

April 10, 2026
Board Room 3
11:00 a.m.

Agenda
Virginia Board of Optometry
Full Board Meeting

Call to Order – Gerald R. Neidigh, Jr., OD, Board President

Page 1

- Welcome and Introductions
- Emergency Egress Procedures
- Mission Statement

Ordering of Agenda – Dr. Neidigh

Public Comment – Dr. Neidigh

The board will receive all public comments related to agenda items at this time. The board will not receive comments on any regulatory process for which a public comment period has closed or any pending or closed complaint or disciplinary matter.

Approval of Minutes – Dr. Neidigh

Pages 2-6

- November 12, 2025, Board meeting (pp 2)
- January 28, 2026, Summary suspension consideration (pp 6)

Director’s Report – David E. Brown, DC, Director

Legislative/Regulatory Report – Ms. Kelli Moss

Pages 7-21

- Legislative Report
- Current Regulatory Actions (pp 7)
- Consideration of amendments to bylaws (pp 8)
- Policy review for electronic participation (pp 19)

Board Counsel’s Report – Ms. Sara Blose

President’s Report – Dr. Neidigh

Staff Reports – Dr. Neidigh

Pages 22-28

- Executive Director’s Report – **Ms. Moss**
 - Association of Regulatory Boards of Optometry updates (pp 22)
 - ACOE policy & procedures/manual updates (pp 23)
 - Statistics (pp 28)
- Licensing Report – **Ms. Laura Jackson**
- Discipline report – **Ms. Claire Foley**

New Business – Dr. Neidigh

2026 Draft Meeting Calendar– Dr. Neidigh/Ms. Moss

Page 29

- 2026 Draft Meeting Calendar (pp 29)
 - Next meeting: July 17, 2026

Meeting Adjournment – Dr. Neidigh

MISSION STATEMENT

Our mission is to ensure safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to health care practitioners and the public.

Call to Order

The November 12, 2025, Virginia Board of Optometry meeting was called to order at 9:02 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 4, Henrico, Virginia 23233.

Presiding Officer

Gerald R. Neidigh, Jr., OD, President

Members Present

Lisa G. Wallace-Davis, OD
Shawn H. Hobbs, OD
Jeffrey C. Michaels, OD, FAAO
Corliss V. Booker, PhD, APRN, FNP-BC

Staff Present

Arne W. Owens, Agency Director
Kelli G. Moss, Executive Director
Claire Foley, Deputy Executive Director
Erin Barrett, Director of Legislative and Regulatory Affairs, DHP
M. Brent Saunders, Senior Assistant Attorney General, Board Counsel
Laura Jackson, Board Administrator
Laura Paasch, Senior Licensing & Operations Specialist

Public Present

Mariah Merhige Fitzhugh, Legislative Council, Director of Marketing & Communication at The Keeney Group, Inc.

Establishment of Quorum

Five out of the five currently serving board members were present in the Richmond office, constituting a quorum for conducting business.

Ordering of Agenda

Dr. Neidigh opened the floor to any changes to the agenda. Hearing none, the agenda was accepted as presented.

Public Comment

Ms. Moss provided public comment from Stephen Thompson, O.D., regarding consideration of alternative pathways to optometry licensure via endorsement.

Approval of Minutes

Dr. Neidigh opened the floor to any additions or corrections to the draft minutes of the full board meeting held on May 23, 2025. With no additions or corrections, the minutes were approved as presented.

Agency Director's Report

Mr. Owens provided an update on the agency's activities, including DHP's focus on operational and budgetary efficiency measures and participation in development of the biennial budget.

Legislative/Regulatory Report

Ms. Barrett provided an update on current regulatory actions.

Ms. Barrett presented information for the readoption of the Board's electronic participation policy, which the Board is required to review annually.

- Dr. Wallace-Davis made a motion to readopt the electronic participation policy. The motion was seconded by Dr. Hobbs and carried unanimously.

Ms. Barrett presented information for exempt regulations providing a pathway for licensure by endorsement. The Board discussed the

- Dr. Wallace-Davis made a motion to adopt regulations providing a licensure by endorsement pathway by exempt regulatory action as presented. The motion was seconded by Dr. Hobbs and carried unanimously.

Ms. Barrett then presented information to consider withdrawal of regulatory action rendered obsolete by the licensure by endorsement regulations adopted by the board.

- Dr. Michaels made a motion to withdraw regulatory action to require applicants from other jurisdictions to provide a National Practitioners Data Bank (NPDB) report as part of the application process. The motion was seconded by Dr. Wallace-Davis and carried unanimously.

Ms. Barrett presented information regarding Virginia Code § 54.1-2409.6, which requires each health regulatory board to make a recommendation that any individual who is registered, certified, licensed, or issued a multistate licensure privilege by such licensing board and whose duties may involve direct contact with children complete continuing education on communicating with children with autism spectrum disorder.

Discussion Items

Adoption of Revised Sanctioning Reference Point (SRP) Manual

Ms. Moss presented the updated SRP Manual; a policy document revised after board approval of the updated SRP worksheet and instructions for recommended sanctions in discipline cases.

