

**TENNESSEE BOARD OF OPTOMETRY
MINUTES**

DATE: July 9, 2025
TIME: 9:00 A.M. CST
LOCATION: Health Related Boards
Poplar Room
665 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS

PRESENT: Zachary McCarty, O.D.
Linda Tharp, O.D.
James Venable, O.D.
Kenneth Young, O.D.

BOARD MEMBERS

ABSENT: Consumer Member – Vacant

STAFF

PRESENT: Lyndsey Boone, Regulatory Board Administrative Director I
Maria Johnston, Regulatory Board Administrative Assistant II
Kathy Trawick, Associate General Counsel

Call to Order

Dr. Tharp called the meeting to order at 9:00 a.m. CST. A roll call was conducted, and a quorum was present, with Dr. Linda Tharp, Dr. Zachary McCarty, Dr. James Venable, and Dr. Kenneth Young present. The Consumer Member seat is vacant.

Board staff from the Administrative Office, including Ms. Lyndsey Boone and Ms. Maria Johnston, and from the Office of General Counsel, Ms. Kathy Trawick, were also present.

Ms. Trawick presented the Conflict of Interest Statement and Open Meetings Act Notice to the Board, as follows:

Conflict of Interest

PURPOSE: To assure that the individual interests of board members do not conflict with or have the appearance of conflicts with their responsibilities to the Board to which they are appointed.

A circumstance in which a board member's individual interest impairs or impedes, or gives the appearance of impairing or impeding, his or her ability to make full, unbiased decisions or to provide full unbiased service to the Board.

It is the duty of this Board to protect the health, safety, and welfare of the citizens of Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety.

Any board member who has a conflict of interest as defined above must recuse himself/herself from any matter and is prohibited from participating in any discussion or vote on the matter and shall leave the hearing room during the discussion or vote.

If you have a personal or financial interest in the outcome of any issue or matter before this Board that may suggest a bias on your part, you are asked to state that interest on the record so a determination can be made as to whether there exists a need for recusal.

It is improper for any board member having a conflict of interest to attempt to influence another board member at any time, including prior to the discussion on the matter for which the conflict exists.

Open Meetings Act

Pursuant to the Open Meetings Act, Board business may only be discussed by the Board members during the meeting. Members should not discuss the Board's business at any time other than during the open Board meeting. The prohibition applies to phone calls, e-mails, and text messages. Board 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.

An executive session convened by the Board for the purpose of discussing an applicant's health conditions, including mental health conditions and substance use disorders revealed during an application process, is not a public meeting as defined in T.C.A. § 8-44-102. However, during the executive session the Board may not vote on the matter at issue until the open Board meeting.

No conflicts were noted by any Board Members.

Discuss and Take Action as necessary regarding Legislation

Legislative Liaison Mr. Grayson Carter was present to provide the 2025 legislative summary to the Board. A copy of the report is attached to these Minutes.

Receive Reports and/or Requests from the Division of Health Licensure and Regulation

There were no financial items for the Board to review in this meeting.

Presentation of Orders and OGC Disciplinary Items

Consent Orders

None

Agreed Orders

None

Orders of Compliance

None

Requests for Order of Modification

None

Applicant Interviews/File Reviews/Waivers and Other Requests

File Review – Clayton Boyd, O.D. File #3508

Applicant was Present In-Person Present By Phone Not Present

Dr. Boyd has applied for a TN license and could not be approved administratively due to not presenting a passing score on the NBEO ISE Exam; having graduated after 2012, he does not meet the criteria established in the Board's Policy on Injectable Certification and Licensure.

Ms. Trawick noted that a rulemaking package in process considers the incorporation of the Board's current Policy on Injectables into the rules. The rulemaking is expected to be further discussed in upcoming meetings.

The Board reviewed the application and discussed Dr. Boyd's experience, education, and competency in injectables. Dr. Boyd discussed with the Board his experience in sitting for the NBEO ISE Exam as well as the injectables exam offered in Oklahoma prior to his initial licensure.

A motion was made by Dr. McCarty

To approve the application for Clayton Boyd, O.D. based on the similarities of the OK injectable exam to the NBEO ISE Exam

A second was made by Dr. Young

Discussion: None OR As Follows

A roll call vote was held, as follows:

- Young – Aye
- Tharp - Nay
- McCarty – Aye
- Venable - Aye

The motion passed by majority roll call vote.

File Review – Joshua Daniel, O.D. File #3944

Applicant was Present In-Person Present By Phone Not Present

Dr. Daniel has applied for a TN license and could not be approved administratively due to having answered “yes” to the application question that reads, “In relation to the performance of your professional services in any profession: Have you ever entered into any settlement of any legal action?”

The Board reviewed the application and discussed with Dr. Daniel the circumstances surrounding his response to the application question regarding the settlement of legal action.

A motion was made by Dr. Young

To approve the application for Joshua Daniel, O.D.

A second was made by Dr. Venable

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Practice Name Request – Wise Vision Care, PLLC; Timothy Wise, Lic. #3328

The Board reviewed the practice name approval that was made in the Board’s 04/02/2025 meeting, to clarify the requesting licensee’s license number is #3328 not #1181.

A motion was made by Dr. McCarty

To approve the practice name request for Wise Vision Care, PLLC; Timothy Wise,II Lic. #3328

A second was made by Dr. Venable

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Practice Name Request – West Wellness, PLLC. (d/b/a West Wellness Vision) Heather West,

O.D. Lic. #2870

A motion was made by Dr. Venable

To approve the practice name request for West Wellness, PLLC. (d/b/a West Wellness Vision)

Heather West, O.D. Lic. #2870

A second was made by Dr. Young

Discussion: None OR As Follows

The Board discussed prior legislation regarding naming and advertising of business names. Ms. Trawick noted the structure of the name as presented by the submitter of this request.

The motion failed unanimously by voice vote.

