

**BOARD OF OPTOMETRY  
BOARD MEETING  
AUGUST 6, 2008**

**TIME AND PLACE:** The meeting was called to order at 1:15 p.m. on Wednesday, August 6, 2008 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Room 3, Richmond, VA.

**PRESIDING OFFICER:** David H. Hettler, O.D, President

**MEMBERS PRESENT:** Paula H. Boone, O.D.  
Gregory P. Jellenek, O.D.  
Jonathan R. Noble, O.D.  
W. Ernest Schlabach, O.D.  
Jacquelyn S. Thomas, Citizen Member

**STAFF PRESENT:** Eric A. Gregory, Assistant Attorney General, Board Counsel  
Elizabeth A. Carter, Ph.D., Executive Director for the Board  
Emily Wingfield, Chief Deputy Director  
Elaine Yeatts, Senior Regulatory Analyst  
Carol Stamey, Operations Manager

**OTHERS PRESENT:** Bo Keeney, VOA  
Bruce Keeney, VOA  
Fred Goldberg, O.D., VOA  
Gerald Neidigh, Richmond Optometric Society  
Shannon Franklin, O.D., Shendandoah Valley Optometric Society  
Betty Graumlich, Esquire, NAOO

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

**AGENDA:** The order of the agenda was revised as follows: the ARBO meeting report was moved to follow the Department Director's Report and the report of the Legislative/Regulatory Review Committee was moved to be presented under the Committee Reports.

**PUBLIC COMMENT:** **Proposed Continuing Education Regulations**  
Fred E. Goldberg, President, VOA, spoke in opposition of the requirement that eight (8) of the required sixteen (16) hours of continuing education (CE) be COPE approved. He noted that ARBO is still in the discussion stage regarding its COPE

On properly seconded motion by Dr. Boone, the Board voted three in favor, two nays and one abstention to resubmit the proposed CE Regulations with the following changes: 1) deletion of face-to-face or real-time interactive hours, 2) change the required TPA hours back to two, and 3) remove the requirement of mandatory COPE approved CE hours.

**COMMITTEE REPORTS:**

**Legislative/Regulatory Review Committee**

Dr. Hettler reported that the Committee had met and that the matter under consideration was tabled.

**Newsletter Committee**

Each of the board members was assigned newsletter articles. Dr. Hettler requested that the written articles be submitted to the Board office by Labor Day.

**Credentials Committee**

Dr. Boone reported that the Committee had reviewed five licensure applications.

**Professional Designation Committee**

Dr. Boone reported that the Committee had reviewed two professional designation applications.

**EXECUTIVE DIRECTOR'S REPORT:**

**Budget**

Dr. Carter reported that the budget ended the fiscal year with over \$195,000 cash on hand.

With regard to licensure fees, Dr. Carter informed the Board that after October 3, 2008 the two-year licensure renewal fee reduction to reduce excess revenue would no longer be in effect. She further stated that the renewal notices for this year will reflect the fees that were in effect prior to October 2006.

**Statistics**

Dr. Carter presented a brief summary of the board's disciplinary performance standards and a statistical analysis of the licensee and case counts.

**PRESIDENT'S REPORT:**

Dr. Hettler congratulated Dr. Jellenek and Dr. Schlabach on their board reappointments.

**NEW BUSINESS:**

Dr. Schlabach requested that the Board consider the topic of OE Tracker. The matter was assigned to the Legislative/Regulatory Review Committee. Additionally, the Committee will hold a public hearing for consideration of public comment on the review of Chapter 20.

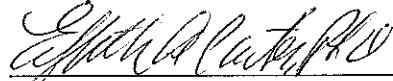
**ADJOURNMENT:**

The Board concluded its meeting at 2:15 p.m.



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David H. Hettler, O.D.  
President



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Elizabeth A. Carter, Ph.D.  
Executive Director

## JOINT BOARD CERTIFICATION PROJECT TEAM MISSION

“Develop and propose an attainable, credible and defensible model for Board Certification in Optometry and maintenance of certification for adoption by the profession. This model will establish standards for voluntary board certification and maintenance of certification in the practice of optometry. This model will communicate information about these standards to support the public’s quest for high quality health care,”

## CELMO

Thirteen states currently utilize CELMO either as a means for licensure by endorsement or as an additional credential recognized by the stat board in meeting that state’s licensure requirements.