- Dr. Wallace-Davis made a motion to adopt the revised sanctioning reference points manual as a policy document. The motion was seconded by Dr. Hobbs and carried unanimously.

Report on ARBO Annual Conference, Resolution and Updates

Ms. Moss presented a report on the 2025 ARBO Annual Conference, shared information regarding the organization's resolution to include ARBO updates on board meeting agendas and provided the latest developments from ARBO.

Board Counsel's Report

Dr. Neidigh welcomed Mr. Saunders as board counsel. Mr. Saunders had no information to report to the Board.

President's Report

Dr. Neidigh thanked Dr. Kaufman for his four years of service to the Commonwealth as a board member.

Staff Reports

Ms. Moss provided reports on:

- Conflict of Interest policy acknowledgment for board members as required by DHP policy
- Status of the board vacancy and board member qualification requirements
- Dissolution of the Board of Health Professions on July 1, 2025
- Licensing activity

Ms. Foley provided an update on open and closed discipline cases and information about scheduling upcoming disciplinary hearings.

New Business

Elections

Dr. Neidigh provided information from the Bylaws regarding officer elections and called for nominations.

President:

Dr. Hobbs moved to nominate Dr. Neidigh as president which was seconded by Dr. Wallace-Davis. No other nominations were received. The motion carried unanimously. Dr. Neidigh will serve a one-year term as president of the Board beginning January 1, 2026. This will be Dr. Neidigh's second one-year term as board President.

Vice-President:

Dr. Michaels moved to nominate Dr. Hobbs to serve as vice-president. The motion was seconded by Dr. Wallace-Davis. No other nominations were received. The motion carried unanimously. Dr. Hobbs will serve a one-year term as vice-president of the Board beginning January 1, 2026.

Next Meeting

Ms. Moss reviewed the 2026 meeting calendar and noted the next full board meeting is scheduled for February 13, 2026.

Adjournment

Dr. Neidigh adjourned the meeting at 9:56 a.m.

Kelli G. Moss
Executive Director

**VIRGINIA BOARD OF OPTOMETRY
POSSIBLE SUMMARY SUSPENSION CONSIDERATION
MEETING MINUTES
DEPARTMENT OF HEALTH PROFESSIONS
HENRICO, VA
January 28, 2026**

- CALL TO ORDER:** Pursuant to § 54.1-2408.1(A) of the Code of Virginia, a meeting of the Virginia Board of Optometry was called to order on January 28, 2026, at 2:05 p.m. to consider a possible summary suspension.
- PRESIDING:** Gerald Neidigh, O.D.
- MEMBERS PRESENT:** Jeffrey Michaels, O.D.
Lisa Wallace-Davis, O.D.
Amanda Umlandt, O.D.
- QUORUM:** With 4 members of the Board, a quorum is established.
- STAFF PRESENT:** Kelli Moss, Executive Director
Claire Foley, J.D., Deputy Executive Director
Heather Pote, Sr. Discipline Case Specialist
- OTHERS PRESENT:** Christine Corey, Esq.; Administrative Proceedings Division, Department of Health Professions
- BOARD COUNSEL:** Brent Saunders, Esq., Assistant Attorney General
- MATTER DISCUSSED:** **Jeffrey Shelton, TPA-Certified Optometrist
Case No. 252266**
- Ms. Corey presented a summary of the evidence that the continued practice of Dr. Shelton may present a substantial danger to the health and safety of the public.
- DECISION:** Dr. Michaels moved to summarily suspend the license of Jeffrey Shelton, TPA-Certified Optometrist to practice as a TPA-certified optometrist pending a formal administrative hearing. The motion was seconded by Dr. Umlandt and carried unanimously.
- ADJOURNMENT:** The meeting was adjourned at 2:12 p.m.

Kelli G. Moss
Executive Director

Board of Optometry
Current Regulatory Actions
As of April 2, 2026

In the Governor's office

VAC	Stage	Subject Matter	Submitted from agency	Time in current location	Notes
18VAC105-20	Final/Exempt	Licensure by endorsement	11/18/2025	30 days	Implements a licensure by endorsement process as required by legislation from the 2025 Session.

In the Secretary's office

VAC	Stage	Subject Matter	Submitted from agency	Time in current location	Notes
18VAC105-20	Proposed	Regulations for optometrist profiles and reporting	8/1/2023	772 days (2.1 years)	Implements requirements from the 2022 Session.

At the Department of Planning and Budget

None.

At the Office of the Attorney General

None.

Recently effective or awaiting publication

VAC	Stage	Subject Matter	Publication date	Effective date/ next steps
18VAC105-20	Final	Removal of the TPA Formulary and TPA Formulary Committee	10/6/2025	Effective as of 11/5/2025

Action Item: Consideration of Amendments to By-Laws

Included in your Agenda Package:

- Tracked changes version of bylaws; and
- Clean version of bylaws

Staff Note: These changes remove the requirement that elections require a roll call vote and make non-substantive changes to the bylaws, which have not been reviewed since 2021.

