

OREGON BOARD OF OPTOMETRY

PUBLIC SESSION MINUTES

March 17, 2006

Present - John P. Reslock, O.D., President
Candace D. Hamel, O.D., Vice President
Michelle M. Monkman, O.D.
Scott M. Walters, O.D..

David W. Plunkett, Executive Director
Cathy M. Boudreau, Administrative Assistant

CALL TO ORDER -

Dr. Reslock called the meeting to order at 9:00 a.m. in the Mezzanine Level Conference room at 1900 Hines Street, SE, Salem, OR., 97302. The Board immediately adjourned to Executive Session for the purpose of discussing complaint cases. The Public Session was reconvened at 1:00 p.m.

Dr. Reslock adjourned the meeting at 1:02 for an administrative rules hearing. The Public Session was reconvened at 1:05 p.m.

MINUTES - The Board reviewed the Public Session minutes of December 2, 2005. The minutes were approved as presented. The Board reviewed the minutes of the Public Session meeting held by telephone conference call on January 26, 2006. These minutes were approved as presented.

RATIFICATION -

Reactivation and Reinstatements:

1. Reinstatement of license to Inactive-Military status: Clinton Anderson, O.D.
2. Reinstatement of license to Active status: Michael Coffman, O.D.
3. Reinstatement of license to Active status: Keith Feilzer, O.D.
4. Reactivation of license to Active status: Darrin Closson, O.D.
5. Reactivation of license to Active status: Denise Maier, O.D.
6. Reactivation of license from Military to Inactive status: Jack Farris, O.D.
7. Reactivation of license from Military to Inactive status: Jeffrey Weaver, O.D.

Dr. Hamel moved that the Board approve the actions of the Executive Director. Dr. Walters seconded the motion. The motion carried unanimously.

Candidates for Examination and Licensure -

The optometrists listed in Exhibit A met all the requirements for licensure and were approved by the Executive Director since the last Board meeting. Dr. Monkman read the names of the new candidates for licensure into the record and moved that the Board ratify the actions of the Executive Director with respect to these licensees. Dr. Walters seconded the motion. The motion carried unanimously.

ACTION ON EXECUTIVE SESSION

05-05-02 - A letter will be sent to the doctor advising him that his records are satisfactory and thanking him for his cooperation with the Board. This case will be closed.

05-05-05 - A letter was written on January 10, 2006 to the business in this case regarding the sale of contact lens. The Board has not received any reply. All the investigative records have been forwarded to the Department of Justice. This case will be closed.

05-07-01 - The complainant in this case is satisfied with the resolution with the doctor. This case will be closed

05-07-02 - The complainant in this case is satisfied with the resolution with the doctor. This case will be closed

05-10-01 - Several attempts have been made to obtain details from the complainant in this case. Since no details have been furnished, this case will be closed..

05-10-02 - The Board will issue a Subpoena for Investigation to the doctor for an interview at its next meeting. This case will remain open.

05-11-01 - Two attempts have been made to obtain details from the complainant in this case. Since no details have been furnished, this case will be closed..

05-11-02 - A letter was written on January 10, 2006 to the business in this case regarding the sale of contact lens. The Board has not received any reply. All the investigative records have been forwarded to the Department of Justice. This case will be closed.

05-12-01 - A letter was written January 10, 2006 to the business in this case on regarding the sale of contact lens. The Board has not received any reply. All the investigative records have been forwarded to the Department of Justice. This case will be closed.

05-12-02 - The Board will write a letter to the doctor informing him that his actions were a violation of Oregon Statutes and Administrative Rules. Given the doctor's circumstances, the Board will waive the financial penalty for failing to maintain records. This case will be closed

05-12-03 - The Board verified by written and oral correspondence that the doctor in this case is not practicing optometry without a license in Oregon. This case will be closed.

06-02-01 - This case was not ready for review by the Board and will remain open.

06-02-02 - The Board did not find any violations of Oregon Revised Statues or Administrative Rules. A letter will be sent to the patient informing her of their determination. This case will remain open.

06-02-03 - The Board did not find any violations of Oregon Revised Statues or Administrative Rules. A letter will be sent to the patient informing her of their determination. This case will remain open.

06-03-01 - The Board will write the complainant a letter. This case will remain open.

06-03-02 - The Board will write a letter to the physician in this case. This case will remain open.

Dr. Hamel moved that the Board ratify the actions of the Board during executive session. Dr. Walters seconded the motion. The motion carried unanimously.

CORRESPONDENCE -

The Board considered a letter from John Harrington, O.D. regarding his Arizona advanced therapeutic course work as being equivalent to Oregon's AOT didactic requirement. Dr. Monkman, in her review of the course submitted, noted several substantive differences. The Arizona course was fifteen hours in length whereas the approved Oregon didactic course is twenty three hours. The Arizona course didn't cover all the subject matter presented in the Oregon course and, what was covered, was not in as much depth. The Board determined that the Arizona course does not meet the Oregon AOT didactic requirement. Mr. Plunkett will write a letter to Dr. Harrington.