A motion was made by Dr. Venable

To approve the practice name request for West Wellness, PLLC. (d/b/a West Wellness Vision) Heather West, O.D. Lic. #2870 contingent upon the receipt of a new application clearly stating the business name as West Wellness within thirty (30) days

A second was made by Dr. Young

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

Receive Reports and take action as needed regarding CSMD Committee Reports

Dr. McCarty stated he is not aware of the next meeting date for the CSMD and he has not attended one since the last board meeting.

Consent Agenda

** Copies of the Ratification List and Departmental Reports are attached to these Minutes.*

The Board's consent agenda included the following items:

- Approval of Meeting Minutes, April 2, 2025
- Ratification of Licensure Files
- Approval of Agreed Citations
 - CE – Jacob Norris, O.D., License #3802
- Departmental Reports
 - Administrative Office
 - Office of General Counsel
 - Office of Investigations
- Notices
 - COPE Annual Report 2024
 - NBEO Exam Score Reports
 - NBEO KY Reg Letter
 - U of Pikeville Event

A motion was made by Dr. McCarty
To approve all items on the consent agenda as presented.
A second was made by Dr. Young

Discussion: None OR As Follows

Dr. Venable made comment regarding the NBEO KY Regulation letter. He stated it is concerning to him that a neighboring state to TN is allowing an exam that does not identically match the NBEO to be considered and equivalent and would ask our Board to consider that a point of caution for the future.

The motion passed unanimously by voice vote.

Discuss and take action as necessary regarding Rulemaking, Rule Amendments, and Policies

Rule 1045-02-.05 and Rule 1045-02-.07

Ms. Trawick presented notice to the Board that the rulemaking package that includes these two sections of the rules are in the review process. She has made efforts to clarify the language and the Board's intentions on their proposed rule changes. A response has not yet been received from the Governor's Office on these items.

TAOP submitted a pre-meeting request to make public comment on Rule 1045-02-.05 and Rule 1045-02-.07. Patience Long spoke on behalf of the TAOP, regarding the number of hours allowed to be obtained online in the proposed rulemaking package. TAOP is in favor of a balanced approach to in-person and virtual hours.

Ms. Trawick referred to questions that have been raised during the internal review of the CE requirements. The Board requested the opportunity to clarify the language. Ms. Trawick presented the current redline version for the Board's review and clarification. The Board will continue to review at their October meeting.

Discuss and take action as necessary on T.C.A. 63-8-125 Lease of space to optometrist: control of professional judgment or practice

Dr. Tharp mentioned having received questions about this T.C.A. and asked Ms. Trawick to comment on it for the Board's awareness.

Ms. Trawick noted there is not a "2-Door Rule" in place; she continued to provide a high-level overview of the T.C.A. and its limitations on what kind of control a retailer can place on an optometrist's professional judgment. She noted that the Optometry Board does not have jurisdiction over retail space.

Review of Correspondence

Suhani Kamdar

Ms. Trawick noted that the Board cannot provide legal advice.

The Board directed the submitter to review the rules and statutes of the profession, and they may review the video recording of the meeting with no further action on the correspondence.

Jen Sommer

Ms. Trawick noted that the Board cannot provide legal advice.

The Board directed the submitter to review the rules and statutes of the profession, and they may review the video recording of the meeting with no further action on the correspondence.

Conference/Event Reports and Upcoming Events Review

Dr. Tharp provided a summary of her attendance at the recent ARBO annual conference. She stated it was well-attended with 35 jurisdictions represented. She reviewed highlights of the sessions she attended, including significant sessions regarding NBEO and examination practices and scores, as well COPE and their CE accreditation practices, noting an upcoming open house event for the NBEO.

Discuss Old/New Board Business

There were no old or new business items not already discussed elsewhere on the agenda for the Board to review in this meeting.

Public Comment

Ms. Boone reviewed the Public Comment policy, wherein, any individual wishing to make a public comment at a board meeting must submit a request to do so in writing, it must include the specific topic from the published agenda/sunshine notice for the meeting for which the individual wishes to make comment and must be received by the Administrative Office at least ten (10) business days prior to the date of a meeting.

Should the agenda be amended after initial publication, the member of the public wishing to address the Board on an amended agenda item must give their written notice no less than twenty-four (24) hours prior to the meeting.

The email address for submission of a request to make public comment for this Board is:
Unit3HRB.Health@tn.gov.

A written request for public comment was received by the Administrative Office for this meeting, which was from Patience Long, Executive Director of the TN Association of Optometric Physicians (TAOP), who requested to make comment on agenda item #8a. Rule 1045-02-.05 and #8b. Rule 1045-002-.07. This comment item was addressed at that point in the agenda.

Adjourn

There being no further business to be heard, a motion was made by Dr. Venable to adjourn.
A second was made by Dr. Young

Discussion: None OR As Follows

The motion passed unanimously by voice vote.

The meeting adjourned at 11:38 am CST.

These Minutes were ratified by the Board on 10/08/2025.



Board Chair



Date

ATTACHMENTS TO BOARD MINUTES



2025 Board of Optometry Legislative Wrap

PC 19 HB182 / SB171

As enacted, enacts "The Ink of Hope Act"; requires tattoo operators and tattoo artists to complete up to one hour of training on recognizing and reporting signs of human trafficking.

PC 22 HB229 / SB52

As enacted, extends the board of alcohol and drug abuse counselors to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 24.

PC 23 HB233 / SB55

As enacted, extends the board of osteopathic examination to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 9.

PC 24 HB234 / SB56

As enacted, extends the board of pharmacy to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 10.

PC 25 HB235 / SB57

As enacted, extends the board of physical therapy to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 13.

PC 28 HB247 / SB69

As enacted, extends the genetic advisory committee to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 5, Part 5.

PC 29 HB257 / SB79

As enacted, extends the perinatal advisory committee to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 1, Part 8.

PC 36 HB274 / SB96

As enacted, extends the Tennessee medical examiner advisory council to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 38, Chapter 7, Part 2.

PC 41 HB281 / SB106

As enacted, extends the traumatic brain injury advisory council to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 55.

PC 42 HB404 / SB393

As enacted, extends the professional music therapy advisory committee of the board of examiners in psychology to June 30, 2027. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 11.

PC 43 HB232 / SB54

As enacted, extends the board of occupational therapy to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 13.