Action Needed:

- Motion to amend the Virginia Board of Optometry By-Laws policy document.

**VIRGINIA BOARD OF OPTOMETRY
BY-LAWS**

Article I. Officers of the Board

A. Election of officers.

1. The officers of the Board of Optometry (Board) shall be a President and a Vice-President.
2. At the first meeting of the organizational year, the ~~Board~~ board shall elect its officers. Nominations for office shall be selected by open ballot. ~~Voting will be by roll-call ballot and require a majority. — and nominees shall require a majority of votes to be elected.~~
3. The organizational year for the ~~Board~~ board shall be from July 1st through June 30th. At the first regularly scheduled meeting of the organizational year, the ~~Board~~ board shall elect its officers with an effective date of January 1st. The term of office shall be one year.
4. A vacancy occurring in any office shall be filled during the next meeting of the ~~Board~~ board.

B. Duties of the Officers

1. President.

The President shall preside at all meetings and formal administrative hearings in accordance with parliamentary rules and the Administrative Process Act, Va. Code § 2.2-4000 et seq., and requires adherence of it on the part of the ~~Board~~ board members. The President shall appoint all committees unless otherwise ordered by the ~~Board~~ board.

2. Vice-President.

The Vice-President shall, in the absence or incapacity of the President, perform pro tempore all of the duties of the President.

3. In the absence of the President and Vice-President, the President shall appoint another board member to preside at the meeting and/or formal administrative hearing.

4. The Executive Director shall be the custodian of all ~~Board~~ board records and all papers of value. She/He shall preserve a correct list of all applicants and licensees. She/He shall manage the correspondence of the ~~Board~~ board and shall perform all such other duties as naturally pertain to this position.

Article II. Meetings

A. Number and organization of meetings.

1. For purposes of these bylaws, the ~~Board~~ board schedules full board meetings to take place during each quarter, with the right to change the date or cancel any board meeting; ~~with the exception that one meeting shall take place annually. The board recognizes that any full board meeting may be cancelled for lack of business, although other entities of the board may meet, such as disciplinary panels or the regulatory committee.~~
2. A majority of the members of the ~~Board~~ board shall constitute a quorum for the transaction of business. The current edition of Robert's Rules of Order, revised, shall apply unless overruled by these bylaws or when otherwise agreed.

B. Attendance of board members.

Members shall attend all scheduled meetings of the ~~Board~~ board and committee to which they serve. In the event of two consecutive unexcused absences at any meeting of the ~~Board~~ board or its committees, the President shall make a recommendation about the ~~Board~~ board member's continued service to the Director of the Department of Health Professions for referral to the Secretary of Health and Human Resources and Secretary of the Commonwealth.

~~C. Order of Business.~~

~~The order of the business shall be as follows:~~

- ~~1. Call to order with statement made for the record of how many and which board members are present and that it constitutes a quorum.~~
- ~~2. Public Comment~~
- ~~3. Approval of minutes.~~
- ~~4. The Executive Director and the President shall collaborate on the remainder of the agenda.~~

Article III. Committees

A. Standing committees.

1. Special Conference Committee.

This committee shall consist of two ~~Board~~ board members who shall review information regarding alleged violations of the optometry laws and regulations and determine if

probable cause exists to proceed with possible disciplinary action. The President shall also designate another Board-board member as an alternate on this committee in the event one of the standing committee members becomes ill or is unable to attend a scheduled conference date. Further, should the caseload increase to the level that additional special conference committees are needed, the President may appoint additional committees.

2. Credentials Committee.

The committee shall consist of two or more Board-board members. The members of the committee may review non-routine licensure applications to determine the credentials of the applicant and the applicability of the statutes and regulations when the Board-board President deems necessary

3. Continuing Education Committee.

This committee shall consist of two or more Board-board members who shall meet as required to review matters related to continuing education.

4. Regulatory/Legislative Committee.

The committee shall consist of two or more board members. ~~The Board delegates to the Regulatory/Legislative Committee to recommend actions to petitions for rulemaking.~~ This committee is responsible for the development of proposals for new regulations or amendments to existing regulations with all required accompanying documentation; the drafting of responses to public comment as required in conjunction with rulemaking; conducting the required review of all existing regulations as required by the Board's board's Public Participation Guidelines and any Executive Order of the Governor; and any other tasks related to regulations. In accordance with the Administrative Process Act, Va. Code § 2.2-4000 et seq., any proposed draft regulation and response to public comment shall be reviewed and approved by the full board prior to publication. The Board-board delegates the authority to develop proposals for legislative initiatives of the Boardboard. Any proposed draft legislation and response to public comment shall be reviewed and approved by the full Board prior to publication.

B. Ad Hoc Committees.

~~There may be~~ Ad Hoc Committees; may be appointed as needed and shall consist of two or more persons appointed by the Board-board who are knowledgeable in the particular area of practice or education under consideration by the Boardboard. The committee shall review matters as requested by the Board-board and advise the Board-board relative to the matters or make recommendations for consideration by the Boardboard.

