

**BOARD OF OPTOMETRY  
BOARD MEETING  
JANUARY 25, 2002**

**TIME AND PLACE:** The meeting was called to order at 1:30 p.m. on Friday, January 25, 2002, at the Department of Health Professions, 6606 West Broad Street, 5<sup>th</sup> Floor, Room 3, Richmond, Virginia.

**PRESIDING OFFICER:** Samuel C. Smart, O.D.

**MEMBERS PRESENT:** Thomas R. Cheezum, O.D.  
Gary H. St. Clair, O.D.  
Jeff Smith, Citizen Member  
Roxann L. Robinson, O.D.  
Paula H. Boone, O.D.

**STAFF PRESENT:** Howard M. Casway, Assistant Attorney General, Board Counsel  
Elaine Yeatts, Policy Analyst  
Elizabeth A. Carter, Ph.D., Executive Director  
Carol Stamey, Administrative Assistant

**OTHERS PRESENT:** John Marshall, McSweeney & Crump

**QUORUM:** With six members of the Board present, a quorum was established.

**PUBLIC COMMENT:** No public comment was presented.

**REVIEW AND APPROVAL OF AGENDA:** The agenda was approved with the addition of CPT codes.

**APPROVAL OF MINUTES:** On properly seconded motion by Dr. Robinson, the Board voted unanimously to approve the minutes of the November 14, 2000 meeting.

**REPORT FROM THE LEGISLATIVE/REGULATORY REVIEW COMMITTEE:** **Legislative/Regulatory Review Committee**  
Dr. Carter presented a summarized report of the Committee's proposed regulatory changes. The proposed regulatory changes along with the Board's recommended changes are incorporated into the minutes as Attachment 1.

On properly seconded motion by Dr. Cheezum, the Board voted unanimously to accept the Regulatory Report.

**BOARD DISCUSSION:** **Review of Legislation**  
Ms. Yeatts overviewed various 2002 legislation bills.

**CPT Codes**

On properly seconded motion by Dr. Cheezum, the following CPT codes were approved for use by optometrists: G0117 (glaucoma screenings for high risk patients) and G0118 (glaucoma screenings for high risk patients furnished under direct supervision of a MD).

**Letter from Jerry C. Elder, Optician, Contact Lens Fitting on Prescriptions**

On properly seconded motion by Mr. Smith, the Board voted unanimously that Dr. Carter draft a letter thanking Mr. Elder for his comments.

**Letter from Jonathan L. Warner, O.D., Mail Order Contacts**

The Board agreed that Dr. Carter draft a letter to Dr. Warner informing him that the Board did not have jurisdiction over mail order contacts.

**REQUEST FOR CE EXTENSION:**

On properly seconded motion by Dr. Boone, the Board voted unanimously to grant a six month CE extension to Ralph Wogalter, O.D., License number 0601000310.

**CLOSED SESSION:**

On properly seconded motion by Dr. St. Clair, the Committee recessed Open Session and convened in Closed Session pursuant to § 2.1-344(A) (7) of the Code of Virginia for consultation with and the provision of legal advice by the Assistant Attorney General in the matter of the ramifications of the Attorney General’s Opinion and impact on pending cases. Additionally, it was moved that Dr. Carter and Carol Stamey attend the closed meeting because their presence will aid the Board in its consideration of this matter.

**OPEN SESSION:**

On properly seconded motion by Dr. Cheezum, the Board moved to certify that only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion for Closed Session were heard, discussed or considered during the Closed Session.

**PRESIDENT’S REPORT:**

Dr. Smart did not present a report.

**EXECUTIVE DIRECTOR’S REPORT:**

Dr. Carter requested the approval of the Board to forward a formal response to the Commonwealth’s Attorney regarding the sale/distribution of plano colored contact lenses from beauty parlors.

On properly seconded motion by Dr. St. Clair, the Board voted unanimously that Dr. Carter and Howard Casway, Board Counsel, draft a letter of response for review by the Board members.

Dr. Carter reported that the Board had received a positive response regarding the survey conducted of the licensees regarding Board communication by electronic mail survey. Further, the next newsletter would be forwarded to the licensees who had responded to receive board communication by electronic mail.

Dr. Carter also updated the Board on its statistical data and it is incorporated into the minutes as Attachment 2.

**NEW BUSINESS:**

Dr. Cheezum reported that he would attending the Atlanta ARBO meeting in February and would report back to the Board in June.

**ADJOURNMENT:**

On properly seconded motion by Dr. Cheezum, the Board concluded its meeting at 2:00 p.m.

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Samuel C. Smart, O.D., President

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Elizabeth A. Carter, Ph.D., Executive Director