

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

**Board Meeting Minutes of 8/14/2017**

**BOARD MEMBERS PRESENT:** Wayne D Ellenbecker, OD - Chair  
Raymond C Goodman, OD  
Aaron J Warner, OD  
Joy E Johnson, OD  
William Von Tagen

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, General Counsel  
Mitchell Toryanski, Legal Counsel

The meeting was called to order at 9:30 AM MDT by Wayne D Ellenbecker, OD.

**APPROVAL OF MINUTES**

Dr. Johnson made a motion to approve the minutes of 5/8/2017 and 7/6/2017. It was seconded by Dr. Goodman. Motion carried.

**EXECUTIVE ORDER**

Ms. Cory reviewed the Executive Order issued by Acting Governor Little which requires State agencies to submit a report to the Office of the Governor no later than July 1, 2018. The report will assess whether the licensure requirements are necessary and in the public interest while providing recommendations for improvement, modification or elimination. Ms. Cory also updated the Board on the information and process for public comment which has been added to the Board's website. The Board agreed that Dr. Warner would work with Ms. Cory on this issue.

**LEGISLATIVE REPORT**

Mr. Toryanski gave the legislative report. The deadline to submit proposed legislative ideas to the Governor's Office was July 14, 2017 and the deadline to submit proposed law and rule changes to the Governor's Office is August 18, 2017 for the 2018 Legislative Session.

**FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$97,790.98 as of 7/31/2018.

## **2018 BOARD CONTRACT RENEWAL**

Ms. Hall reviewed the 2018 contract with the Board. Mr. von Tagen made a motion to approve the contract and authorize the Chair to sign it. It was seconded by Dr. Goodman. Motion carried.

## **INVESTIGATIVE REPORT**

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

## **FOR BOARD DETERMINATION**

Dr. Goodman made a motion to approve the Bureau's recommendation and authorize closure in case I-OPT-2017-3. It was seconded by Dr. Johnson. Motion carried.

## **OLD BUSINESS**

To Do List – The Board reviewed the to do list and discussed the following items.

### **ARBO: BACKGROUND CHECK INFORMATION**

The Board reviewed the information and no action was taken.

### **OD/ODD LETTER/REMINDER OF 2020 DEADLINE**

The Board reviewed the letter to be sent to currently licensed ODs and ODDs regarding the new law. Dr. Warner made a motion to approve the letter and authorize the Bureau to send it. It was seconded by Dr. Goodman. Motion carried.

### **CE WEBPAGE UPDATE**

The Board reviewed the updated information on the continuing education webpage regarding the new law. Dr. Johnson made a motion to authorize Dr. Warner to work with the Bureau to revise the proposed language and have him re-review it before publishing it to the Board's website. It was seconded by Dr. Goodman. Motion carried.

## **NEW BUSINESS**

### **ASSOCIATION OF REGULATORY BOARDS OF OPTOMETRY (ARBO) REPORT**

Dr. Goodman reviewed the information he received at the 2017 ARBO Annual Meeting. He would like to have the topic of continuing education and audits included on the agenda for the Board's next meeting. The Board agreed that it would like to have Mr. Toryanski provide training about disciplinary actions taken by the Board.

## **CORRESPONDENCE**

**LETTER FROM VENABLE LLP/SURVEY RELATED TO MARYLAND BOARD OF OPTOMETRY** – The Board reviewed the letter and agreed to have the Bureau let Venable LLP know that all disciplinary actions are listed on the Board's website and provided to the National Practitioner Data Bank (NPDB).

**SCOPE OF PRACTICE QUESTION: TRAUMATIC BRAIN INJURY (TBI)/CONCUSSION AND ATHLETES' RETURN TO PLAY** – The Board reviewed the email and agreed to have the Bureau send a copy of Idaho Code § 54-1501 to the inquirer and ask him to consult his own attorney regarding this practice.