Article IV. General Delegation of Authority

- A. The ~~Board~~board delegates to Board staff the authority to issue and renew licenses and registrations for which statutory and regulatory qualifications have been met.
- B. The ~~Board~~board delegates to the Executive Director the authority to reinstate licenses and registrations when the reinstatement is due to the lapse of the license or registration rather than a disciplinary action and there is no basis upon which the ~~Board~~board could refuse to reinstate.
- C. The ~~Board~~board delegates to the Executive Director the authority to grant long-term continuing education waivers on a case-by-case basis to licensees with a verified long-standing illness and an attestation of not practicing. The Executive Director shall inform the licensee of the appropriate statute and shall direct the licensee to notify the ~~Board~~board if their situation changes, in which case the waiver may be extended, reconsidered or withdrawn.
- D. The ~~Board~~board delegates to the Executive Director authority to grant an extension for good cause of up to 90 days for the completion of continuing education requirements upon written request from the licensee prior to the renewal date.
- E. The ~~Board~~board delegates authority to the Executive Director to close non-jurisdictional cases and fee dispute cases without review by a board member.
- F. The ~~Board~~board delegates to the Executive Director the authority to review information regarding alleged violations of law or regulation with at least one board member on a rotating basis to make a determination as to whether probable cause exists to proceed with possible disciplinary action.
- G. The ~~Board~~board delegates to the Executive Director the authority to conduct an annual continuing education audit and take action as prescribed in any guidance document adopted by the ~~Board~~board on continuing education audits.
- H. The ~~Board~~board delegates to the Executive Director the authority to take action as prescribed in any guidance document adopted by the ~~Board~~board on practicing with an expired license.
- I. The ~~Board~~board delegates to the Executive Director the authority to negotiate consent orders with the ~~Chair~~chair of a ~~Special Conference Committees~~special conference committee or formal administrative hearing.
- J. The ~~Board~~board delegates to ~~Board~~board staff the authority to develop and approve any and all forms used in the daily operations of ~~Board~~board business, ~~to include, but not limited to, including~~ licensure applications, renewal forms and documents used in the disciplinary process.
- K. The ~~Board~~board delegates to the Executive Director the authority to sign as entered any ~~Order~~order or ~~Consent Order~~consent order resulting from the disciplinary process or other administrative proceeding.
- L. The ~~Board~~board delegates to the Executive Director, the authority to provide guidance to the agency's Enforcement Division in any situation in which a complaint is of questionable jurisdiction

and an investigation may not be necessary. The Executive Director will provide a quarterly report on such situations, if any.

M. The ~~Board-board~~ delegates to the President the authority to represent the ~~Board-board~~ in instances where ~~Board-board~~ "consultation" or "review" may be requested where a vote of the ~~Board-board~~ is not required, and a meeting is not feasible.

N. Delegated tasks shall be summarized and reported to the board at each regularly scheduled meeting.

O. The ~~Board-board~~ delegates authority to the Executive Director to issue an ~~Advisory Letter~~ advisory letter to the person who is the subject of a complaint pursuant to Va. Code § 54.1-2400.2(F), when a probable cause review indicates a disciplinary proceeding will not be instituted.

P. The ~~Board-board~~ delegates authority to the Executive Director to accept from a licensee or registrant, in lieu of disciplinary action, a ~~Confidential Consent Agreement~~ confidential consent agreement, pursuant to Va. Code § 54.1-2400(14), consistent with any guidance documents adopted by the Board.

Article V. Amendments.

A board member or staff personnel may propose an amendment to these bylaws by presenting the amendment in writing to the Executive Director for distribution to all ~~Board-board~~ members, the ~~Board's-board's~~ legal counsel and staff personnel prior to any regularly scheduled meeting of the ~~Board-board~~. An amendment to the bylaws shall be adopted, upon favorable vote of at least two-thirds of the ~~Board-board~~ members present at said meeting.

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B. The board delegates to the Executive Director the authority to reinstate licenses and registrations when the reinstatement is due to the lapse of the license or registration rather than a disciplinary action and there is no basis upon which the board could refuse to reinstate.

C. The board delegates to the Executive Director the authority to grant long-term continuing education waivers on a case-by-case basis to licensees with a verified long-standing illness and an attestation of not practicing. The Executive Director shall inform the licensee of the appropriate statute and shall direct the licensee to notify the board if their situation changes, in which case the waiver may be extended, reconsidered or withdrawn.

D. The board delegates to the Executive Director authority to grant an extension for good cause of up to 90 days for the completion of continuing education requirements upon written request from the licensee prior to the renewal date.

E. The board delegates authority to the Executive Director to close non-jurisdictional cases and fee dispute cases without review by a board member.

F. The board delegates to the Executive Director the authority to review information regarding alleged violations of law or regulation with at least one board member on a rotating basis to make a determination as to whether probable cause exists to proceed with possible disciplinary action.

G. The board delegates to the Executive Director the authority to conduct an annual continuing education audit and take action as prescribed in any guidance document adopted by the board on continuing education audits.

