

**BOARD OF OPTOMETRY  
FULL BOARD MEETING  
June 28, 2019**

**TIME AND PLACE:** The Virginia Board of Optometry (Board) meeting was called to order at 9:01 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 3, Henrico, Virginia 23233.

**PRESIDING OFFICER:** Helene Clayton-Jeter, O.D. Chair

**MEMBERS PRESENT:** Devon Cabot, Citizen Member  
Fred E. Goldberg, O.D.  
Steven A. Linas, O.D.  
Clifford A. Roffis, O.D.  
Lisa Wallace-Davis, O.D.

**MEMBERS NOT PRESENT:** All members were present.

**STAFF PRESENT:** Lisa Hahn, Chief Operating Officer  
Leslie L. Knachel, Executive Director  
Kelli Moss, Deputy Executive Director  
Charis Mitchell, Assistant Attorney General, Board Counsel  
Elaine Yeatts, Senior Policy Analyst  
Elizabeth Carter, Healthcare Workforce Data Center  
Yetty Shobo,, Healthcare Workforce Data Center  
Anthony C. Morales, Operations Manager  
Laura Paasch – Administrative Assistant  
Lena Moore – Administrative Assistant

**OTHERS PRESENT:** Laura McHale, Virginia Optometric Association (VOA)

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

**ORDERING OF AGENDA** Ms. Knachel requested that a presentation from the Healthcare Workforce Data Center Survey be added under the “Discussion Items” portion of the agenda.

Dr. Linas moved to accept the agenda with the addition. The motion was seconded and carried.

**PUBLIC COMMENT:** There was no public comment.

**APPROVAL OF MINUTES:** Dr. Roffis moved to approve the meeting minutes for the February 8, 2019 – Full Board Meeting and Public Hearing.

The motion was seconded and carried.

**PUBLIC HEARING PUBLIC COMMENT:** The Public Hearing opened at 9:05 a.m.

**PUBLIC HEARING  
ADJOURNMENT:**

The Public Hearing concluded at 9:06 a.m. There was no public comment provided on the regulatory action.

**DIRECTOR'S REPORT:**

Ms. Hahn reported on the Department of Health Professions' website update.

**LEGISLATIVE/REGULATORY  
UPDATE:**

**2019 Legislative Update**

Ms. Yeatts provided an overview of the following 2019 legislation session. She commented that HB2559 requires the development of waiver process for electronic prescribing. She indicated that waiver process is being discussed and information will be presented to the Board during its next meeting.

Ms. Yeatts reported that the 2019 legislation reschedules gabapentin as a Schedule V controlled substance. The regulations exclude Schedule V controlled substances from the drugs that can be prescribed by optometrist. Ms. Knachel indicated that initially the Schedule V designation for gabapentin did not appear to affect optometrists. However, new information provided indicated that that a small subset of optometrists providing post-operative care may be affected by the legislative change.

Ms. Yeatts indicated if the Board wishes to add any Schedule V controlled substances to the TPA formulary, a regulatory change is needed. In addition, she stated that per the Code of Virginia the TPA-Formulary Committee would need to be convened to review any additions to the TPA-formulary and make recommendations to the Boards prior to proceeding with any regulatory change.

The Board discussed the issue.

Dr. Goldberg moved that the Board convene the TPA-Formulary Committee composed, as required by the Code of Virginia, of four optometrists, two ophthalmologists and one pharmacist to review the addition of appropriate Schedule V controlled substance to the TPA-formulary.

The motion was seconded and carried.

Dr. Goldberg volunteered to chair the committee and Drs. Linas and Wallace-Davis volunteered to serve on the committee. The Board requested that Ms. Knachel contact Jonathan Noble, O.D. to participate and the Boards of Medicine and Pharmacy to appoint their committee members.

**Update on Regulatory Actions**

- **Inactive Licenses**

Ms. Yeatts reported that the comment period is underway and will end on 8/23/2019.

- **Periodic Review**  
Ms. Yeatts reported that this regulatory action is in the final stage of the promulgation process and is at the Secretary's Office.
- **Prescribing of opioids**  
Ms. Yeatts stated that the final proposed regulations for opioid prescribing were before the Board for adoption as proposed or adoption with amendments. She commented that the Virginia Optometric Association provided a statement in support of the regulations during the public hearing held on February 8, 2019, and there were no other public comments during the 60-day comment period.

Dr. Linas moved to adopt final Regulations as proposed and published.

The motion was seconded and carried.

**DISCUSSION ITEMS:**

**Healthcare Workforce Data Center (HWDC) Presentation**  
Dr. Carter and Dr. Shobo presented the results of the HWDC's 2018 survey of Virginia's Optometrist to the Board.

**Revenue, Expenditures, and Cash Balance Analysis**  
Ms. Knachel provided a brief review of the Revenue, Expenditures and Cash Balance Analysis of the Board. She stated that the recommendation is to take no action to change licensure fees at this time.

**Enforcement Presentation**  
Ms. Schmitz provided an overview of the Enforcement Unit and complaint investigation procedures.

**BOARD MEMBER TRAINING:**

Ms. Moss provided a presentation on the use of electronic equipment in the disciplinary process.

**BOARD COUNSEL REPORT:**

Ms. Mitchell had nothing to report.

**PRESIDENT'S REPORT:**

Dr. Clayton-Jeter had nothing to report.

**OF HEALTH PROFESSION'S REPORT:**

Dr. Clayton-Jeter stated that the Board of Health Professions reported that seats are now filled on the Board.

**ASSOCIATION OF REGULATORY BOARDS OF OPTOMETRY, (ARBO) ANNUAL MEETING REPORT:**

Dr. Goldberg thanked Ms. Knachel for her support, insight and expertise during the ARBO meeting. He commented that he serves on the ARBO Nominating Committee. He stated the historical significance of having an Executive Director, (from the Maryland Board of Optometry), elected to the ARBO Board of Directors.

**STAFF REPORTS:**

**Executive Director's Report – Ms. Knachel**

**License Count Report for Optometry**

Ms. Knachel provided an update on board statistics.

Ms. Knachel gave an update to the paperless licensing system. She indicated that additional information provided closer to the next renewal cycle in 2020.

**Discipline Report – Ms. Moss**

Ms. Moss provided an overview of the caseload statistics.

**NEW BUSINESS:**

Dr. Goldberg asked the Board to consider whether there is still a need for the Board to regulate Professional Designations (PD). The Board requested that staff convene the PD Committee to discuss the issue

**NEW MEETING:**

The next scheduled full board meeting is October 4, 2019.

**ADJOURNMENT:**

The meeting adjourned at 12:05 p.m.



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Helene Clayton-Jeter, O.D.  
Chair



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