**SCOPE OF PRACTICE QUESTION: DIAGNOSIS/ TREATMENT OF SJOGREN'S DISEASE** – The Board reviewed the email and agreed to have the Bureau send a copy of Idaho Code § 54-1501 to the inquirer and ask him to consult his own attorney regarding this practice.

**ASSOCIATION OF REGULATORY BOARDS OF OPTOMETRY (ARBO)/COUNCIL ON OPTOMETRIC PRACTITIONER EDUCATION (COPE) RESOLUTION** – The Board reviewed the information and no action was taken.

**ACCREDITATION COUNCIL ON OPTOMETRIC EDUCATION (ACOE) 2016-17 YEAR END REPORT** – The Board reviewed the information and no action was taken.

**ACOE REQUEST FOR FEEDBACK ON OPTOMETRIC TECHNICIAN STANDARDS OF ACCREDITATION** – The Board reviewed the request and agreed to have the Bureau let ACOE know that the Board has chosen not to respond to the survey as Idaho does not license technicians.

**ACOE CALL FOR COMMENTS REGARDING PROPOSED CODIFICATION OF PROTECTED HEALTH INFORMATION POLICY** – The Board reviewed the request and agreed to have the Bureau let ACOE know that the Board commended them on their good effort and had no other comments.

## **EXECUTIVE SESSION**

Dr. Goodman made a motion that the Board go into executive session under Idaho Code § 74-206(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 Warner. The vote was: Dr. Ellenbecker, aye; Dr. Goodman, aye; Dr. Johnson, aye; Mr. von Tagen, aye; and Dr. Warner, aye. Motion carried.

Dr. Goodman made a motion to come out of executive session. It was seconded by Mr. von Tagen. The vote was: Dr. Ellenbecker, aye; Dr. Goodman, aye; Dr. Johnson, aye; Mr. von Tagen, aye; and Dr. Warner, aye. Motion carried.

## **APPLICATIONS**

Dr. Goodman made a motion to approve the following for licensure:

OPTA-100399 Jaimen Dixon  
OPTA-100423 Eugene Matveev

It was seconded by Dr. Johnson. Motion carried.

Dr. Johnson made a motion to approve the following for licensure pending receipt of additional information:

Applicant ID 901151706

It was seconded by Dr. Goodman. Motion carried.

## **CE COURSES**

Dr. Warner made a motion to approve the following CE courses:

52<sup>ND</sup> POSTGRADUATE SEMINAR – SPOKANE  
OPTOMETRIC PHYSICIANS OF WASHINGTON

52<sup>ND</sup> POSTGRADUATE SEMINAR – SEATTLE  
OPTOMETRIC PHYSICIANS OF WASHINGTON

INTERNATIONAL VISION EXPO & CONFERENCE WEST 2017  
REED EXHIBITIONS/VISION COUNCIL

ACADEMY 2017 CHICAGO SCIENTIFIC PROGRAM  
AMERICAN ACADEMY OF OPTOMETRY

It was seconded by Mr. von Tagen. Motion carried.

Ms. Hall brought the proposed changes to the language on the CE website page back for the Board's review. Dr. Warner made a motion to approve the changes and post the information to the Board's website. It was seconded by Dr. Goodman. Motion carried.

## **ELECTION OF OFFICERS**

Dr. Goodman made a motion to nominate Dr. Johnson as Chair of the Board. It was seconded by Dr. Warner. Motion carried.

Dr. Warner made a motion to nominate Dr. Goodman as Secretary (Vice Chair) of the Board. It was seconded by Dr. Johnson. Motion carried.

**NEXT MEETING** was scheduled for November 6, 2017 at 9:30 AM MST.

**ADJOURNMENT**

Mr. von Tagen made a motion to adjourn the meeting at 12:05 PM MDT. It was seconded by Dr. Warner. Motion carried.

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Wayne D Ellenbecker, OD, Chair

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Raymond C Goodman, OD

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Aaron J Warner, OD

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Joy E Johnson, OD

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William Von Tagen

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Tana Cory, Bureau Chief