PC 45 HB192 / SB282

As enacted, enacts the "Individualized Investigational Treatment Act." Outlines a patient's right to seek treatment with an individualized investigational treatment and that a healthcare provider is protected against disciplinary action taken by the licensing board based solely on the provider's recommendation regarding access or treatment with an individualized investigational treatment - Amends TCA Title 53 and Title 63. - Amends TCA Title 53 and Title 63.

*PC 46 HB111 / SB1283

As enacted, adds Hepatitis C to the list of serological tests run at the time of the first examination for pregnant women. Removes Hepatitis B and adds a second Syphilis screening for all pregnant women between the 28th and 32nd week of gestation. Also, adds a third Syphilis screening for all pregnant women at the time of delivery.

PC 48 HB227 / SB49

As enacted, extends the advisory committee for children's special services to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 12.

PC 50 HB255 / SB77

As enacted, extends the medical cannabis commission to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 7.

PC 53 HB271 / SB93

As enacted, extends the Tennessee emergency medical services board to June 30, 2029. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 140, Part 3.

PC 56 HB383 / SB 744

As enacted, directs the commissioner of health to, on or before July 1, 2025, add alpha-gal syndrome to the department of health's published list of reportable diseases and conditions, the occurrence of which must be reported to the department by a healthcare provider pursuant to existing administrative rule. - Amends TCA Title 4; Title 63 and Title 68.

PC 59 HB186 / SB174

As enacted, requires the board of medical examiners to register an applicant as a registered surgical assistant if the applicant maintains current credentials as a surgical assistant issued by the American Board of Surgical Assistants and satisfies other necessary requirements; removes December 31, 2019, as the deadline by which an applicant for registration as a surgical assistant must register with the board in order to be registered on the basis of certain practical experience. - Amends TCA Title 63, Chapter 6.

PC 65 HB584 / SB515

As enacted, extends by four years to June 30, 2029, the current 125-bed limitation on the number of new nursing home beds for which the health facilities commission may issue a certificate of need per fiscal year. - Amends TCA Section 68-11-1619.

PC 68 HB693 / SB569

As enacted, makes certain changes to the practice of pharmacy, including removing the present prohibition on requiring a patient to pay an administrative fee for pharmacist-provided hormonal contraceptives when the patient is insured or covered and receives a pharmacy benefit that covers the cost of the hormonal contraceptives. - Amends TCA Title 53, Chapter 10; Title 56, Chapter 32 and Title 63, Chapter 10.

PC 69 HB1226 / SB669

As enacted, deletes all references to the world health organization; requires a pandemic to be declared by the federal centers for disease and prevention control, rather than the world health organization, with a subsequent declaration of a state of emergency by the governor for the governor to have exclusive jurisdiction to issue executive orders and directives related to the pandemic until the pandemic ceases to exist. - Amends TCA Title 7 and Title 68.

PC 76 HB62 / SB224

As enacted, authorizes athletic trainers to use dry needling to carry out the practice of prevention, recognition, evaluation, management, disposition, treatment, or rehabilitation of athletic injuries; requires the board of athletic trainers to establish minimum competency requirements for an athletic trainer to demonstrate in order to practice dry needling. - Amends TCA Title 49 and Title 63

PC 79 HB102 / SB1267

As enacted, changes from 21 to 18 the age at which certain adoption records must be made available to certain adopted persons; makes various other changes regarding adoption records. - Amends TCA Title 36, Chapter 1, Part 1.

PC 81 HB107 / SB1287

As enacted, removes the requirement that a parent or caretaker enter a personal responsibility plan that requires a child to attend school and receive immunizations and health checks; removes certain requirements for a parent or caretaker regarding personal responsibility plans; removes a 20 percent reduction in temporary assistance payments for failure to comply with certain personal responsibility plan requirements. - Amends TCA Title 71.

PC 94 HB321 / SB329

As enacted, requires each department, agency, office, commission, institution, or instrumentality of the executive branch to accept electronic transmissions; defines the meaning of electronic transmission as applicable to this state's code; removes the terms "fax" or "facsimile" in certain statutes and replaces the terms with electronic transmission.

PC 96 HB395 / SB318

As enacted, enacts the "Tennessee Genomic Security and End Organ Harvesting Act." - Amends TCA Title 56 and Title 68.

PC 99 HB572 / SB575

As enacted, requires all hospitals and birthing centers to provide information on post-birth warning signs, including symptoms and resources, to a mother and, if possible, to the mother's caregiver or at least one of the mother's family members prior to discharge following a birth; requires the department to provide all hospitals and birthing centers with information on post-birth warning signs, including symptoms and resources, and to have the information available on the department's website. - Amends TCA Title 68.

PC 100 HB657 / SB619

As enacted, allows a healthcare provider to petition a relevant board after completing a peer assistance or treatment program contract to remove information from the public-facing licensure verification website regarding the adverse action and the order by the relevant board after five years from the completion date of that program or contract indicated in such order; authorizes the division of health related boards to promulgate rules to effectuate such petition process. - Amends TCA Title 4; Title 63 and Title 68.

PC 108 HB1157 / SB1031

As enacted, enacts the "Restore Trust in Public Health Messaging Act." prohibits the Department of Health, the commissioner of the Department of Health, any employee or agent of the Department or a local health department, and any member of the state executive branch from promoting, distributing or endorsing information that conflicts with or does not accurately reflect the federal Food and Drug Administration ("FDA") approved or FDA-authorized label for said drug product - Amends TCA Title 53 and Title 68.

PC 116 HB155 / SB668

As enacted, removes the limitation that a death must have been anticipated for a registered nurse to make the actual determination and pronouncement of death if a deceased was a patient or resident at a nursing home, hospital, or assisted-care living facility. - Amends TCA Title 68

PC118 HB821 / SB707

As enacted, specifies that a prospective purchaser of tobacco, smoking hemp, vapor products, or smokeless nicotine products must produce proof of age prior to the sale being made; increases from 30 to 50 years the apparent age above which a seller is not required to demand presentation of proof of age. - Amends TCA Title 39, Chapter 17 and Title 43, Chapter 27.

