

**IDAHO BOARD OF OPTOMETRY**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 10/15/2012**

**BOARD MEMBERS PRESENT:** Robert Sorensen, O.D. - Chair  
Rodney L. White, O.D.  
Robert B. Grill, O.D.  
James Davis, O.D.  
Wayne D Ellenbecker, O.D.

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, Legal Counsel  
Carrie Gilstrap, Technical Records Specialist II

**OTHERS PRESENT:** Larry Benton

The meeting was called to order at 8:30 AM MDT by Robert Sorensen, O.D.

**APPROVAL OF MINUTES**

Dr. Grill made a motion to approve the minutes of 7/13/2012, 8/6/2012, and 8/13/2012. It was seconded by Dr. White. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. She said that the Board's proposed rule changes have been published in the administrative rules bulletin and are also linked to the Board's website.

**FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$77,660.48 as of 9/30/2012.

**INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

**FOR BOARD DETERMINATION**

Dr. White made a motion to approve the Bureau's recommendation and authorize closure in case I-OPT-2012-1. It was seconded by Dr. Grill. Motion carried.

## **OLD BUSINESS**

### **DISCUSSION RE: TIERED LICENSES**

The Board discussed the optometrists who hold an active Idaho license but do not have therapeutic privileges. There are a total of 17 licensees and eight of those reside in Idaho. Since July 1993, the Board has required that an applicant meet the educational requirement to obtain therapeutic privileges prior to issuing an optometric license. Discussion was held regarding those doctors who were licensed prior to this requirement. The Board further discussed proposing a law change to require these doctors to meet the therapeutic requirement in order to obtain therapeutic privileges as a matter of public protection.

Dr. Sorensen stated he will draft a letter to these optometrists to encourage them to submit evidence showing they have met the requirement for obtaining therapeutic privileges. The draft letter will then be forwarded to the Board's administrative attorney for review.

## **NEW BUSINESS**

### **EXECUTIVE SESSION**

Dr. White made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Dr. Grill. The vote was: Dr. Sorensen, aye; Dr. White, aye; Dr. Grill, aye; Dr. Davis, aye; and Dr. Ellenbecker, aye. Motion carried.

Dr. Davis made a motion to come out of executive session. It was seconded by Dr. White. The vote was: Dr. Sorensen, aye; Dr. White, aye; Dr. Grill, aye; Dr. Davis, aye; and Dr. Ellenbecker, aye. Motion carried.

## **APPLICATIONS**

**ODP-100263** Dr. Ellenbecker made a motion to approve the endorsement application for Murtaza Merali. It was seconded by Dr. White. Motion carried.

**ODP-100261** Dr. Grill made a motion to approve the endorsement application for Yolanda A. Rivas Diaz. It was seconded by Dr. White. Motion carried.

**ODP-100262** Dr. Ellenbecker made a motion to approve the endorsement application for Tri Minh Pham. It was seconded by Dr. Grill. Motion carried.

Dr. Grill made a motion to deny the application for Kenneth Ethier. This denial was based upon I.C. § 54-1512(1)(d)&(2), IDAPA 24.10.01.325.01, .03. and 04.d, IDAPA 24.10.01.425, and I.C. § 54-1520. It was seconded by Dr. Davis. Dr. Sorensen abstained from voting. Motion carried.

**NEXT MEETING** was scheduled for January 28<sup>th</sup> at 8:00 AM.

Dr. Grill made a motion to amend the agenda to consider the letter written by Dr. Sorensen on behalf of the Board to Mr. Kenneth McClure as it was just drafted the evening before the meeting. It was seconded by Dr. Davis. Motion carried.

### **LETTER TO KENNETH MCCLURE**

Following review, Dr. Davis made a motion to approve the drafted letter pending its legal review and Chair approval prior to this letter being sent to Mr. McClure. It was seconded by Dr. Ellenbecker. Motion carried.

Mr. Benton provided a brief overview of any relative events taking place during this upcoming year.

January 28, 2013 agenda item: Discussion regarding kiosks.

The Board welcomed its two new members Dr. Davis and Dr. Ellenbecker.

### **ADJOURNMENT**

Dr. Ellenbecker made a motion to adjourn the meeting at 10:00 AM. It was seconded by Dr. Grill. Motion carried.

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Robert Sorensen, O.D., Chair

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Rodney L. White, O.D.

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Tana Cory, Bureau Chief