
Heather Conaster
Karen Francis
Leslie Jones
Joseph Martin**

**Lacey Pinkston
Nieka Tritt
Haley Turpin
Chandra Weathers**

Shirley Hawkins – Ms. Hodge stated the legislator came to speak to the Board at the one of the Board meetings in regards to the Fresh Start Act, the Fresh Start Act is for past convictions that are not pertaining to their practice. If the Board feels the applicant has done wrong and/or if it could potentially pertain to their practice or affect their practice then the Board can consider. In 2008 she had a theft under \$500.00 and in 2008 failure to appear. Mr. Perry made a motion to approve Ms. Hawkins to sit for the practical exam, seconded by Mr. Freeman.

Britnee Walden – Ms. Hodge stated Ms. Walden had a 2012 conviction it initially was a felony that was dropped to a misdemeanor for casual exchange a class A misdemeanor, she had another 2012 conviction for a Felony that was dropped to a class A misdemeanor for casual exchange and in 2015 reckless driving for speeding. Mr. Freeman made a motion to approve Ms. Walden's application to sit for the practical exam, seconded by Mr. Perry.

Kimberly Bates – Ms. Hodge stated Ms. Bates is one (1) and a half (½) months short for the three (3) years apprenticeship program, she has two 2 years 10 month and two weeks. Ms. Vagle stated she has 5,680 hours. Mr. Perry made a motion that she meets the requirements for Tennessee rule; 0480-01-.04(d), she's been licensed in Georgia as of 9/30/2005 and is fully qualified to sit for the practical exam, seconded by Ms. Perry Martinez.

Bethani Hardi – Ms. Hodge stated Bethani Hardi sent a letter to the Board requesting to take the practical examination, she stated the previous Board Administrator gave her incorrect information regarding the timeline to take the practical examination, she completed her hours in September to meet the requirements. Ms. Hodge and Ms. Vagle spoke to Randy Smith at ABO/NCLE he stated they will allow everyone being approved today to test in November 2018 or February 2019 and they will send an email to everyone on the list that Ms. Vagle submits to them. Mr. Perry made a motion to accept her application and approved to sit for the practical examination, seconded by Ms. Perry Martinez.

Audrey Britt – Ms. Vagle stated that Ms. Britt graduated from Durham Technical Institute in North Carolina and this school is not on the approved schools list. The Board reviewed the documentation that was submitted and stated she's licensed in North Carolina and she has the qualifications and training. Mr. Perry made a motion to accept her school and approve her application to sit for the practical exam, seconded by for Ms. Miller.

The motion carried.

Reinstatement Applications

Mr. Perry made a motion, seconded by Mr. Freeman, to approve the following reinstatement applicants:

Amy Danielle Arndt

Nancy Mann - Reinstated 2/16/18

The motion carried.

Approve closed and withdrawn applications

Mr. Perry made a motion, seconded by Ms. Miller, to approve the following closed/withdrawn applications.

Tiffany Goss – Closed as of 5/7/18
Demarcus McDowell – Closed as of 8/10/18
Lillian Russell – Withdrew as of 9/10/18
Breyana Kerr – Withdrew as of 9/20/18
Stacy Reynolds – Withdrew as of 10/17/18
Candace Earhart – Withdrew as of 10/17/18

The motion carried.

Review/approve/deny Continuing Education courses for 2018

Upon review Mr. Perry made a motion, seconded by Ms. Miller, to approve the continuing education request from Quantum Optical for:

- Quantum Optical nine (9) online courses for ABO and seven (7) online courses for NCLE for the calendar year 2018.
- Quantum Optical three (3) live courses for ABO on December 13, 2108 in Nashville, TN.

The motion carried.

Review and consider waiving the grading for 2018 jurisprudence

Ms. Parham stated the Board did vote to waive the grading for 2018 jurisprudence exam at the last Board meeting but it was not properly sunshined, the Board needs to vote again. Ms. Parham stated she reviewed rule 0480-01-.12(1) (a) (1) The one (1) hour jurisprudence credit may be obtained by either: successfully completing the Board’s Continuing Education Jurisprudence Credit examination; or attending one (1) morning session of a regularly scheduled meeting of the Board and rule 0480-01-.12(6) (b) Waivers will be considered only on an individual basis and may be requested by submitting the following items to the Board administrative office. The Policy statement was voted on October 26, 2016 and took effect on 1/1/2017 that people needed to get at least 80% correct. Ms. Parham stated the 2018 jurisprudence exam needs to be graded. Ms. Hodge stated that she could develop a 2018 jurisprudence waiver letter with the Board attorney and the administrative staff can send it out.

Mr. Perry made a motion to send all Dispensing Opticians a letter that explains the waiver and the reason why, seconded by Mr. Freeman.

The motion carried.

Review and approve questions and grading for the 2019 jurisprudence

Ms. Hodge talked about the 2019 jurisprudence examination questions; she asked the Board for one (1) Board member to volunteer to work with her create the 2019 jurisprudence examination questions, the 2019 exam will be posted online and a staff member graded. In 2020 the goal is to work with our IT and to get a gizmo up, everyone that does initial and the renewals will have to go through gizmo survey online, the gizmo will automatically grade the exam and make sure it's above eighty percent (80%) per the Board's 2016 policy statement . Ms. Hodge introduced Dea Smith the Director for the Dental Board; she stated the Board of Dentistry is currently using the Survey Gizmo, the Board of Dentistry decided to do a jurisprudence exam for all initial, renewals and reinstatements. Survey Gizmo went live February 2018 it emails the applicants and licensees a notification that it's time to take the exam. Survey Gizmo emails them the link to the exam with the information about how to log in, because they have unique passwords. Once they take the exam they get the scores the next morning, it has worked out really well. Mr. Perry asked Ms. Smith why the no pass or fail, he asked her to share why the Dental Board went with that method for testing rather than pass or fail; Ms. Smith stated the Board wanted to use this method for an educational tool and for them to look at the rules and know the rules. Ms. Kim stated this wouldn't go into effect until 2020 and it takes about six (6) months to get it up and running. Ms. Perry-Martinez volunteered to help Ms. Hodge with the jurisprudence exam questions for the 2019 jurisprudence exam, Ms. Hodge's goal is to post the 2019 jurisprudence exam online.

Correspondence

TDOA letter - Jay Taylor, President –Ms. Parham stated the rules are currently going through internal review process and there will be a rule making hearing once they get approved, at that time there can be public comments. Felda Stacey, Treasure TDOA, stated Jay Taylor wrote this letter and could not be here today and asked if this could be tabled to the next Board meeting. Mr. Perry made a motion to respond to this letter and explain where the rule making hearing is in the process, seconded by Mr. Freeman.

The motion carried.

Adjourn

With no other Board business to conduct Mr. Perry made a motion, seconded by Ms. Perry Martinez to adjourn at 10:48 a.m.

The motion carried.