H. The board delegates to the Executive Director the authority to take action as prescribed in any guidance document adopted by the board on practicing with an expired license.

I. The board delegates to the Executive Director the authority to negotiate consent orders with the chair of a special conference committee or formal administrative hearing.

J. The board delegates to board staff the authority to develop and approve any and all forms used in the daily operations of board business, including licensure applications, renewal forms and documents used in the disciplinary process.

K. The board delegates to the Executive Director the authority to sign as entered any order or consent order resulting from the disciplinary process or other administrative proceeding.

L. The board delegates to the Executive Director, the authority to provide guidance to the agency's Enforcement Division in any situation in which a complaint is of questionable jurisdiction and an investigation may not be necessary. The Executive Director will provide a quarterly report on such situations, if any.

M. The board delegates to the President the authority to represent the board in instances where board "consultation" or "review" may be requested where a vote of the board is not required, and a meeting is not feasible.

N. Delegated tasks shall be summarized and reported to the board at each regularly scheduled meeting.

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P. The board delegates authority to the Executive Director to accept from a licensee or registrant, in lieu of disciplinary action, a confidential consent agreement, pursuant to Va. Code § 54.1-2400(14), consistent with any guidance documents adopted by the Board.

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A board member or staff personnel may propose an amendment to these bylaws by presenting the amendment in writing to the Executive Director for distribution to all board members, the board's legal counsel and staff personnel prior to any regularly scheduled meeting of the board. An amendment to the bylaws shall be adopted, upon favorable vote of at least two-thirds of the board members present at said meeting.

Agenda Item: Readoption of electronic meeting policy

Included in your agenda package:

- Electronic participation policy.

Staff notes: Virginia Code § 2.2-3708.3(D) requires public bodies to adopt electronic participation policies. The attached policy is consistent with the law and is applied across DHP.

Action needed:

- Motion to readopt the electronic participation policy.

Virginia Department of Health Professions

Meetings Held with Electronic Participation

Purpose:

To establish a written policy for allowing electronic participation of board or committee members for meetings of the health regulatory boards of the Department of Health Professions or their committees.

Policy:

Electronic participation by members of the health regulatory boards of the Department of Health Professions or their committees shall be in accordance with the procedures outlined in this policy.

Authority:

This policy for conducting a meeting with electronic participation shall be in accordance with [Virginia Code § 2.2-3708.3](#).

Procedures:

1. One or more members of the Board or a committee may participate electronically if, on or before the day of a meeting, the member notifies the chair and the executive director that he/she is unable to attend the meeting due to:
 - a. a temporary or permanent disability or other medical condition that prevents the member's physical attendance;
 - b. a medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance;
 - c. the member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or
 - d. the member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter.

No member, however, may use remote participation due to personal matters more than two meetings per calendar year or 25% of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

2. Participation by a member through electronic communication means must be approved by the board chair or president. The reason for the member's electronic participation shall

be stated in the minutes in accordance with Virginia Code § 2.2-3708.3(A)(4). If a member's participation from a remote location is disapproved because it would violate this policy, it must be recorded in the minutes with specificity.

3. The board or committee holding the meeting shall record in its minutes the remote location from which the member participated; the remote location, however, does not need to be open to the public and may be identified by a general description.



Association of Regulatory Boards of Optometry, Inc.

Association of Regulatory Boards of Optometry

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Tel: (704) 970-2710
Fax: (888) 703-4848
Email: arbo@arbo.org

To: ARBO Member Boards
From: Lisa Fennell, Chief Executive Officer
Date: February 11, 2026
Re: ARBO Quarterly Update

Happy new year everyone! I'm pleased to share ARBO's first quarter 2026 update. Please add this to the agenda for your next Board meeting and share it with your Board members.

ARBO's 2026 Annual Meeting for Optometry Regulators:

- Planning is underway for ARBO's annual meeting taking place June 13-14, 2026, in Phoenix, Arizona.
- ARBO's meeting provides a forum for keeping up-to-date with regulatory issues and interacting with other regulators to discuss hot topics and shared concerns in the regulatory community.
- More information and registration are available on ARBO's website: <https://www.arbo.org/meetings/2026>
- There will be two optional workshops on Friday, June 12, 2026, with Dale Atkinson, Esq., and the National Board of Examiners in Optometry. More information is available on ARBO's website.
- ARBO offers travel stipends and scholarships for the meeting for Boards that have limited travel allowances. Information on ARBO's travel assistance programs is posted on ARBO's website: <https://www.arbo.org/meetings/2026> Please contact Lisa Fennell with any questions.

