

**BOARD OF OPTOMETRY
FULL BOARD MEETING
SEPTEMBER 26, 2014**

- TIME AND PLACE:** The Board of Optometry (Board) meeting was called to order at 10:03 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Room 3, Henrico, Virginia 23233.
- PRESIDING OFFICER:** Jonathan R. Noble, O.D., Chair
- MEMBERS PRESENT:** Hal Breedlove, O.D.
Devon Cabot, Citizen Member
Helene Clayton-Jeter, O.D.
Joseph E. Droter, O.D.
Steven A Linas, O.D.
Douglas Weberling, O.D.
- MEMBERS NOT PRESENT:** All members were present.
- STAFF PRESENT:** Leslie L. Knachel, Executive Director
Elaine Yeatts, Senior Policy Analyst
David E. Brown, D.C., Director
Carol Stamey, Operations Manager
Tamara Farmer, Administrative Assistant
- OTHERS PRESENT:** Bruce Keeney, Virginia Optometric Association (VOA)
- QUORUM:** With all members of the Board present, a quorum was established.
- INTRODUCTIONS:** Dr. Noble introduced and welcomed the new board members, Ms. Cabot and Dr. Clayton-Jeter.
- ORDERING OF AGENDA** No changes were made to the agenda.
- PUBLIC COMMENT:** No public comment was presented.
- DIRECTOR'S REPORT:** Dr. Brown welcomed the new board members and thanked all the board members for their time and service.
- Dr. Brown presented an update on the following agency activities:
- streamlining the licensure requirements for trained veterans;
 - initiative requiring background checks beginning with the Board of Nursing pursuant an Executive Order;
 - sex offender registry review;
 - DHP workgroup conducting a study of mid-level providers to increase access to health care;
 - Board of Medicine's Ad Hoc Committee on Telemedicine will be reviewing and discussing the topic of telemedicine at its October 1, 2014 meeting; and
 - Establishing a task force on prescription drug and heroin abuse by

Executive Order effective September 26, 2014.

APPROVAL OF MINUTES:

Dr. Linas moved to approve the May 16, 2014, meeting minutes as presented. The motion was seconded and carried.

**REGULATORY/
LEGISLATIVE UPDATE:**

Disposition of Regulatory Actions

Ms. Yeatts provided an overview of the regulatory actions in process as of September 9, 2014.

DISCUSSION ITEMS:

Healthcare Workforce Data Center Survey

Dr. Carter provided an overview of the Healthcare Workforce Data Center's (HWDC) background, functions and results of research obtained through prior board surveys.

Dr. Carter reported that the HWDC was extending the survey to the Board of Optometry to collect workforce data and trends. She advised that the survey was slated for inclusion in the upcoming on-line licensure renewal notifications. Dr. Carter referenced the sample survey that had been included in the board's agenda packet for the Board's consideration. The Board recommended revisions to the sample survey and requested that an email notification be disseminated to all licensees regarding the upcoming survey. Dr. Carter reported that the results of the survey would be reported at the May 2015 meeting.

Letter from National Board of Examiners in Optometry (NBEO)

Ms. Knachel reported that a letter from the NBEO regarding the development of an examination for use as an assessment tool had been included in the board's agenda for its review and consideration. Ms. Knachel commented that the examination could be used for continuing education and/or used for disciplinary purposes.

The Board requested that staff research the following information and report back at the next board meeting:

- availability of other entities who administer assessment examinations;
- release of scores and if failing scores could be used against licensees; and
- examination use by other states.

Decorative Contact Lenses

Ms. Knachel provided a brief history and synopsis of the decorative contact lens safety concerns and unlicensed distribution of contact lenses. She reported that the Communication's Director will be developing a media advisory for website posting. Additionally, Ms. Knachel reported that pursuant to §54.1-3204(8) and §54.1-2506(C) of the *Code of Virginia* and the authority of the Director, there was authority to develop and issue summonses to unauthorized distributors selling contact lenses. Ms. Knachel advised that she would be working with the Attorney General's Office to develop the summons language and its process. The Board requested that an email notification be distributed requesting voluntary reporting of the illegal sales of contact lenses.

Follow-up on Transfer of Medical Records Notification

As requested by the Board during its previous meeting, Ms. Knachel provided follow up on whether notification to patients by telephone or email met the requirements of §54.1-2405. In consultation with the Attorney General's Office, it was determined that §54.1-2405 was clear in that notifications to patients shall be forwarded by mail.

The Board was informed that it could introduce legislation to amend the Code at its February 2015 meeting.

Request to Review Continuing Education Requirements

Dr. Noble recognized Mr. Keeney regarding the request from the VOA to consider amending the continuing education (CE) regulations as presented in the agenda packet. Mr. Keeney further requested that the CE Committee work collaboratively with the VOA in its review of the proposed amendments.

The Board requested that staff research the various boards' CE requirements and research the year that the CE requirements were increased.

Guidance Document Review

Ms. Knachel informed the Board that the guidance documents were included in the agenda packet for review and comment. She requested any proposed changes such as the suggested deletion of the "Current Procedural Terminology Codes Committee (CPT)" be submitted for the review and inclusion in the next board meeting agenda.

Officer Election

Dr. Linas nominated Dr. Droter as President. The motion was seconded and carried.

Dr. Noble nominated Dr. Weberling as Vice-President. The motion was seconded and carried.

BOARD OF HEALTH PROFESSIONS REPORT:

Dr. Noble reported that Dr. Clayton-Jeter had agreed to serve on the Board of Health Professions representing the Board.

PRESIDENT'S REPORT:

Dr. Noble thanked the Board for allowing him to serve as President of the Board and thanked the board members for their service. Dr. Noble also noted that the President's report was well received at the past VOA meeting.

EXECUTIVE DIRECTOR'S REPORT:

DEA Final Rule Rescheduling Hydrocodone Products

Ms. Knachel informed the Board that the Board of Pharmacy had communicated the rescheduling of hydrocodone products to all licensees through the Communications Director.

Statistics

Ms. Knachel presented an overview of the Board's licensure and disciplinary statistics.

Budget

Ms. Knachel reported that the budget information specific to the Board had been included in the packet and could possibly result in a fee reduction next year.

NEW BUSINESS:

Committee Appointments

Dr. Noble appointed the following board members to serve as committee members:

Dr. Droter serve on the Credentials Committee;

Dr. Clayton-Jeter serve on the CE Committee; and

Ms. Cabot serves on the Professional Designation Committee.

2015 Calendar

Due to scheduling conflicts, Dr. Weberling requested that the February and May 2015 meeting dates be revised. It was requested that staff research room availability, submit proposed dates for review and revise all meetings to begin at 9:00 a.m.

ADJOURNMENT:

The meeting adjourned at 12:15 a.m.

Joseph E. Droter, O.D.
Chair

Leslie L. Knachel, M.P.H.
Executive Director