

**BOARD OF OPTOMETRY  
LEGISLATIVE/REGULATORY REVIEW COMMITTEE MEETING  
JANUARY 25, 2002  
RICHMOND, VA**

**TIME AND PLACE:** The meeting was called to order at 9:05 a.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 CHAIRMAN:** Gary H. St. Clair, O.D.  
  
The Committee agreed that because Dr. Smart was chair of the full Board, that Dr. St. Clair serve as Chair of the Legislative/Regulatory Review Committee.

**MEMBERS PRESENT:** Thomas R. Cheezum, O.D.  
Samuel C. Smart, O.D.

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

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

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

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

**APPROVAL OF MINUTES:** On properly seconded motion by Dr. Smart, the Committee approved the minutes of the December 15, 2000 meeting.

**REVIEW OF LEGISLATION:** Dr. Carter presented an overview of the 2002 legislation bill tracking, specifically targeting the bills that could potentially have an effect on the agency or healthcare practitioners.

**PERIODIC REVIEW OF THE REGULATIONS:** The Committee reviewed the proposed Notice of Intended Regulatory Action (NOIRA) and made the following recommendations:

**18 VAC 105-20-20. Fees**

revise the late licensure renewal fee to \$50  
increase the CE course review to \$100

**18 VAC 105-20-40. Unprofessional Conduct**

On properly seconded motion by Dr. Smart, the Committee voted unanimously to revise number 5 to: *In the event the practice is to be terminated, notify patients giving a reasonable time period.*

**18 VAC 105-20-50. Professional Designation**

A. approved as presented.

B.1 change the wording "each" to "A" and in the next to last sentence, change "Each" to "The".

**18 VAC 105-20-60. Renewal of licensure, reinstatement**

Approved A. as presented.

Revised C as follows: *The license of every person who does not return the completed form and fee by December 31 of each year may be extended for 30 days until January 31 and may be renewed by paying the prescribed late fee by January 5, provided the requirements of 18 VAC 105-20-70 have been met. After January 31, an unrenewed license is invalid.*

*Failure to renew a license may subject the licensee to disciplinary action by the board. The executive director may grant reinstatement provided that:*

Revised C.2 to: *The applicant shall satisfy the current requirements of Virginia for continuing education during the lapsed period but not to exceed 2 years.*

The Committee considered the recommendation of an inactive licensure status and denied it.

**18 VAC 105-20-70. Requirements for Continuing Education**

Revised the second sentence of A as follows: *The 16 hours shall pertain directly to the care of the patient and may include record-keeping for patient care.*

Revised B to include *prior to December 31* on the end of the second sentence.

Revised E to include the addition of *Correspondence course credit shall be indicated by the date graded. In addition, the certificates must show a passing grade and will apply only to the date graded.*

With regard to 18 VAC 105-20-80, Dr. Smart and Dr. St. Clair will draft a guidance document listing specific sponsors who fall under 1 through 10.

Struck 18 VAC 105-20-70.A.3.

Struck 18 VAC 105-20-70.B and its required fee of \$100.

18 VAC 105-20-80 added the sponsor, American Medical Association, Category 1.

Struck 18 VAC 105-20-70.A.42:11.

Revised 18 VAC 105-20-80.C-A. to be: An approved continuing education course whether offered by correspondence electronically or in person shall be sponsored by one of the following.

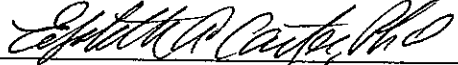
NEW BUSINESS:

None

ADJOURNMENT:

On properly seconded motion by Dr. Smart, the meeting adjourned at 11:35 a.m.

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Gary H. St. Clair, O.D., Chairman

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