ARBO's Regulatory Happy Hour Webinars:

- ARBO hosts webinars on topics relevant to optometry regulation. The webinars are open for all ARBO's member regulatory Board members, Board staff, and Board attorneys to attend. For those that cannot attend, the webinars are recorded and posted in the member section of ARBO's website.
- The next Regulatory Happy Hour will discuss Surrender of License. The webinar takes place on April 7, 2026, at 8:00 pm ET / 7:00 pm CT / 6:00 pm MT / 5:00 pm PT.
- Previous topics covered in ARBO Happy Hours are Board Minutes, Administrative Sanctions and Board Authority, Regulatory Board Audits, and Updates on the NBEO Exams.
- The Regulatory Happy Hours are complimentary for ARBO's members. You can register on ARBO's website <https://www.arbo.org/regulatory-webinars>.

New program for ARBO Member Boards: Case Conversation webinars with Atkinson & Atkinson.

- Each month, Dale Atkinson, Esq. or Amy Richardson, Esq. select an interesting regulatory case to delve into. The 30-minute webinars cover the case highlights, aspects of import to the regulatory community, and discuss the implications for regulatory boards and attorneys.
- The webinars take place online the second Tuesday of each month at 4:00 pm ET / 3:00 pm CT / 2:00 pm MT / 1:00 pm PT.
- ARBO members can receive a code for a complimentary registration to the Case Conversation webinars by contacting Lisa Fennell, ARBO CEO, at LFennell@arbo.org.

MEMORANDUM

DATE: November 24, 2025

SUBJECT: **Notification of Adopted Changes to Accreditation Standards, Policies and Procedures, and Glossary terms and Status Update Relative to 2025 Professional Optometric Degree Program Standard 1.11**

TO: Deans, Presidents, and Chief Academic Officers of Schools and Colleges of Optometry; Directors of Optometric Residencies; Supervisors of Optometric Residencies; ACOE Consultants; AOA Board of Trustees, Executive Director, Management Support Team, and General Council; Executive Committees and Directors of ARBO, AAO, NBEO, and OEBC; AOSA Executive Director and AOSA Trustees; ASCO Executive Director; Executive Directors and Board Members of State Boards; Provincial Boards of Optometry; Presidents and Executive Directors of State Associations; Director of the VA Optometry Service; Military and Public Health Optometric Service Chiefs; any interested party

FROM: Julie DeKinder, O.D., ACOE Chair

DIST: ACOE, Ms. Puljak, Ms. Wirth, Ms. Mohr, Mr. Smith, Ms. Martin

The purpose of this memorandum is to notify the communities of interest of adopted changes to ACOE Standards, Policies and Procedures, and Glossary terms and to communicate an update related to changes proposed to 2025 Professional Optometric Degree Program Standard 1.11. **This is not a call for comments.**

At its October 30-31, 2025, Fall meeting the ACOE considered comments submitted in response to its August 18, 2025, call for comments and took action.

TOPIC 1: Notification of changes:

- a) Adoption of the new ACOE Policy and Procedure “Umbrella Arrangement,”
- b) Adoption of new Glossary definitions,
- c) Adoption of changes to “Residency Program Inactivity or Deficiency” Policy and Procedure, and
- d) Retirement of ACOE Policy and Procedure “Evaluation of “On the Campus” Residencies.”

TOPIC 2: Notification of changes:

- a) Adoption of revised Intent statement associated with 2025 Professional Optometric Degree Program Standard 1.8, and
- b) Adoption of revised Intent statement associated with 2025 Optometric Residency Program Standard 1.2.

TOPIC 3: Notification of status:

- Council plans related to 2025 Professional Optometric Degree Program Standard 1.11.

TOPIC 1

The ACOE has historically allowed for cases where more than one optometric residency program located on-site at a school or college of optometry can be considered as a single residency program for accreditation purposes under an “umbrella” arrangement. This was described in the ACOE’s “Evaluation of “On the Campus” Residencies” Policy and Procedure.

Allowing for an “umbrella” arrangement resulted in the following:

- a single accreditation/reaccreditation site visit;
- a single accreditation status; and
- a single application fee and a single annual accreditation fee.

The ACOE has not provided an analogous option for residency programs not located at a school or college of optometry. Moreover, the ACOE has not established clear criteria associated with whether and when one residency program should be considered as more than one program due to factors such as geographically distant program locations and/or multiple faculty members serving as program coordinator/supervisor.

The ACOE has evaluated varying options in an effort to provide an approach that (1) is clear; (2) is fair; and (3) allows for reasonable efficiencies. The Council actively sought the engagement of members of the public and the profession via three call-for-comment solicitations, sent in November 2024, in March 2025, and in August 2025.

During its October 30-31, 2025, Fall meeting, the Council took the following actions:

- Adopted Glossary definitions for the following three terms
 - a. optometric residency program/residency program
 - b. primary category
 - c. emphasis area
- Adopted a new Policy and Procedure, “Umbrella Arrangements”
- Adopted changes to the Policy and Procedure “Residency Program Inactivity or Deficiency”
- Formally retired the Policy and Procedure “Evaluation of “On the Campus” Residencies”

The updated [ACOE Policy and Procedure Manual](#) and [Glossary](#) are available on the [ACOE website](#).

In addition, the Council accepted guidance that will be communicated to each of the existing umbrella programs under the “Evaluation of “On the Campus” Residencies” Policy and Procedure, which will allow for temporary grandfathering under the retired Policy and Procedure until **June 30, 2027**.