PC 125 HB1074 / SB1063

As enacted, removes the requirement that a provider notify a patient of communication between the provider and a health insurance entity or healthcare facility concerning additional information needed to process a prior authorization request for the patient; removes the requirement that an utilization review agent notify the enrollee and the provider or healthcare facility when additional information is needed from the enrollee, provider, or healthcare facility to make a determination on the request for prior authorization. - Amends TCA Title 56 and Title 63, Chapter 1.

*PC 127 HB1311 / SB1284

As enacted, removes requirement that a license issued by a health related board be signed by members of the board prior to such issuance; authorizes the presiding officer to divide the board into panels to conduct contested case hearings or disciplinary matters; includes patient billing records as part of the medical and practice records that providers must make available for inspection upon the department's request; clarifies that identifying information of certain parties to a contested case hearing involving disciplinary charges filed against a provider must only be produced by the provider in response to a subpoena from a law enforcement agency. - Amends TCA Title 4; Title 63 and Title 68

PC 128 HB113 / SB1290

As enacted, makes permanent the exclusion of narcotic testing equipment used to determine whether a controlled substance contains a synthetic opioid, unless the narcotic testing equipment is possessed for purposes of the commission of a drug offense, from the definition of drug paraphernalia; removes the July 1, 2025, repeal date for that exclusion. - Amends TCA Section 39-17-402.

PC 139 HB363 / SB462

As enacted, designates the month of November as "Diabetes Awareness Month." - Amends TCA Title 15, Chapter 2, Part 1.

PC 144 HB498 / SB321

As enacted, creates the advisory task force on state reimbursement rates to make recommendations on annual adjustments to the reimbursement rates paid to agencies that perform healthcare functions and services, the purpose of which is to ensure such reimbursement rates are adequate. - Amends TCA Title 4; Title 62 and Title 63.

PC 147 HB702 / SB267

As enacted, clarifies that an additional license for a collection station is not required, without regard to where specimens are transported, as long as the medical laboratory owner of the licensed medical laboratory retains ownership of the medical laboratory and oversight of the collection station. - Amends TCA Title 68, Chapter 29.

PC 172 HB515 / SB680

As enacted, requires an LEA and public charter school that provides parents or guardians of K-12 students with information on immunizations, infectious diseases, medications, or other school health issues to include information about Type 1 and Type 2 diabetes published by the department of education; directs the department, in cooperation with the department of health, to publish and make available to LEAs and public charter schools for free on its website certain information about Type 1 and Type 2 diabetes. - Amends TCA Title 49 and Title 68.

PC 196 HB843 / SB1198

As enacted, declares Perry County Community Hospital in Linden and Decatur County General Hospital in Parsons to be necessary providers for the purpose of critical access hospital designation eligibility in accordance with Section 1820 of the Social Security Act. - Amends TCA Title 68.

PC 204 HB959 / SB789

As enacted, changes the term "temporary license" to "associate license" for a marriage and family therapist who has completed the academic coursework and training required for the license and who has successfully passed the examination required by the board; redefines an approved supervisor for marital therapy and counseling services to no longer include a board-approved marriage and family supervisor; redefines the exemptions to current law for professional counselors and marital and family therapists. - Amends TCA Title 33 and Title 63.

PC 209 HB830 / SB299

As enacted, changes the qualifications for membership on the medical cannabis commission to include a patient caregiver and a subject matter expert with knowledge of how cannabis is cultivated, processed, shipped, distributed, or prescribed for medical use; specifies that the recommendations made by the commission to the general assembly may include policy recommendations. - Amends TCA Title 4 and Title 68, Chapter 7.

PC 212 HB373 / SB497

As enacted, requires a tattoo artist's signature on this state's tattoo apprenticeship completion application to signify that the apprentice artist under the tattoo artist's training has met the necessary requirements to become licensed in this state; permits tattoo artists who have been licensed in this state for fewer than three years but licensed in another state for 10 years or more to train an apprentice artist. - Amends TCA Title 62 and Title 68.

PC 213 HB510 / SB554

As enacted, enacts the "Tennessee Physician Workforce Information Act." Requires the Department of Health to contact qualified medical organizations in Tennessee and request information on challenges, opportunities, and solutions related to physician workforce sustainability, including burnout, policy needs, training, access to care, and national trends. Amends TCA Title 4; Title 49; Title 63 and Title 68.

PC 217 HB990 / SB1004

As enacted, creates definitions for "inevitable abortion" and "serious risk of substantial and irreversible impairment of a major bodily function" providing more clarity to physicians in determining when a condition could qualify for an abortion to be performed that is not considered criminal - Amends TCA Title 4; Title 9; Title 29; Title 33; Title 37; Title 38; Title 39; Title 40; Title 53; Title 56; Title 62; Title 63; Title 68 and Title 71.

PC 222 HB203 / SB332

As enacted, requires the board of nursing to develop a survey to collect information regarding Nurse Practitioners including specialty, collaborating physician relationship, and practice site location. Creates an annual report of the aggregated, de-identified data collected from the survey. The report shall be submitted on or before December 31 to the chair of the health and welfare committee of the senate and the chair of the committee of the house of representatives with jurisdiction over health-related matters Amends TCA Title 4; Title 8; Title 14; Title 29; Title 33; Title 37; Title 39; Title 53; Title 63; Title 68 and Title 71.

PC 228 HB896 / SB880

As enacted, prohibits a state agency from disseminating, proposing, or finalizing any regulatory action for a substance, mixture, or chemical related to drinking water, water pollution control, hazardous substances, contaminated site remediation, air quality, or solid or hazardous waste handling unless the regulatory action is based upon the best available peer-reviewed scientific and technical information. Clarifies this does not apply to any rule of the department of agriculture, the department of health, any rule required by federal law, or any rule that is the substantive equivalent to a federal regulation. - Amends TCA Title 4, Chapter 5.

PC 232 HB466 / SB1385

As enacted, requires a medical laboratory supervisor to be readily available for consultations during all hours when tests are performed; prohibits a medical laboratory supervisor from being required to be on laboratory premises. - Amends TCA Title 68.

