

**BOARD OF OPTOMETRY
LEGISLATIVE/REGULATORY REVIEW COMMITTEE MEETING
JANUARY 29, 2009
HENRICO, VA**

TIME AND PLACE: The meeting was called to order at 9:00 a.m. on Thursday, January 29, 2009 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Room 3, Richmond, Virginia.

PRESIDING CHAIRMAN: David H. Hettler, O.D.

MEMBERS PRESENT: Jonathan R. Noble, O.D.
Jacquelyn S. Thomas, Citizen Member

MEMBERS NOT PRESENT: All members were present.

STAFF PRESENT: Elizabeth A. Carter, Ph.D., Executive Director
Eric A. Gregory, Assistant Attorney General, Board Counsel
Elaine Yeatts, Senior Regulatory Analyst
Carol Stamey, Operations Manager

OTHERS PRESENT: Betty Graumlich, NAOO

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. Noble, the Committee voted unanimously to approve the minutes of the August 6, 2008 meeting.

DISCUSSION ITEMS: **Consideration of Periodic Review of Chapter 20**
The Committee and staff reviewed the Optometry Regulations regarding Chapter 20 and proposed revisions and/or deletions as listed below.

18VAC 105-20-10 and 18VAC 105-20-16
Dr. Carter apprised the Board of the restructuring of the National Board Examinations. She noted that changes to Parts I and II will begin implementation in 2009-2010. Further, that in 2010, the TMOD section of the examination would be embedded in the PAM section of Part II; therefore, a stand alone version of TMOD will no longer be administered.

The Committee recommended that language be added to Sections 10 and 16 to accommodate the NBEO examination changes.

The Committee requested that staff forward letters to all non-TPA licensees informing them of the National Board's TMOD examination changes effective 2009-2010.

18VAC 105-20-20. Fees

Ms. Yeatts recommended that the Committee consider increasing the licensure verification fee from \$10.00 to \$20.00. It was the consensus of the Committee to increase the fee.

The Committee recommended that the application fee for the Professional Designation be increased from \$100.00 to \$200.00. Staff noted that applications had become increasingly complex requiring consultation with the Attorney General's Office.

The Committee and staff noted that Section C was no longer valid and should be deleted.

18VAC 105-20-40. Unprofessional Conduct

18VAC 105-20-45. Standards of Practice

Ms. Yeatts reported that the proposed changes to Sections 18VAC 105-20-40 and 45 were currently at the Department of Planning and Budget for review. Further, that the approval of the proposed regulatory changes may not occur until early Spring.

18VAC 105-20-46. Treatment Guidelines for TPA Certified Optometrists

The Committee recommended that language be added regarding the inclusion of prescribing and dispensing drug coated contact lenses.

18VAC 105-20-50. Professional Designation

Mr. Gregory apprised the Committee that the professional designation regulations may not have a clear statutory basis and that the issue should be placed on the Board's next meeting agenda.

18VAC 105-20.70. Continuing Education

Ms. Yeatts reported that the proposed CE Regulations were

currently being reviewed by the Department of Planning and Budget. Further, that the approval of the proposed regulatory changes may not occur until late spring.

NEW BUSINESS:

No new business was presented.

ADJOURNMENT:

The meeting adjourned at 10:00 a.m.

David H. Hettler, O.D., Chair

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