

**BOARD OF OPTOMETRY
FULL BOARD MEETING
July 13, 2018**

- TIME AND PLACE:** The Virginia Board of Optometry (Board) meeting was called to order at 9:00 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Room 3, Henrico, Virginia 23233.
- PRESIDING OFFICER:** Steven A. Linas, O.D., Chair
- MEMBERS PRESENT:** Devon Cabot, Citizen Member
Helene Clayton-Jeter, O.D.
Fred E. Goldberg, O.D.
Clifford A. Roffis, O.D.
Lisa Wallace-Davis, O.D.
- MEMBERS NOT PRESENT:** All members were present.
- STAFF PRESENT:** David E. Brown, D.C., Director
Barbara Allison-Bryan, M.D., Chief Deputy Director
Leslie L. Knachel, Executive Director
Charis Mitchell, Assistant Attorney General, Counsel
Elaine Yeatts, Senior Policy Analyst
Elizabeth Carter, Ph.D., Healthcare Workforce Data Center
Carol Stamey, Operations Manager
Anthony C Morales, Operations Manager
- OTHERS PRESENT:** Laura McHale, Virginia Optometric Association (VOA)
Mark Hickman, Commonwealth Strategy Group/VA Society of Eye Physicians and Surgeons
Chris Nolan, McGuire Woods on behalf of the VOA.
- QUORUM:** With six members of the Board present, a quorum was established.
- ORDERING OF AGENDA** Ms. Knachel noted that two items needed to be added to the agenda: Guidance Document 105-12 under "Discussion Items" and officer elections under "New Business."
- Dr. Wallace-Davis moved to accept the agenda with the additions. The motion was seconded and carried.
- PUBLIC COMMENT:** On behalf of the VOA, Chris Nolan provided comments on the implementation of SB51. He stated the legislation underwent changes during the session. He indicated that the bill identified the optometrist as the person responsible for submitting the written evidence of completion of a didactic and clinical training course in administration of therapeutic drugs by injection.
- APPROVAL OF MINUTES:** Dr. Wallace-Davis moved to approve the meeting minutes for the following meetings as presented:
- March 2, 2018 – Full Meeting; and
 - April 3, 2018 – Telephone Conference Call

The motion was seconded and carried.

DIRECTOR'S REPORT:

Dr. Brown reported on the following items:

- Business Operations and IT Department move to the first floor;
- Ongoing look at security in building;
- New badges with new Logo; and
- Legislation, Medicaid Expansion.

**LEGISLATIVE/REGULATORY
UPATE:**

2018 Legislative Update

- **Update on Regulatory Actions**

Ms. Yeatts provided an overview of the following 2018 legislation:

- Approval of NOIRA related to inactive licenses will be open for public comment on 8/6/18;
- Periodic review is at Governor's Office; and
- Prescribing of Opioids is at the Secretary's Office.

- **Discussion on Acceptable Written Evidence Referenced in 2018 Legislation (SB511)**

- **Policy Decision**

Ms. Yeatts reported that the legislation states that the optometrist shall provide written evidence to the Board of completion of didactic and clinical training provided by an accredited school or college of optometry. Ms. Yeatts and Ms. Knachel informed the Board that it needed to discuss the legislation to determine whether the written evidence can be submitted by the optometrist or whether it must be submitted directly from the accredited school that provided the training.

The Board discussed the issue.

Dr. Wallace-Davis moved that the Board's policy require continuing education (CE) sources to submit injection course documentation directly to the Board.

The motion was seconded and carried.

Dr. Goldberg moved to amend the motion as follows: that Board policy require accredited schools or colleges of optometry submit written evidence of completion of didactic and clinical training in injections directly to the Board.

The motion was seconded and carried.

- **Consideration of Regulatory Action**

It was determined during the discussion period of this issue that a regulatory action was not needed.

- **Review of Continuing Education Sponsors**

Ms. Yeatts reported that at the Board's previous meeting it had considered a Petition for Rulemaking related to the addition of a CE sponsor. The Board's motion was to take no action and

review the regulations related to the list of approved CE sponsors.

