

**BOARD OF OPTOMETRY
FULL BOARD MEETING
SEPTEMBER 26, 2014**

TIME AND PLACE: The Board of Optometry (Board) meeting was called to order at 10:03 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Room 3, Henrico, Virginia 23233.

PRESIDING OFFICER: Jonathan R. Noble, O.D., Chair

MEMBERS PRESENT: Devon Cabot, Citizen Member
Helene Clayton-Jeter, O.D.
Joseph E. Droter, O.D.
Steven A Linas, O.D.
Douglas Weberling, O.D.

MEMBERS NOT PRESENT: All members were present.

STAFF PRESENT: Leslie L. Knachel, Executive Director
Elaine Yeatts, Senior Policy Analyst
David E. Brown, D.C., Director
Carol Stamey, Operations Manager
Tamara Farmer, Administrative Assistant

OTHERS PRESENT: Bruce Keeney, Virginia Optometric Association (VOA)

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

INTRODUCTIONS: Dr. Noble introduced and welcomed the new board members, Ms. Cabot and Dr. Clayton-Jeter.

ORDERING OF AGENDA No changes were made to the agenda.

PUBLIC COMMENT: No public comment was presented.

DIRECTOR'S REPORT: Dr. Brown welcomed the new board members and thanked all the board members for their time and service.

Dr. Brown provided an update on agency activities that included information on the Board of Medicine's Ad Hoc Committee on Telemedicine and participation in a task force on prescription drug and heroin abuse.

APPROVAL OF MINUTES: Dr. Linas moved to approve the May 16, 2014, meeting minutes as presented. The motion was seconded and carried.

**REGULATORY/
LEGISLATIVE UPDATE:** **Disposition of Regulatory Actions**
Ms. Yeatts provided an overview of the regulatory actions in process as of September 9, 2014.

DISCUSSION ITEMS: **Healthcare Workforce Data Center Survey**

Dr. Carter provided an overview of the Healthcare Workforce Data Center's (HWDC) background, functions and results of research obtained through prior board surveys.

Dr. Carter reported that the HWDC was extending the survey to the Board of Optometry to collect workforce data and trends. She advised that the survey was slated for inclusion in the upcoming on-line licensure renewal process. The Board reviewed the draft survey provided and made recommended revisions. Dr. Carter reported that results of the survey would be available in spring 2015

The Board requested that Ms. Knachel send out a mass email to licensees regarding the upcoming survey.

Letter from National Board of Examiners in Optometry (NBEO)

Ms. Knachel reported that a letter from the NBEO regarding the development of an examination for use as an assessment tool had been included in the board's agenda for its review and consideration. Ms. Knachel commented that the examination could be used for continuing education and possibly for disciplinary purposes.

The Board requested that staff provide information at the next meeting on the following:

- Availability of other entities that administer assessment examinations;
- Implications for score release to the Board; and
- Use of assessment tool by other states.

Decorative Contact Lenses

Ms. Knachel provided an overview of the Board's activities related to public safety concerns associated with purchasing decorative contact lenses from unauthorized vendors. She reported on the following actions:

- The Communications Director is developing a media advisory that will include a link to the Food and Drug Administration's (FDA) website on how the public can safely purchase decorative contact lenses.
- Based on guidance from board counsel, §54.1-2506(C) of the *Code of Virginia* authorizes the agency Director to issue summonses for violations of statutes and regulations governing the unlicensed practice of professions regulated by the Department of Health Profession. Pursuant to § 54.1-3204(8), it is unlawful for any person to sell or dispense contact lenses, including plano or cosmetic lenses without holding the appropriate license. Ms. Knachel will work the appropriate entities to develop a template for the summons.
- The board office, as requested by the Board, will send a mass email regarding voluntary reporting to the FDA of adverse optometric outcomes as a result of the unauthorized sale of contact lenses.

Follow-up on Transfer of Medical Records Notification

As requested by the Board during its previous meeting, Ms. Knachel provided follow-up information regarding the notification requirements for transferring medical records in conjunction with closure, sale or relocation of a practice. Based on guidance from board counsel, § 54.1-2405 of the *Code of Virginia* requires notification to be sent via normal mail. Ms. Knachel commented that adding other forms of communication to this section may be suggested by the Board, but a change would impact all the regulatory boards within the agency.

Request to Review Continuing Education Requirements

Dr. Noble addressed Mr. Keeney regarding a request from the VOA to consider amending the continuing education (CE) regulations as presented in the agenda packet. Following a discussion about current CE requirements, the Board requested that Ms. Knachel research CE requirements in other states and report back to the Board at its next meeting.

Guidance Document Review

Ms. Knachel informed the Board that the guidance documents were included in the agenda packet for review and comment. She requested any proposed changes be submitted to her for consideration at the next board meeting.

Officer Election

Dr. Linas nominated Dr. Droter as President. The motion was seconded and carried.

Dr. Noble nominated Dr. Weberling as Vice-President. The motion was seconded and carried.

**BOARD OF HEALTH
PROFESSIONS REPORT:**

Dr. Noble reported that Dr. Clayton-Jeter had agreed to serve on the Board of Health Professions representing the Board.

PRESIDENT’S REPORT:

Dr. Noble thanked the Board for allowing him to serve as President of the Board and thanked the board members for their service. Dr. Noble also noted that the President’s report was well received at the past VOA meeting.

**EXECUTIVE DIRECTOR’S
REPORT:**

DEA Final Rule Rescheduling Hydrocodone Products

Ms. Knachel informed the Board that a mass email notification was sent to licensees regarding the rescheduling of hydrocodone products.

Statistics

Ms. Knachel presented an overview of the Board’s licensure and disciplinary statistics.

Budget

Ms. Knachel reported that the budget information specific to the Board had been included in the packet.

NEW BUSINESS:

Committee Appointments

Dr. Noble appointed the following board members to serve as committee members:

Dr. Droter to serve on the Credentials Committee;

Dr. Clayton-Jeter to serve on the CE Committee; and

Ms. Cabot to serve on the Professional Designation Committee.

2015 Calendar

Due to scheduling conflicts, Dr. Weberling requested that the February and May 2015 meeting dates be revised. It was requested that staff research room availability, submit proposed dates for review and revise all meetings to begin at 9:00 a.m.

ADJOURNMENT:

The meeting adjourned at 12:15 p.m.

Joseph E. Droter, O.D.
Chair

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