The Council reiterates its appreciation for all the comments and questions received over the course of developing and adopting these changes. The following information is provided in response to comments and questions received.

Suggestion/Comment/Question	Council Response
<p>Suggestion to modify Standard 1.1 of the 2025 Optometric Residency Program Standards to allow for customized mission statements for each primary category.</p> <ul style="list-style-type: none">• Standard 1.1 states “The program must have a <i>published mission</i> statement that describes the overall purpose(s) of the program. The program’s title must reflect the <i>mission</i>.”• Mission is defined as “The mission statement should express the overall purposes, intent, and uniqueness	<p>The Council expressed continued support for Standard 1.1 as written and believes the adopted changes are in alignment with this Standard.</p>

Suggestion/Comment/Question	Council Response
of the program or institution. It is a statement of the fundamental reasons for a program's existence.”	
What is the impact of the changes to residency programs that concurrently offer graduate degrees?	The adopted changes make no reference to these types of programs.
Wasn't the umbrella option previously available, and what prompted its reintroduction?	The “Evaluation of “On the Campus” Residencies” Policy and Procedure has been in effect until being retired in October 2025. A new Policy and Procedure, “Umbrella Arrangements” has been adopted and allows all programs, regardless of whether they are located on- or off-campus, to consider structuring as an umbrella arrangement.
Under an umbrella arrangement, is it necessary to designate a single program coordinator?	Regardless of whether an umbrella arrangement is in place, each program must designate one primary program coordinator/supervisor. Programs have discretion to choose to designate some faculty members as ‘co-coordinators,’ or similar.
Can the ACOE provide clear instructions and guidelines for programs interested in transitioning to an umbrella arrangement?	See the Policy section of “Umbrella Arrangements” for the criteria and the Procedure section for the steps to request being deemed an umbrella arrangement.
If programs are evaluated collectively under the umbrella arrangement and one performs well while another does not, how will this be addressed?	If any program, including those under an umbrella arrangement, is out of compliance with a Standard, it will be cited a recommendation.
If a program wants to utilize the umbrella arrangement option and have different accreditation dates for the programs, how will this be handled?	Once an umbrella arrangement is approved, a single accreditation date applies. This is specified in the Policy section of “Umbrella Arrangements.”
Please provide guidance (or expectations) as to the level of specificity of the mission, goals, and objectives - specifically to the goals and objectives as they apply to various emphasis areas. Can goals and objectives be more general, but still applicable to any of the various types of emphasis areas?	Goals and Objectives are terms defined in the ACOE Glossary, as are ‘primary category’ and ‘emphasis area.’ Programs have discretion as long as they adhere to these definitions.
How would the dormancy clause be applied in cases where a program offers resident positions associated with different emphasis areas and does not fill a spot associated with each emphasis area?	A program (or umbrella arrangement) is considered dormant when no residents are enrolled.
In the event a pre-existing program chooses to restructure as multiple programs in response to the adopted changes, what actions can be taken to ensure this does not result in increased burden and workload on both the program and the evaluation visit team?	The ACOE has a process to conduct joint visits currently; this approach is not anticipated to change. Nothing precludes multiple programs undergoing a joint visit from submitting one self-study document with sections for each program. The “Site Evaluation Visit” Policy and Procedure gives the ACOE discretion to increase the size of the team or the duration of the visit to accommodate increased complexity. The Council does not consider the need to submit separate annual reports to be a material lift.
In the event a pre-existing program chooses to restructure as multiple programs in response to the	Clarifying language was added to the “Residency Program Inactivity or Deficiency” Policy and Procedure to reinforce that withdrawal decisions are

Suggestion/Comment/Question	Council Response
adopted changes, does this increase the risk that accreditation will be withdrawn due to dormancy?	not automatically made upon a program's third year of dormancy; rather, that the Council may exercise discretion in making these decisions and will take into consideration each program's specific circumstances, including any input that a program may choose to submit regarding its ability to maintain a compliant program offering despite dormancy.

TOPIC 2

The ACOE Policy and Procedure "Program Disclosure of Accreditation Status or Preliminary Approval Status" specifies the ACOE's requirements associated with programs' publication of accreditation status from the ACOE. 2025 Professional Optometric Degree Program Standard 1.8 and 2025 Optometric Residency Program Standard 1.2 require programs to publish their accreditation status from the ACOE.

During its June 25-27, 2025, Annual meeting, the Council proposed a revision to the Intent statements associated with each of these Standards to ensure programs and other parties are aware of the specifications in the Policy and Procedure when seeking to evaluate compliance with the Standards. The Council voted to distribute the proposed changes to the communities of interest in a call for comments. Specifically, the proposal was to modify the Intent statements associated with each of these Standards as follows (underline = addition):

INTENT: The program's status from the ACOE is readily accessible to any interested party and consistently published as specified in ACOE Policy and Procedure, "Program Disclosure of Accreditation Status or Preliminary Approval Status."