PRESIDENT'S REPORT -

Dr. Reslock presented a letter from the Oregon Optometric Physicians Association's recommending Joan Miller, O.D. for appointment to the Council on Optometric Nontopical Formulary. Dr. Hamel was very much in favor of the appointment noting that Dr. Miller would be a logical choice considering her previous experience with the Nontopical Formulary Council. Dr. Hamel made a motion that the Board appoint Dr. Miller to the Council on Optometric Nontopical Formulary as the OOPA representative. Dr. Monkman seconded the motion. The motion carried unanimously.

EXECUTIVE DIRECTOR'S REPORT -

Accounting/Budgeting: Mr. Plunkett reviewed the Revenue and Expense Budget Report covering the period from July 1, 2005 through January 31, 2006 with the Board. Mr. Plunkett reported that actual numbers for the biennium to date were \$12,267.36 better than budgeted. In review of the March 7, 2006 Balance Sheet, he noted that the balance in the Board's asset accounts currently totals \$176, 337.55. There were no additional questions regarding the financial information.

Board Activities Report: Mr. Plunkett reviewed the Board Activities Reports dated December 2005 and February 2006. At the end of 2005 there were six hundred fifty-six active status licensees. Of these, three hundred sixty-one were AT certified which accounts for 64% of the active licensees. Five hundred sixty-four licensees held inactive status. The number of inactive licensees had been projected to decline in 2005 but that was not the case.

Audit: An audit of the Board will be conducted by the Oregon Audits Division during the months of March, April, and/or May 2006. This audit will cover the last biennium, from July 1, 2003 through June 30, 2005. All semi-independent boards must be audited prior to the June deadline. The work is currently out for bid. The audit will probably be performed by a different firm than in the past.

Mr. Plunkett mentioned that the current newsletter will be sent out the week of March 20, 2006 with copies of the current Oregon Revised Statutes and Oregon Administrative Rules booklets.

Mr. Plunkett indicated that he had sent letters to the Board of Medical Examiners, the Oregon Academy of Ophthalmology, Oregon Health Sciences University and the Pharmacy Board asking whether they wished to appoint new individuals to the Nontopical Formulary Council, or whether they wished to continue with the current appointees.

COMMITTEE REPORTS -

Continuing Optometric Education: Dr. Monkman moved that the Board ratify the continuing optometric education courses approved since the last Board meeting, including designation of acceptable TMOD offerings. Dr. Hamel seconded the motion. The motion carried unanimously.

The Board has received a law and administrative rule course from Dr. Greg Kautz which Pacific University College of Optometry would like to present as part of their on-line continuing education offerings. The Board requested that Mr. Plunkett review the course for accuracy and submit it to Dr. Monkman, who will review the course for credit.

Budget Committee: There was no report from the Budget Committee.

Legislative Committee: The Board discussed possible legislative concepts and decided to develop a legislative concept which would prohibit the sale of colored, plano or decorative contact lenses without a prescription.

Administrative Rules Committee: The Board held a hearing on proposed administrative rule revisions to OAR 852-020, 852-050, and 852-080. Dr. Walters moved that the Board adopt the changes as proposed. Dr. Monkman seconded the motion. There was no further discussion and the motion carried unanimously. The proposed administrative rules will be effective April 1, 2006.

Mr. Plunkett reminded that Board that the rules adopted regarding the 2005-2007 Biennium Budget included a fee increase for active licensees beginning July 1 2006. He asked the Board to evaluate whether they still wanted to implement the fee increase as scheduled. He reminded them that the fee increase would need to be reflected in the administrative rules (OAR 852-10- 080(a) and OAR 852-50-006(7)). The Board reviewed the current budget situation and agreed to implement the fee increase as planned.

Personnel Committee: There was no report from the Personnel Committee.

Other:

Dr. Reslock suggested that the Board elect a new President and Vice-President to the Board, the offices to take effect October 1, 2006. Dr. Reslock then opened the floor for nominations. Dr. Hamel nominated Dr. Scott Walters for President. Dr. Monkman seconded the motion. Next, Dr. Hamel nominated Dr. Michelle Monkman for Vice-President. Dr. Walters seconded the motion. The motions carried unanimously.

The Board decided to postpone the appointment of a representative from the Oregon Board of Optometry to the Council on Optometric Nontopical Formulary until after the new members of the Board were appointed by the Governor.

The next Board meeting was scheduled for June 2, 2006.

ADJOURNMENT -

There was no further business to come before the Board. President Reslock adjourned the meeting at 1:40 p.m.

Prepared by,

Reviewed by:

Catherine M. Boudreau
Administrative Assistant

David W. Plunkett
Executive Director