

**BOARD OF OPTOMETRY
CONTINUING EDUCATION COMMITTEE
JULY 12, 2006**

TIME AND PLACE: The meeting was called to order at 2:25 p.m. on Wednesday, July 12, 2006 at the Department of Health Professions, Conference Room 4, 6603 W. Broad St., Richmond, VA.

PRESIDING OFFICER: Gregory P. Jellenek, O.D.

MEMBERS PRESENT: W. Ernest Schlabach, Jr., O.D.
William T. Tillar, O.D.

STAFF PRESENT: Elizabeth A. Carter, Ph.D., Executive Director for the Board
Elaine Yeatts, Senior Regulatory Analyst
Carol Stamey, Administrative Assistant

OTHERS PRESENT: Bruce Keeney, VOA

QUORUM: With all members of the Committee present, a quorum was established.

PUBLIC COMMENT/DISCUSSION: Bruce Keeney, representing the Virginia Optometric Association, presented comments regarding questions and concerns about the Association of Regulatory Boards of Optometry's (ARBO's) OETracker system.

Mr. Keeney cited concerns that freedom of information requests to ARBO may reveal social security numbers and other confidential information on licensees. Dr. Carter reported that the respective member state's provisions governing release of information apply. The data collected by ARBO are password protected for use by the member state boards and under separate password protection for the individual to view his or her own data. None of the data are accessible to the general public. Social security numbers are not disclosed in Virginia except as expressly required in our statutes.

Additionally, Mr. Keeney expressed concern over a potential increase in licensure fees due to the use of scanning devices and computer software to enable continuing education vendors to report data to OETracker. It was noted that ARBO has indicated that it prefers the use of scanners for efficient reporting, but it does not require their use; paper reports directly from the vendors (not the licensees) are acceptable. Also, Dr. Carter noted that Virginia's licensure fees are scheduled to be reduced this year due to the requirement to

adjust fees at the end of each biennium when board's revenues exceed expenditures by over 10% which is the current case.

Mr. Keeney raised the issue of OETracker's link with ARBO's Council on Optometric Practitioner Education (COPE) CE courses, that COPE does not identify individual state's CE requirements, and that patient recordkeeping courses are defined as "practice management" by COPE. Dr. Schlabach noted that OETracker accepts information on non-COPE courses, as well, and that it is the responsibility of the individual state board to determine which courses comply with its requirement.

Other issues presented for consideration by Mr. Keeney included a need for CE course/sponsor quality monitoring and evaluation and the authority to discipline non-compliant CE sponsors, verification of attendance, and the lack of face-to-face requirements, which all other states require.

Mr. Keeney stated that there was value in the OETracker Program as well as growing interests by the licensees. He stated that the Virginia Optometric Association could not support the OETracker Program until its issues of concern could be addressed.

Dr. Schlabach reported that he and Dr. Tillar had attended the National Optometric Continuing Education Conference in May. Dr. Schlabach stated that ensuring practitioner continued competency was the mission of the OETracker Program as well as Virginia's. Dr. Schlabach provided additional written comment in the form of suggested amendments to the continuing education regulations (§18 VAC 105-20-70) (see Attachment #1). Dr. Tillar's also suggested regulatory amendments are provided in Attachment #2.

Dr. Jelleneck stated that additional amendments to the regulations may be in order to address the increased TPA authority for optometrists.

Mr. Keeney noted that the VOA would not support adding the requirement of CE specialties.

APPROVAL OF MINUTES:

On properly seconded motion by Dr. Tillar, the Committee voted unanimously to approve the minutes of the April 26, 2006 meeting.

DISCUSSION ITEMS:

OETracker Overview – Dr. Carter/Dr. Schlabach

Dr. Carter demonstrated the OETracker data program for use by state boards. Approximately 250 Virginia licensees have signed up, thus far. The ARBO budget adopted at the annual House of Delegates meeting showed that current funding for OETracker is provided totally by two commercial firms. The optometrists are not charged. Dr. Carter noted that the Virginia Board of Optometry cannot derive services from OETracker without a contract that complies with Virginia's procurement requirements. In order to avoid conflict of interest, the Virginia Board cannot accept services that amount to a gift from the two companies. Under Virginia's procurement procedures, however, the Board could contract to use the OETracker data to help with monitoring CE compliance.

Notice of Intended Regulatory Action (NOIRA)

Ms. Yeatts reported that NOIRA had been published and the deadline for public comment was August 23, 2006.

ADJOURNMENT:

The meeting adjourned at 4:55 p.m.

Gregory P. Jellenek, O.D.
Chair

Elizabeth A. Carter, Ph.D.
Executive Director

CONTINUING EDUCATION

The purpose of these regulations is to maintain practitioner competency

I RENEWAL PERIOD: is Jan 1 to Dec 31. Hours taken in this fiscal year shall apply to the next calendar year's renewal.