## OE TRACKR

## Virginia participation in OE TRACKER

June 2007	Licensees in system:	1070	June 2008	1258
	Licensees registered	314 (29.32%)		478 (38.00%)
	Licensees with data:	563 (52.62%)		877 (69.71 %)

This system encourages 100% audit of licensees.

There is almost no ability to change data in the system. Hours are added by the staff of ARBO only.

CE administrator – the person/organization that puts on/sponsors the event

They can rely on OE Tracker to maintain records.

They can add NON-COPE approved courses.

This only a repository of CE records.

CE administrator must file an event form with OE Tracker. OE Tracker verifies courses and events. They can print attendance course certificates.

As of May 2008 OE Tracker use is up 34% over last year.

Seven states have 90% utilization.

4,142 new licensees were added this year.

Penn College of Optometry now requires students who take CE to use OE Tracker.

Kansas has 86 % registered.

96 % of registered have data in OE Tracker.

They are connected to OE Tracker for license renewal for 100% audit of CE.

curity numbers are used for identification purposes only but the system blacks out the numbers to everyone except the staff person entering data and can only be seen by one person at a time thereby insuring that a mass security breach is impossible.

CE administrators have a protected access by a password to look up name and licensee number.

CE administrators also have an option to have OE Tracker prints badges for first time use of the "scanners".

It is helpful to OE Tracker for state boards to send information regarding

1. Non-renewal of licensure
2. New licensees: name, license number, school of optometry, year of graduation.

#### QUESTION ????

Can we sell and or prescribe contact lenses which contain medications for slow timed release???

See attached form

Unlicensed person practicing optometry. Some states can prosecute these people because they are violating the optometry statutes. In VA this becomes an issue for the attorney general and probably falls thru the cracks. Should we pursue this with the Governor's legislative "package"

What can the state board do if the person who has no license (revoked, suspended, or otherwise) continues to "work" or practice optometry?

Should a person be able to get a license to practice optometry if they have been convicted of a felony??

Volunteer surrender of license without a signed statement. If someone surrenders his license before disciplinary action is completed they can say that it never was revoked etc.

Exam attempts. How many times can a person take the national boards before additional training is required? Example given of a person who took exam 55 times before passing.

Do we still have jurisdiction over an expired or suspended license?

A revoked license can reapply in one year or less.

BUT

A suspended license can be for a much longer time.

PAST BOARD SANCTIONS must be effective immediately even when under appeal

#### COPE

Course distribution	audio	13	live	2361
	dvd	8	posters	1
	internet	63	video	1
	written	91		

Total courses approved 2538

Course reviewers: 112  
3 in Virginia

Income/expenses for cope '05/'06

\$240,515.00 / \$164,000.00

#### PROPOSED CHANGES:

Because of the mass confusion and misinformation from many sources the implementation of any changes in cope approval of courses with corporate financial support will be delayed until another meeting is held for those entities effected. This event will be held this fall to give more time for their input. It will probably be held in Chicago. All "stakeholders" are invited to participate.

#### CE administrators

To hold an event will need to file a form with Cope: see attached form "Dear \_\_\_\_\_"

For information regarding costs/course etc.

See attached ARBO news release for the proposed changes

Please note that they are not ready for implementation and will not be till after the meeting in Chicago fall off '08.

As an aside we met with six different industry leaders and each agreed that these changes are needed and they ly support them and they are similar to what they do for medicine. They indicated that medicine got three times as much financial support after implementing these same changes and so the rumor that optometry will lose financial support doesn't appear to be true. It is true that the CE administrators will have to apply for financial support in a different manner, but the money is still there.

This is a summary of what I saw and understood at the Annual ARBO meeting in Seattle, Washington June 22-24, 2008

Dr. Ernest Schlabach