PC 247 HB533 / SB449

As enacted, enacts the "Fertility Treatment and Contraceptive Protection Act." Outlines protections for fertility treatment and contraception - Amends TCA Title 63 and Title 68.

PC 261 HB960 / SB849

As enacted, directs the department of health to collaborate with an organization in this state that is approved by the board of medical examiners and board of osteopathic examination, and the board of medical examiners, the board of examiners in psychology respectively and accredited as a sponsor of continuing education to create or identify a continuing education program for the purpose of providing healthcare professionals licensed pursuant to this chapter with information or training relative to maternal mental health.

PC 263 HB1141 / SB882

As enacted, adds that the governor's appointee for the health facilities commission who is a representative of the assisted-care living facility industry may be appointed from lists of qualified persons submitted by interested groups, including the Tennessee Center for Assisted Living. - Amends TCA Title 68.

PC 266 HB1044 / SB955

As enacted, creates the "Medical Ethics Defense Act." Grants healthcare providers the legal right to decline to participate in or fund any healthcare procedure, treatment, or service that violates their conscience. - Amends TCA Title 63.

PC 272 HB1349 / SB1146

As enacted, requires the medical examiner's office to ascertain and document current drug use, including psychotropic drugs, by a deceased individual who committed a mass shooting; directs the University of Tennessee's health science center to study drug interactions between the psychotropic drugs and any other drugs present in the deceased individual's system; requires the department of health to disclose the psychotropic drug use of the individual to the public upon request. - Amends TCA Title 38; Title 53; Title 63 and Title 68.

PC 278 HB37 / SB428

As enacted, authorizes an insurer, for purposes of group insurance plans offered to state employees, to adopt or amend a state preferred drug list (PDL); requires the insurer to ensure that reimbursement is provided to a healthcare prescriber or hospital that provides a non-opioid treatment to a covered employee under the group insurance plan. - Amends TCA Title 8; Title 53; Title 56; Title 63; Title 68 and Title 71.

PC 286 HB731 / SB908

As enacted, specifies that the Tennessee One Health Committee is a governing body under the open meetings act; requires meetings of the committee to be open to the public. - Amends TCA Title 4, Chapter 3, Part 5; Title 8, Chapter 44; Title 43, Chapter 1; Title 58; Title 68, Chapter 1 and Title 70.

PC 294 HB1237 / SB1235

As enacted, prohibits the exclusion of persons from membership on state regulatory and health-related boards on the basis of race, color, ethnicity, and national origin; prohibits such boards from establishing or operating under race-based policies pertaining to their composition; creates a private cause of action against a board and its officers, employees, and agents for such practices; removes requirement that appointing authorities strive to ensure certain boards and commissions are represented by members of racial minorities. - Amends TCA Title 4, Chapter 21; Title 9; Title 62; Title 63 and Title 68.

PC 295 HB1239 / SB421

As enacted, authorizes certain prescribing physician assistants and nurse practitioners to prescribe buprenorphine products for the treatment of opioid use disorder when the physician assistant or nurse practitioner is employed by or contracts with a state correctional facility or county or municipal jail, and certain other conditions are met. - Amends TCA Title 33; Title 41; Title 53 and Title 63.

PC 304 HB164 / SB128

As enacted, allows chiropractic physicians to engage in the practice of animal chiropractic and apply to the board for a certification to perform animal chiropractic if they meet certain requirements. It also allows the performance of animal chiropractic by a licensed veterinarian. - Amends TCA Title 4 and Title 63.

PC 317 HB1203 / SB359

As enacted, authorizes the board of medical examiners and board of osteopathic examination to issue a license subject to a private advocacy order which requires the applicant to participate in a peer assistance program approved by the board; designates private advocacy orders as confidential and not public records, as long as the provider does not fail to maintain participation in the peer assistance program and requires the initiation of disciplinary proceedings by the board. - Amends TCA Title 63.

PC 324 HB968 / SB763

As enacted, requires the department of revenue to maintain a directory on its website that lists all vapor products certified as authorized to be sold in this state; levies a privilege tax of seven cents per milliliter of consumable material contained in a closed-system vapor product; levies a privilege tax at the rate of 10 percent of the wholesale cost price on vapor products.

PC 339 HB495 / SB606

As enacted, rewrites the fee limits for a party requesting a patient's medical record in either paper or electronic format from a provider or the provider's third-party release of information provider. - Amends TCA Title 63 and Title 68.

PC 346 HB760 / SB817

As enacted, authorizes a healthcare practitioner to prescribe and a pharmacist to dispense a prescribed, bronchodilator rescue inhaler to an authorized entity to be administered to a person believed to be experiencing asthma symptoms or respiratory distress in an emergency situation, under a standing protocol from the healthcare practitioner; encourages schools in LEAs and public charter schools to keep bronchodilator rescue inhalers to be administered to students believed to be having asthma symptoms or in respiratory distress in an emergency situation. - Amends TCA Title 49; Title 53; Title 63 and Title 68.

PC 347 HB826 / SB895

As enacted, outlines parental consent regarding medical treatment and video or voice recording of children on school property, as well as absences from school due to religious holidays- Amends TCA Title 33; Title 36; Title 37; Title 49; Title 63 and Title 68.

PC 360 HB885 / SB212

As enacted, expands the requirement that state and local governing bodies make an agenda available to the public prior to regular public meetings of the body to include the governing bodies of certain nonprofit organizations, including nonprofit community organizations that receive federal funding, nonprofit organizations that receive community grant funds from this state or certain funding from local governments, nonprofit organizations created for the benefit of local governments, and nonprofit organizations that provide the metropolitan government of Nashville/Davidson County with certain utility services; requires, rather than permits, such governing bodies that maintain a website to post the agenda to the website. - Amends TCA Section 8-44-110

PC 361 HB318 / SB263

As enacted, prohibits the enforcement and recognition of requirements or mandates issued by the World Health Organization, United Nations, or World Economic Forum in this state or its political subdivisions. - Amends TCA Title 4, Chapter 1, Part 4.