Ms. Knachel suggested that the CE Committee convene to review the approved CE Sponsor list in the regulations and submit recommendations to the full Board.

DISCUSSION ITEMS:

Healthcare Workforce Data Survey

Dr. Carter presented the most current Healthcare Workforce Data Survey information.

Update on CE Audit

Ms. Knachel reported that the upcoming CE audit will be the first audit after the regulatory change in 2016. She explained Guidance Document 105-12 provides the process used for conducting CE audits; however, due to the complexity of the new CE requirements, OE Tracker cannot be utilized as it was in the past. Ms. Knachel recommended that the CE Committee review Guidance Document 105-12 and submit recommendations to the Board.

Guidance Document Review

Ms. Yeatts informed the Board that its Guidance Documents required periodic review. The Board discussed the following specific guidance documents:

- 105-10 End of a Contact Lens Fitting
- 105-11 Expired Licenses;
- 105-13 Performing Free Eye Screenings;
- 105-17 Advertising;
- 105-26 Agency Subordinates; and
- 105-28 Sanction Reference Points Manual.

Dr. Clayton-Jeter moved to amend Guidance Document 105-10 to reflect the deletion of items 1 through 3 and insertion of the Federal Trade Commission's Language on contact lens fitting. The motion was seconded and carried.

Dr. Goldberg move to reaffirm Guidance Document 105-11. The motion was seconded and carried.

Dr. Clayton-Jeter moved to reaffirm Guidance Document 105-13. The motion was seconded and carried.

Dr. Wallace-Davis moved to repeal Guidance Document 105-17. The motion was seconded and carried.

Dr. Clayton-Jeter moved to reaffirm Guidance Document 105-26. The motion was seconded and carried.

Ms. Knachel provided information that the Sanctioning Reference Points Manuals for all DHP boards was undergoing a review.

MEETING, DR. CLAYTON-JETER:

Ms. Knachel noted that next year's meeting will be held in St. Louis.

COUNSEL REPORT:

Ms. Mitchell noted that there was no report to present.

PRESIDENT'S REPORT:

Dr. Linas had no report to present.

OF HEALTH PROFESSION'S REPORT:

Dr. Clayton-Jeter stated that the Board of Health Professions' activities had been covered in the Director's Report.

STAFF REPORTS:

Executive Director's Report – Ms. Knachel

Ms. Knachel reported that the Board's surplus money would be utilized to extend the license renewal to March 2020 when the licensees renewed in December 2018. She further reported that a mass email will go out regarding the change in licensure expiration date.

Discipline Report and Training – Ms. Knachel

Ms. Knachel provided an overview of the caseload statistics.

2019 Calendar and Roster – Ms. Knachel

The 2019 calendar and Board roster were submitted for the members' review. It was requested that if any changes were required to notify the Board office.

By-Laws Review – Ms. Knachel

Ms. Knachel noted that Guidance Document 105-14 would be placed on the Board's next agenda to review needed updates.

NEW BUSINESS:

Dr. Linas noted that Ms. Stamey will be retiring at the end of July and thanked her for her service.

Officer Elections

Dr. Linas made a motion which was properly seconded to nominate Dr. Clayton-Jeter for President. No other nominations were received. The Board voted and the motion carried.

Dr. Roffis made a motion which was properly seconded to nominate Dr. Goldberg as Vice President. The Board voted and the motion carried.

Dr. Linas requested that the Board members review the composition of the various committees of the Board and request any changes.

The members agreed to serve on the following committees:

Professional Designation Committee – Dr. Goldberg & Ms. Cabot

Continuing Education Committee – Dr. Roffis & Dr. Wallace-Davis.

NEW MEETING:

The next scheduled full board meeting is November 2, 2018.

ADJOURNMENT:

The meeting adjourned at 11:40 a.m.



Steven A. Linas, O.D.
Chair



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