On August 15, 2025, the ACOE distributed a call for comments on the proposed changes to 2025 Professional Optometric Degree Program Standard 1.8 and Optometric Residency Program Standard 1.2. The call for comments closed on September 16, 2025, and the Council considered the comments during its October 30-31, 2025, Fall Meeting. Commenters expressed support for the change, and the proposed changes were adopted.

Updated versions of the [2025 Professional Optometric Degree Program Standards](#) and the [2025 Optometric Residency Program Standards](#) are posted on the ACOE's website.

TOPIC 3

Diversity, equity, and inclusion, sometimes referred to as 'DEI,' are concepts that have garnered significant discourse and been the subject of much activity over the past few years. The ACOE has a Standard, 2025 Professional Optometric Degree Program Standard 1.11, that includes these terms and has previously communicated guidance relative to this Standard. Standard 1.11 is as follows:

1.11 The program's processes and activities must demonstrate that *diversity* and the concepts of *equity* and *inclusion* are reflected throughout the academic and clinical program.

*INTENT: The program must ensure that issues related to *diversity*, *equity*, and *inclusion* are integrated throughout the program.*

Examples of Evidence:

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- Evidence of activities, committees, and/or educational programs focused on *diversity, equity, and inclusion*
 - Position description(s) for related role(s)
 - Strategies for the recruitment of diverse faculty and student candidates
 - Statistics reflecting *diversity* of matriculating classes

For Proposed Programs Seeking *Preliminary Approval Status*: 1.11 applies; a documented plan related to *diversity, equity, and inclusion* is acceptable.

Given the persistence of the level of focus on these terms, the ACOE Chair asked the ACOE's Professional Optometric Degree Program Committee (POD Committee) to evaluate whether to revise the Examples of Evidence associated with Standard 1.11 and/or to revise the Standard itself. In its June 10, 2025, meeting, the POD Committee developed its recommendations, and the Council considered the recommendations during its June 25-27, 2025, Annual meeting.

Specific recommendations that the Council accepted were to:

1. modify the Examples of Evidence to eliminate those that may be potentially problematic in some States,
2. add items to the Examples of Evidence to help encourage programs to think of other sources of evidence to demonstrate compliance with the Standard, and
3. modify the language of the Standard to underscore that the ACOE expects programs to separately consider and address each of the three terms, diversity, inclusion, and equity, and that each of these terms is individually defined in the ACOE Glossary; in other words, no definition for 'DEI' exists and to assume a meaning for 'DEI' is inappropriate.

On August 15, 2025, the ACOE distributed a call for comments including proposed changes to Standard 1.11. The call for comments closed on September 16, 2025.

The Council greatly appreciates the perspectives and suggestions forwarded by each of the commenters. The commenters' positions on the proposed changes were diverse (pun intended). As a result of the lack of consensus, the Council referred the matter back to the POD Committee for additional review.

In its next meeting, the POD Committee will evaluate the comments received, taking into account the current political environment, and provide its recommendation to the Council as to whether and what changes are proposed related to Standard 1.11. In the meantime, the current version of Standard 1.11 remains in effect and programs are expected to comply.

Optometry Monthly Snapshot for February 2026

Optometry received more cases in February than closed. Optometry closed 4 patient care cases and 0 non-patient care cases for a total of 4 cases.

Cases Closed	
Patient Care	4
Non-Patient Care	0
Total	4

Optometry has received 2 patient care cases and 3 non-patient care case for a total of 5 cases.

Cases Received	
Patient Care	2
Non-Patient Care	3
Total	5

As of February 28,2026, there were 12 patient care cases open and 6 non-patient care cases open for a total of 18 cases.

Cases Open	
Patient Care	12
Non-Patient Care	6
Total	18

There are 1,964 Optometry licensees as of February 28,2026. The number of current licenses are broken down by profession in the following chart.

Current Licenses	
Laser-Certified TPA Optometrist	98
Optometrist	41
TPA Certified Optometrist	1,825
Total for Optometry	1,964

There were 12 licenses issued for Optometry for the month of February. The number of licenses issued are broken down by profession in the following chart.

Licenses Issued	
Laser-Certified TPA Optometrist	4
TPA Certified Optometrist	8
Total for Optometry	12

BOARD OF OPTOMETRY

2026 CALENDAR

February 13, 2026 (Friday)	BR 3 9:00 a.m.	BOARD MEETING FORMAL HEARING IF NEEDED
April 10, 2026 (Friday)	TR 1 9:00 a.m.	INFORMAL CONFERENCE(S)
April 10, 2026 (Friday)	BR 3 11:00 a.m.	BOARD MEETING
July 17, 2026 (Friday)	BR 3 9:00 a.m.	BOARD MEETING FORMAL HEARING IF NEEDED
October 16, 2026 (Friday)	TR 2 9:00 a.m.	INFORMAL CONFERENCE(S)
November 6, 2026 (Friday)	BR 1 9:00 a.m.	BOARD MEETING FORMAL HEARING IF NEEDED

CALENDAR_OPT_2026