

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

Board Meeting Minutes of 9/10/2018

BOARD MEMBERS PRESENT: Raymond C Goodman, O.D. - Chair
Aaron J Warner, O.D.
Joy E Johnson, O.D.
Lance William Fagan, O.D.
William von Tagen

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Joan Callahan, Legal Counsel
Cesley Metcalfe, Technical Records Specialist II

OTHERS PRESENT: Anne Lawler, Idaho Board of Medicine
Ken McClure, Idaho Medical Association
Molly Steckel, Idaho Medical Association
Alex Adams, Idaho Board of Pharmacy
Hnin Khin, Idaho Board of Pharmacy
Randy Andregg, Idaho Optometric Physicians
Kris Ellis, Idaho Optometric Physicians

The meeting was called to order at 9:06 AM MDT by Raymond C Goodman, O.D.

APPROVAL OF MINUTES

Dr. Fagan made a motion to approve the minutes of July 23, 2018 and August 30, 2018. It was seconded by Dr. Warner. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The deadline to submit legislative ideas to the Governor's Office was July 13, 2018 and the deadline to submit proposed law and rule changes to the Governor's Office was August 17, 2018 for the 2019 Legislative Session. The Board was granted an extension to September 10, 2018 to submit proposed legislation.

INTERIM COMMITTEE: OCCUPATIONAL LICENSING & CERTIFICATION LAWS COMMITTEE

The Occupational Licensing & Certification Laws Committee had set a meeting for Tuesday, August 7, but Ms. Cory received notice that the meeting was cancelled. Ms. Cory said that she reviewed the legislative calendar and it does not appear as though another meeting has been scheduled yet.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$87,084.16 as of August 31, 2018.

INVESTIGATIVE REPORT

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

FOR BOARD DETERMINATION

Dr. Fagan made a motion to approve the Bureau's recommendation and authorize closure in cases I-OPT-2018-30, I-OPT-2018-31, and I-OPT-2018-40. It was seconded by Dr. Warner. Motion carried.

Dr. Johnson joined the meeting.

Dr. Johnson made a motion to authorize closure in case I-OPT-2018-34 and refer the case to the Idaho Board of Medicine. It was seconded by Dr. Fagan. Motion carried.

OLD BUSINESS

The Board reviewed the To Do List and no action was taken.

Mr. von Tagen joined the meeting.

PROPOSED LEGISLATION

The Board recognized the interested parties in attendance and invited them to provide an update to the Board on their respective recent meetings.

Kris Ellis from the Idaho Optometric Physicians requested that the Board delay submission of the proposed legislation for one year while the Association continues to work with interested parties on the scope of practice.

Ann Lawler from the Idaho Board of Medicine stated that during its recent meeting the Board determined it was not in favor of an expanded scope of practice for optometrists.

Ken McClure from the Idaho Medical Association stated that the Association does not support the proposed scope of practice.

Alex Adams from the Idaho Board of Pharmacy did not offer an opinion on the proposed legislation.

The Board discussed options on how to proceed with the proposed legislation. Dr. Warner made a motion to delay submission of the proposed legislation pending the scope of practice being worked out. After further discussion, Dr. Warner amended his motion to include direction for subcommittee members to continue working with interested parties on the scope of practice. It was seconded by Dr. Fagan. Motion carried.

The Board directed Bureau staff to add a review of law and rule processes to the To Do List as an agenda item for the next meeting.

NEW BUSINESS

NOTIFICATION TO LICENSEES

The Board stated that since no legislation will be proposed for the next legislative session, there is no need to send notification to licensees. No action was taken.

TAKING IT EASY IN COMMITTEES AND SMALL BOARDS

The Board reviewed the document *Taking it Easy in Committees and Small Boards* and discussed what changes can be made to the Board processes but still adhere to the Open Meeting Law. The Board determined that the changes it wishes to make, such as the Board Chair being able to make motions, are acceptable and within the legal parameters.

CORRESPONDENCE

The Board reviewed correspondence from the Louisiana State Board of Optometry Examiners and the Kentucky Board of Optometric Examiners regarding their scopes of practice. The Board directed Bureau staff to forward future like correspondence on this topic to the Idaho Optometric Physicians (IOP).

The Board Chair asked the Board if there were any other correspondence items it had questions on or wanted to discuss. There were no questions and no discussion on correspondence from the Accreditation Council on Optometric Education (AOE) or the Association of Regulatory Boards of Optometry (ARBO).

The Board reviewed correspondence from an individual wanting to know if the Board requires both the Clinical Skills Exam and the Injection Skills Exam prior to licensure.

The Board directed Bureau staff to send a response stating that the Injection Skills Exam is encouraged, but not required at this time; that the laws and rules are subject to change; and that changes are posted on the Board's website on the Proposed Laws and Rules page.

PROPOSED LEGISLATION

Dr. Johnson made a motion for the subcommittee to work with Ms. Callahan on looking at rules that may need to be changed in response to future proposed law changes.

EXECUTIVE SESSION

Dr. Warner 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 Dr. Johnson. The vote was: Dr. Goodman, aye; Dr. Fagan, aye; Dr. Warner, aye; Dr. Johnson, aye; and Mr. von Tagen, aye. Motion carried.

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

APPLICATIONS

Dr. Fagan made a motion to approve the following pending additional information and review by a Board Member or the Chair:

901035081

It was seconded by Dr. Johnson. Motion carried.

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

OPTA-100455 Nicole Thomas

It was seconded by Dr. Fagan. Motion carried.

NEXT MEETING was scheduled for December 3, 2018 at 9:30 AM MST.

ADJOURNMENT

Mr. von Tagen made a motion to adjourn the meeting at 10:24 AM MDT. It was seconded by Dr. Warner. Motion carried.

Raymond C Goodman, O.D., Chair

Aaron J Warner, O.D.

Joy E Johnson, O.D.

Lance William Fagan, O.D.

William von Tagen

Tana Cory, Bureau Chief