II HOURS REQUIRED: total 16hours

-14hr/2hr 14hr general CE and 2hr prescribing and administration of therapeutic drugs for discussion !!!! (2hr systemic disease, 2hr ocular disease and 2hr pediatric care)

-50 % of hrs must be face to face- live presentation by lecturer (all 16 hr may be face to face)

Optional:

-50% hr max of on line CE with test and validated the date test is graded

In order to maintain competency it is recommended that a licensee cover several different topics in their continuing education renewal process.

III CE PROVIDERS/VENDORS

The American Optometric Association and its constituent organizations

Regional optometric organizations

State optometric associations and their affiliated local societies

Accredited colleges/Universities providing optometric or medical courses

The American Academy of Optometry and affiliated organizations

The American Academy of Ophthalmology and its affiliated organizations

The Virginia Academy of Optometry

State and Federal governmental agencies

College of Optometrists in Vision Development

Optometric Extension Program

Cardiopulmonary resuscitation trainers

Other organizations that meet the guidelines for CE providers/vendors.

IV CE PROVIDERS/VENDORS must:

1. provide CE for credit that is germane to the practice of optometry and patient care.

2. maintain records for three yrs. who attended, where it was held(location), hours given for credit, who the lecturer was, date given, cope ID number

3. monitor attendance 50 min= 1 hr credit (cope requirement)

4. apply for course approval from COPE , AMA accreditation council or in an extreme case the Board of Optometry

5. supply CE information to any entity the Board of Optometry contracts with for the purpose of 100% verification of CE

V AGENCIES THAT CAN APPROVE CONTINUING EDUCATION FOR THE BOARD OF OPTOMETRY

1. COPE : Council on Optometric Practitioner Education

Categories generally approved for CE : Clinical optometry, Ocular disease, Related systemic disease, Jurisprudence and CPR training and any subject approved by the Board of Optometry.

Ex: general optometry, pre and post op surgical management, pharmacology, contact lenses, therapeutic treatment of ocular disease, Pediatrics/vision therapy, systemic diseases, ethics/jurisprudence, CPR training, and any other subject related to optometric patient care

2. AMA : the accreditation Council for Continuing Medical Education of the American Medical Association for category 1 or category 2

3. Board of Optometry may approve CE as needed and is the final authority regarding CE approval

4. The Board of Optometry may mandate any course deemed to be in the best interest of the patient and needed to provide adequate patient care.

VI EXCLUSIONS : Business and practice management courses are specifically excluded unless a specific benefit to the patient can be demonstrated. These courses may be submitted to the Board of Optometry for consideration on an individual basis.

VII RECORDS: Hard copy/reporting CE

The doctor must maintain hard copy verification for three years to substantiate the record as given to the Board of Optometry by an entity contracted with for that purpose.

VIII The Board of Optometry may contract with an entity to collect and establish a mechanism used to verify the doctors CE compliance for renewal purposes

IX WAIVER of the CE requirement may be granted for special circumstances if applied for before the end of the current fiscal year

X PENALTY : Severe penalty's apply for failure to comply with the CE requirements

1 hr deficient= \$300

2 nd hr to 16 hr = \$200/hr up to \$3500

Dr Ernest Schlabach

18VAC105-20-70. Requirements for continuing education.

A. (same) add after....license period. Renewal period is January 1 to December 31. Hours taken in the year shall apply to the next license year.

1. (same) add after.....resuscitation (CPR). 50% of the hours must be face-to-face- live presentation by lecturer (all 16 hours may be face-to-face). Up to 50% maybe electronic (on-line or conference call), or written correspondence CE with a graded test.
2. (same)
3. Courses principally designed to promote.....(same)
4. In order to maintain competency, a licensee's CE hours shall reflect at least 3 different categories or subjects.

B. (same)

C. (same)

D. (same)

E. (same) add after.....certificate. The documentation shall also clearly certify the attendance of the licensee.

F. A licensee shall be exempt from continuing education requirements for the first renewal following initial licensure in Virginia.

G. (same)

1. thru 7. (same)
 8. State or federal governmental agencies.
 9. College of Optometrists in Vision Development
 10. Providers of training in CPR.
 11. OEP
12. Other organizations that meet the guidelines for CE providers/vendors.

H. Agencies that can approve CE for the Board of Optometry.

K. 1. Council on Optometric Practitioner Education. (COPE)

2. The accreditation Council for Continuing Medical Education of the American Medical Association for category 1 or category 2.
3. The Board of Optometry may approve CE as needed.

I. CE Providers/Vendors shall:

1. Maintain records for 3 years including the licensee's name, location of presentation, number of hours, lecturers' name, date, and COPE identification number or other approval certification.
2. 1 hour of CE is defined as a minimum of 50 minutes.
3. Apply for course approval from COPE, AMA accreditation council, or other board approved agency.
4. Supply information to any entity selected by the board for the purpose of 100% verification of the licensee's CE.