

Call to Order

The August 28, 2024, Virginia Board of Optometry meeting was called to order at 9:01 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 3, Henrico, Virginia 23233.

Presiding Officer

Gerald R. Neidigh, Jr., O.D., President

Members Present

Evan J. Kaufman, O.D., Vice President

Fred E. Goldberg, O.D.

Clifford A. Roffis, O.D.

Shawn H. Hobbs, O.D.

Member Attending Electronically

Corliss V. Booker, Ph.D., APRN, FNP-BC, Citizen Member, was approved by the President of the Board to participate electronically due to a conflict that prevented travel to the Richmond office for the meeting.

Staff Present

Arne W. Owens, Agency Director

Kelli G. Moss, Executive Director

Heather Pote, Acting Deputy Executive Director

Erin Barrett, Director of Legislative & Regulatory Affairs

Barbara Hodgdon, Ph.D., Deputy Director of HWDC

Laura A. Booberg, Assistant Attorney General, Board Counsel

Laura Jackson, Board Administrator

Laura Paasch, Senior Licensing & Operations Specialist

Public Present

Bo Keeney, Virginia Optometric Association

Mariah Merhige, Director of Marketing and Communications, The Keeney Group

Kimberly Small, Visual Research

Establishment of Quorum

With six members in attendance, including one member participating via electronic communication, a quorum was established.

Introductions

Dr. Neidigh spoke of Leslie Knachel's transition from her role as Executive Director of the Board of Optometry to Chief Operating Officer for the Department of Health Professions. He recognized her leadership and guidance as invaluable to the Board of Optometry and expressed appreciation for her service and dedication over the past fourteen years.

Dr. Neidigh congratulated Kelli Moss on her new position as the Executive Director of the Board starting June 10, 2024, after previously serving as the Board's Deputy Executive Director since 2018.

Ordering of Agenda

Dr. Neidigh opened the floor to any changes to the agenda. Ms. Moss asked the Board to amend the agenda to include a public comment period for this meeting, and the agenda was accepted with this amendment.

Public Hearing

The Board convened a public hearing to receive public comments on proposed Regulations of the Virginia Board of Optometry, documented separately in the public hearing meeting minutes.

Public Comment

There were no requests to provide public comment.

Approval of Minutes

Dr. Neidigh opened the floor to any additions or corrections regarding the draft minutes from the following meetings:

- July 14, 2023, Full Board Meeting
- November 3, 2023, Formal Hearing

Hearing no additions or corrections, the minutes were approved as presented.

Agency Director's Report

Mr. Owens provided an update on the agency's activities.

Legislative/Regulatory Report

Ms. Barrett provided information on the following:

- Regulatory update: Ms. Barrett reported the status of the proposed regulations for laser surgery, practitioner profiles required for laser surgery certified optometrists, and for agency subordinates to hear credentials cases.
- Adoption of exempt regulatory action pursuant to HB699 related to counseling and recordkeeping requirements for opioid prescribing.

Dr. Goldberg made a motion regarding the exempt regulatory change to amend Chapter 20 to add 18VAC105-20-51 as presented. The motion was seconded by Dr. Kaufman and carried unanimously.

- Addition of National Practitioner Data Bank (NPDB) report to licensure by endorsement process.

Dr. Roffis made a motion to adopt a Notice of Intended Regulatory Action (NOIRA) to add the NPDB report to requirements for licensure by endorsement. The motion was seconded by Dr. Goldberg and carried unanimously.

Discussion Items

2024 Optometry Healthcare Workforce Data Center Report

Dr. Barbara Hodgdon reported on the 2024 Optometry Healthcare Workforce Data Center report.

SRP Worksheet and Instructions

Ms. Kim Small provided information about the proposed revisions to the Board's Sanctioning Reference Points worksheet and instructions. Once adopted, these documents will be used to draft the SRP Manual for the board's consideration at a later meeting.

Dr. Kaufman made a motion to adopt the SRP worksheet and instructions as presented. The motion was seconded by Dr. Goldberg and carried unanimously.

Board Counsel Report

Ms. Booberg reported she has accepted a position at DHP as a Deputy Director of APD and new board counsel will be assigned to this board by the Office of the Attorney General.

President's Report

Dr. Neidigh stated he did not have anything to report.

ARBO Report

Dr. Neidigh reported that he, Dr. Kaufman and Ms. Moss attended the 2024 ARBO Annual Meeting held June 16-18 in Nashville, TN. He provided a recap of the information discussed the meeting.

Board of Health Professions' Report

Ms. Moss stated that due to lack of new appointments there have been no meetings scheduled for the Board of Health Professions thus far in 2024, because there are eight vacancies and no new appointments. She stated she will attempt to identify a date the remaining members can attend to hold a meeting by end of the calendar year as required.

Staff Reports

Ms. Moss presented Dr. Roffis and Dr. Goldberg each with a plaque to commemorate their eight years of service to the Board and the Commonwealth.

Ms. Moss provided information on board statistics, outreach efforts, staffing changes and the 2025 Board calendar. The 2025 ARBO Annual Meeting will be held in Minneapolis, MN.

Ms. Pote provided an update on open and closed discipline cases.

New Business

Elections

Dr. Kaufman made a motion to nominate Dr. Neidigh to continue to serve as the Board's President. The motion was seconded by Dr. Roffis. No other nominations were received. Voting by roll-call ballot was unanimous and the motion carried for Dr. Neidigh to serve another one-year term as President effective January 1, 2025 until December 31, 2025.

Dr. Roffis made a motion to nominate Dr. Kaufman to continue to serve as the Board's Vice-President. The motion was seconded by Dr. Goldberg. No other nominations were received. Voting by roll-call ballot was unanimous and the motion carried for Dr. Kaufman to serve another one-year term as Vice-President effective January 1, 2025 until December 31, 2025.

Next Meeting

The next full board meeting is scheduled for November 8, 2024.

Adjournment

Hearing no objections, Dr. Neidigh adjourned the meeting at 11:02 p.m.

Kelli G. Moss
Executive Director