PC 386 HB1180 / SB1005

As enacted, allows petitioners to include all children in one adoption or termination of parental rights petition if the petitioners are seeking to adopt more than one child at the same time and the children are siblings who share at least one biological parent, unless the court issues a written order finding that it is in the best interest of the children that separate petitions be filed; specifies that the clerk of court shall charge only one filing fee for such a petition. - Amends TCA Title 18; Title 36 and Title 37.

PC390 HB1355 / SB1052

As enacted, specifies that a biological father or alleged biological father who makes token financial support to or for the benefit of a child or the child's mother during the pregnancy or when the mother had physical custody of the child is not a putative father; makes various other changes regarding final orders of adoption. Adds to the list of persons a healthcare provider can get informed consent from before vaccinating a minor to include biological, legal, adoptive parent, potential adoptive parent or individual granted medical decision-making authority over a child under state law - Amends TCA Title 36 and Title 63.

PC 392 HB1293 / SB1114

As enacted, deletes the automatic repeal on July 1, 2025, of a provision that authorizes records custodians to seek an injunction against a person who makes requests to view or copy public records with the intent to disrupt government operations. - Amends TCA Title 10, Chapter 7, Part 5.

PC 393 HB1356 / SB1116

As enacted, allows the Department of Children's Services to access sealed adoption records for the purposes of kinship foster placement. - Amends TCA Title 36 and Title 68

PC 397 HB1357 / SB1239

As enacted, Creates the Tennessee task force to end childhood hunger with the purpose of developing an action plan for ending childhood hunger. The task force shall recommend a strategic action plan to guide the administration and general assembly. - Amends TCA Title 36 and Title 37.

***PC 400 HB1310 / SB1282**

As enacted, deletes present laws pertaining to rented premises unfit for habitation and quick fast food establishment delivery vehicles; removes the statutorily set permit fees to operate food service establishments and requires such permit fees to be set by rule; makes other revisions to present laws pertaining to food service and safety. - Amends TCA Section 53-8-103; Title 68, Chapter 110; Title 68, Chapter 111; Title 68, Chapter 14 and Title 68, Chapter 15.

PC 404 HB1242 / SB1414

As enacted, expands provisions prohibiting discrimination against 340B entities that are covered entities participating in the federal 340B drug discount program under section 340B of the Public Health Service Act, 42 U.S.C. § 256b. - Amends TCA Title 47, Chapter 18 and Title 56

HJR120

Urges Department of Health to implement voluntary reporting system for Charcot-Marie-Tooth Disease cases.

HB923 / SB1084

As enacted, enacts the "Dismantling DEI Departments Act." Prohibits a department, agency, or other unit of state government from use of a discriminatory preference in an effort to increase diversity, equity, or inclusion or establish or maintain an office, division, or department for such purposes. Sets exemptions for public health, medical research, or disease prevention programs - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8 and Title 49, Chapter 7.

HB622 / SB1083F

As enacted, enacts the "Dismantle DEI Act," which prohibits local governments and public institutions of higher education from basing hiring decisions on any metrics that consider an applicant's race, color, religion, sex, national origin, age, or disability, or hiring a particular candidate to achieve any goals to increase diversity, equity, or inclusion in the workplace. - Amends TCA Title 5; Title 6; Title 7; Title 8 and Title 49.

HB1330 / SB1316

As introduced, enacts the "Less is More Act of 2025." - Amends TCA Title 4; Title 8; Title 20; Title 33; Title 38; Title 40; Title 52; Title 55; Title 62; Title 63; Title 68; Title 70 and Title 76.

HB132 / SB396

As enacted, limits the duration of a state of emergency declared by the governor to 30 days; authorizes the general assembly to terminate, extend, or renew a state of emergency by joint resolution; establishes an ad hoc legislative council to extend a state of emergency during the interim between legislative sessions. - Amends TCA Section 58-2-107.

HB865 / SB644

As enacted, requires the board of nursing to change certain minimum curricula standards for schools of nursing related to program course access and enrollment; requires the board of nursing to permit practical nursing program students to sit for the national council licensure exam upon completion of the program, as long as the exam's minimum age requirements are met. - Amends TCA Title 49 and Title 63.

HB310/ SB289

As enacted, creates a presumption that the diagnosis of a law enforcement officer or emergency medical responder with post-traumatic stress disorder as the result of responding to certain incidents was incurred in the line of duty for purposes of workers' compensation coverage. – Amends TCA Title 7, Chapter 51 and Title 50, Chapter 6.

HB869 / SB890

As enacted, deletes the 72 hour pause on certain lab results, requiring labs to fully comply with federal information blocking requirements. Also outlines requirements for insurance entities to establish and maintain certain application programming interfaces as described in federal code for the benefit of insureds - Amends TCA Title 8; Title 47; Title 56; Title 63 and Title 68.

HB1192 / SB871

As enacted, directs TACIR to conduct a study and prepare a report on recommendations on the continuum of care in this state and how the continuum of care can be improved; requires the study and report to survey the continuum of care in other states and compare such care to the continuum of care in this state; requires TACIR to submit the report on or before January 1, 2026, to each member of the general assembly and the legislative librarian; permits the report to be submitted electronically. – Amends TCA Title 4; Title 33; Title 63; Title 68 and Title 71.

HB979 / SB764

As enacted, establishes rules around which types of physicians can be employed by hospitals in different counties, with specific restrictions for specialties like radiologists, anesthesiologists, pathologists, and emergency physicians. It also defines conditions under which these physicians can be employed, including ensuring medical decision-making is not interfered with by the employing hospital. Establishes a licensing system for anesthesiologist assistants in Tennessee, setting requirements for education, certification, and supervision, and outlining their scope of practice under the direct oversight of a licensed anesthesiologist. - Amends TCA Title 47; Title 63 and Title 68.

HB717 / SB654

As enacted, enacts the "Caring for Caregivers Act," which requires the department to create and administer a three-year family caregiver grant pilot program to provide grants to caregivers of family members diagnosed with Alzheimer's disease or related dementia to offset expenditures incurred by the caregivers. - Amends TCA Title 9; Title 33; Title 52; Title 67 and Title 68.

