

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

Conference Call Minutes of 2/20/2013

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
Maurie Ellsworth, Legal Counsel
Carrie Gilstrap, Technical Records Specialist II

OTHERS PRESENT: Dr. Randy Andregg, Idaho Optometric
Physicians (IOP), Molly Steckel, Idaho Medical
Association (IMA), Larry Benton

The meeting was called to order at 8:00 AM MST by Robert Sorensen, O.D.

NEW BUSINESS

**DISCUSSION RE: THE HEALTH CARE PROFESSIONAL TRANSPARENCY
ACT**

Discussion was held regarding HB 190 The Health Care Professional
Transparency Act which had recently been introduced in the House Health and
Welfare Committee. The Board expressed specific concern over subsection (3)
which states the following:

Notwithstanding the imposition of any penalty, a professional licensing
board or other administrative agency with jurisdiction may seek an injunction or
other legal means as appropriate to prevent a person from violating the
provisions of this chapter.

The Board believed this provision could create potential administrative conflicts
and constitutional due process problems.

Ms. Steckel asked to speak with the Board in defense of the bill, address its
concerns, and answer any questions it may have. Ms. Steckel stated the Board
would not lose any authority over its licensees and that the Idaho Medical
Association was looking for consistency among all health care professions. She

also noted that among these professions there has not been an issue with an optometrist.

Ms. Steckel excused herself from the remainder of the meeting; however, she requested she be contacted with information on the Board's decision.

Mr. Benton stated he is in opposition of this Bill and provided the Board with additional concerns.

Dr. Grill made a motion to request legal counsel draft a letter and state that the Board is opposed to the overall content of HB 190; particularly with its subsection (3) and that it is the Board's opinion that its licensees are already subject to oversight, that this bill would be costly to the licensees. The Board also stated it would have liked the Idaho Medical Association to have involved them in this process. It was seconded by Dr. White. Motion carried.

NEXT MEETING was previously scheduled for April 29, 2013 at 8:30 AM MST.

ADJOURNMENT

Dr. Davis made a motion to adjourn the meeting at 8:48 AM. It was seconded by Dr. White. Motion carried.

Robert Sorensen, O.D., Chair

Rodney L. White, O.D.

Robert B. Grill, O.D.

James Davis, O.D.

Wayne D Ellenbecker, O.D.

Tana Cory, Bureau Chief