HB979 / SB476

As enacted, requires LEAs and public charter schools to prohibit food or beverage items that contain Red 40 to be sold, offered for sale, or provided to students on school property unless the food or beverage item is sold to the student as part of a school fundraising event. - Amends TCA Title 49

**Optometry Ratification List
Newly Licensed
March 17, 2025, to June 30, 2025**

<u>License#</u>	<u>Name</u>	<u>License Expiry Date</u>
3953	Bailey Madison Lynn	12/31/2027
3957	Beck Gabriel	11/30/2027
3942	Bosanic O'Malley	5/31/2027
3947	Buckholz Lindsey	12/31/2026
3941	Erickson Malena L.	1/31/2027
3946	Gibbon Gabrielle Olivia	11/30/2026
3948	Hirth Jake Taylor	5/31/2027
3955	Huynh Andreana	6/30/2027
3949	Owens Grace Elizabeth	11/30/2027
3951	Philyaw Katelynn A.	8/31/2026
3945	Sullins Katherine P.	9/30/2027
3952	Sullins Timothy Blake	8/31/2026
3940	Taylor Sidney Dunn	5/31/2027
3950	Weinburger Sarah Cain	5/31/2027

**Reinstatement from Retired/Expired
March 17, 2025, to June 30, 2025**

<u>License#</u>	<u>Name</u>	<u>License Expiry Date</u>
3279	Mahaffey Chad Daniel	2/28/2027
1729	Whaley Keith Edward	12/31/2026
1816	Bahrami Mathew	1/31/2028

**Voluntarily Retired
March 17, 2025, to June 30, 2025**

<u>License#</u>	<u>Name</u>	<u>License Retired Date</u>
2927	Carlsen Robert Lenton	5/31/2025

<u>License#</u>	<u>Name</u>	<u>License Retired Date</u>
3549	Fouse Madilyn	5/31/2025
3842	Franz Haven Louise	6/30/2025
3849	Graham Jackson Charles	3/31/2025
3412	Haranin Michele Renee	5/31/2025
477	Mormon Darwin L	5/31/2025
3798	Nguyen Thu Anh Dr.	8/31/2025
3827	Smiley Emma	8/31/2025
582	Townsend Thomas E	4/30/2025
3217	Wolfe Gregory Samuel	4/30/2025

Close Applications
March 17, 2025, to June 30, 2025

<u>Name</u>	<u>Date</u>
Quenzer Melody Orene	5/7/2025

1812 -100
Civil/pen.



STATE OF TENNESSEE
DEPARTMENT OF HEALTH

665 Mainstream Dr
Nashville, Tennessee 37243
Telephone: (615) 532-5090
Facsimile: (615) 532-5164
E-mail: Unit3HRB.health@tn.gov

BILL LEE
GOVERNOR

MORGAN MCDONALD, MD, FACP, FAAP
INTERIM COMMISSIONER

Tennessee Board of Optometry

AGREED CITATION

Jacob Norris
LICENSE #3802

June 13, 2025

WHEREAS, the Tennessee Board of Optometry (Board), regulates and supervises optometrists licensed to practice pursuant to Tennessee Code Annotated Section (Tenn. Code Ann. §) 63-8-101, *et seq.* (Code), including the discipline of licensees, as well as those who are required to be licensed, who violate the Code and the Rules promulgated by the Board, Official Compilation of Rules and Regulations of the State of Tennessee (Tenn. Comp. R. & Regs.), 1045-02-.01, *et seq.* (Rules); and

WHEREAS, Jacob Norris (Respondent) is licensed by the Board as an optometrist in the State of Tennessee, license number 1862; and

WHEREAS, Respondent admits to the failure to obtain half (.05) hours of continuing education (CE) credits during Respondent's CE cycle January 1, 2023 to December 31, 2024, in violation of Tenn. Code Ann. § 63-8-120(a)(18), and Tenn. Comp. R. & Regs., 1045-02-.05; and

WHEREAS, Respondent understands the rights found in the Code, Rules, and the Uniform Administrative Procedures Act, Tenn. Code Ann. §§ 4-5-101 thru 4-5-404, including the right to a hearing, and to appear personally and by legal counsel, the right to confront and to cross-examine witnesses who would testify against Respondent, the right to testify and to present evidence on Respondent's own behalf, as well as the issuance of subpoenas to compel the attendance of witnesses and the production of documents, as well as the right to appeal for judicial review of or to challenge or contest the validity of this Agreed Citation; and

RECEIVED
JUN 27 2025
By _____

WHEREAS, Respondent understands that by signing this Agreed Citation and paying a civil penalty of one hundred dollars (\$100.00), Respondent waives Respondent's right to a hearing as described herein.

WHEREAS, Respondent agrees presentation of this Agreed Citation to the Board and the Board's consideration of it and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members become prejudiced requiring their disqualification from hearing this matter should this Agreed Citation not be ratified. All matters, admissions, and statements disclosed during the attempted ratification process shall not be used against the Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions. If the Board rejects this Agreed Citation for any reason, it will be of no force or effect for either party.; and

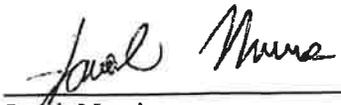
WHEREAS, Respondent agrees facsimile/PDF copies of this Agreed Citation, including facsimile/PDF signatures thereto, shall have the same force and effect as originals.

WHEREAS, Respondent agrees that Respondent has not received any threats or promises of any kind by the State or any agent or representative thereof, except such as is detailed herein.

WHEREAS, Respondent acknowledges and understands that if Respondent does not sign this Agreed Citation and return it along with a check or money order made out to the Tennessee Board of Optometry for the prescribed amount within **thirty (30) days**, a formal contested case hearing may be initiated in which the Board is authorized to assess civil penalties in the amount of one thousand dollars (\$1,000.00), with each day of continued violation constituting a separate violation. Tenn. Code Ann. § 63-1-134. Additionally, the Board may refuse to renew Respondent's license, or the Board may suspend or revoke Respondent's license.

THEREFORE, by signing below, Respondent agrees to the terms of this Agreed Citation and hereby remits a civil penalty in the amount of one hundred dollars (\$100.00). Respondent further agrees to provide proof to the Board of completion of a **half (.05) hours** of continuing education, the amount determined to be deficient, and an additional six (6) hours of continuing education credits, either before ratification or within **ninety (90) days** of ratification of this citation by the Board. Furthermore, Respondent executes this Agreed Citation for the sole purpose of avoiding further administrative proceedings with respect to this violation. Respondent further understands that this Agreed Citation will be reported on the Department of Health's Disciplinary Action Report and appear on the Department of Health's Website and may be reported to the National Practitioner Data Bank (NPDB).

APPROVED FOR ENTRY:



Jacob Norris
Optometry License No. 3802
Respondent

6/23/2025

Date



Chairperson/Acting Chairperson
Tennessee Board of Optometry

7/9/25

Date



ADMINISTRATOR REPORT BOARD OF OPTOMETRY

This is an administrative report from Maria Johnston, Board Administrator. The information in this report is to keep the Board informed of all fundamental activities relative to licensure for Optometry.

STATISTICAL INFORMATION

Listed below are the total numbers of active, retired and failure to renew licensees for the Board of Optometry:

As of June 30, 2025

Optometrist
Licensed – 1,384

LICENSED STATUS SINCE PREVIOUS MEETING

March 17, 2025, to June 30, 2025
New Licensed – 14
Reinstatement – 3
Retired – 10
Closed Applications - 1
Paper Renewal – 40
Online Renewal – 145

TRAVEL AND LODGING

- The current mileage rate is \$0.70 cents per mile
- The current meals and incidentals rate is \$64.50 per day for an overnight stay
- The current maximum reimbursable rate for hotel lodging in Nashville for upcoming meetings dates, in 2025 is as follows (rate re-sets each October)
- July 2025 - \$217
- October 2025 (rate re-sets each October)

UPCOMING BOARD MEETING DATES:

- October 8, 2025
- January 7, 2026
- April 8, 2026
- July 8, 2026
- October 7, 2026



STATE OF TENNESSEE

DEPARTMENT OF HEALTH

665 MAINSTREAM DRIVE, 2ND FLOOR
NASHVILLE, TENNESSEE 37243
TELEPHONE: (615) 741-1611
FACSIMILE: (615) 532-3386 or (615) 532-7749

BILL LEE
GOVERNOR

RALPH ALVARADO, MD, FACP
COMMISSIONER

katherine.trawick@tn.gov

To: Tennessee Board of Optometry

From: Katherine Trawick, Associate General Counsel

Date: July 1, 2025

Re: Office of General Counsel Report for July 9, 2025 Meeting

Conflict of Interest

PURPOSE: To assure that the individual interests of board members do not conflict with or have the appearance of conflicts with their responsibilities to the Board to which they are appointed.

CONFLICT OF INTEREST: A circumstance in which a board member's individual interest impairs or impedes, or gives the appearance of impairing or impeding, his or her ability to make full, unbiased decisions or to provide full unbiased service to the Board.

It is the duty of this Board to protect the health, safety, and welfare of the citizens of Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety.

Any board member who has a conflict of interest as defined above must recuse himself/herself from any matter and is prohibited from participating in any discussion or vote on the matter and shall leave the hearing room during the discussion or vote.

If you have a personal or financial interest in the outcome of any issue or matter before this Board that may suggest a bias on your part, you are asked to state that interest on the record so a determination can be made as to whether there exists a need for recusal.

It is improper for any board member having a conflict of interest to attempt to influence another board member at any time, including prior to the discussion on the matter for which the conflict exists.

Open Meetings Act

Pursuant to the Open Meetings Act, Board business may only be discussed by the Board members during the meeting. Members should not discuss the Board's business at any time other than during the Board meeting. The prohibition applies to phone calls, e-mails, and text messages. Board 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.

An executive session convened by the Board for the purpose of discussing an applicant's health conditions, including mental health conditions and substance use disorders revealed during an application process, is not a public meeting as defined in T.C.A. § 8-44-102. However, during the executive session the Board may not vote on the matter at issue until the open Board meeting.

Rule Activity

The rulemaking package regarding amendments to Rules .05 (Continuing Education) and .07 (Diagnostic and Therapeutic Certification) continues in the internal review process.

The package on rules 1045-08-.08, .09, .18, & .19 is nearing the end of the approval process and should become final in the next few months.

The package with the retrospective changes continues in the internal review process.

Disciplinary Activity

As of July 1, 2025, the Office of General Counsel has no open complaints against the board's licensees.

Disciplinary Coordinator's Report

Total number of Optometrists being monitored for discipline: 1

- Reprimand: 0
- Probation: 0
- Suspension: 1
- Revoked/Surrendered: 0



Tennessee Department of Health Board Statistical Complaint Report

Parameters selected: Lic Type: 18 - OPTOMETRY; Case Type: CMP - Complaint; Calendar year: 2025

License Type: 18 - OPTOMETRY

Complaint Activity	Dec 2024	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
New Complaints Opened		1	0	1	2	1	3							8
Total Closed Complaints		4	0	0	0	4	0							8
9 - Complaint Closed		2	0	0	0	4	0							6
94 - Closed - Warning Ltr		2	0	0	0	0	0							2
Currently Open Complaints	5	2	2	3	5	2	5							

ANALYSIS OF NEWLY OPENED COMPLAINTS

By Allegation	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
26-Unprofessional Conduct	1	0	1	1	0	2							5
47-Outside INV Scope	0	0	0	1	1	1							3
Total:	1	0	1	2	1	3							8

By Region	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
EAST	0	0	0	0	0	1							1
MIDDLE	1	0	1	0	0	1							3
WEST	0	0	0	1	0	0							1
Out of State	0	0	0	0	0	0							0
Unknown	0	0	0	0	0	0							0



**Tennessee Department of Health
Board Statistical Complaint Report**

License Type: 18 - OPTOMETRY

By Region	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Total:	1	0	1	1	0	2							5