



## OREGON BOARD OF OPTOMETRY

November 3, 2017 Board Meeting

### PUBLIC SESSION MINUTES

**Board Members Present:** Molly Cardenal, OD, President  
Douglas Walker, OD, Vice-President  
Derek Louie, OD  
Renee Klein, Public Member

**Board Staff:** Shelley Sneed, Executive Director  
Melissa Auman, Administrative Coordinator

**Board Legal Counsel:** Lori Lindley, Assistant Attorney General

**Absent:** Steven Tronnes, OD

**CALL TO ORDER:** Dr. Cardenal called the meeting to order at 9:55 a.m., in OTE's downstairs conference room. The Public Session was adjourned at 9:56 a.m. to Executive Session for the purpose of discussing investigations and consultation with legal counsel.

*During Executive Session the Board considered consumer and Board-initiated complaints and investigations as authorized by ORS 192.660(2)(f) and (k), and consulted with legal counsel as authorized by ORS 192.660(2)(h). No official Board action was taken in Executive Session; all Board actions are made in Public Session.*

The Public Session was reconvened at 12:45 p.m.

**MINUTES:** The Board reviewed the minutes of the September 15, 2017 Public Session Board meeting. Dr. Louie made a motion that the Board approve the minutes after putting OD after Rebecca Chown's name. Dr. Walker seconded the motion. The motion carried unanimously by oral vote.

## **RATIFICATIONS:**

**Candidates for Examination and Licensure** - The 2 optometrists listed in elite Board Events for 11/03/17, Section 3.2 (Christina Belter and Adam Shupe) met all the requirements for licensure and were approved by the Executive Director since the last Board meeting.

Dr. Walker made a motion that the Board ratify these actions by the Executive Director regarding licensure made since the last Board meeting. Ms. Klein seconded the motion. The motion carried unanimously by oral vote.

## **ACTIONS ON EXECUTIVE SESSION:**

### **Existing Complaints**

**16-12-01** – This case will be closed with a letter to the doctor.

**2017-15** – This case will remain open.

**2017-16** – This case will remain open with information to be shared with the Medical Board.

### **New Complaints**

**2017-19** – Penalty imposed stands.

**2017-20** – Penalty imposed stands.

Ms. Klein made a motion to ratify the above actions on the Executive Session agenda items. Dr. Louie seconded the motion. The motion carried by unanimous oral vote.

## **EXECUTIVE DIRECTOR'S REPORT:**

Ms. Sneed submitted the following reports and updates to the Board:

- **Accounting/Budget**
  - The Board packet included a memo and financial reports (see elite Board Events for 11/03/17 section 3.1) that detailed the Board's financial position at the end of October 31, 2017. The balance sheet shows that the Board's cash position is nearly \$60,000 less than last year. This number is misleading due to staff vacations and a backlog of recording income. Ms. Sneed estimated that the Board's actual cash balance is closer to \$275,000. The Board's P&L to budget shows about \$20,000 under budget.
  - Dr. Walker asked Ms. Sneed to review the opening of the new checking and CD account at Willamette Valley Bank.
- **Board Activities Report**

Licensing remained stable since this time last year. 80 CE hours have been reviewed since the last Board meeting.

- **Office Update**
  - The office update was included in elite Board Events for 11/03/17 section 3.3. Ms. Lindley said she knew a contact that could help with Spanish translation for posters regarding contact sales and usage.
  - Ms. Klein asked Ms. Sneed about the DAS IT fees going up. Ms. Sneed said current fees are \$134 a month per desktop, which is reasonable she said. However, the database storage fee is \$500 a month. Ms. Sneed said Katie Koba says there is discussion at DAS about combining smaller Boards into a pool and then each Board would be assessed a portion, thus reducing the cost. The decision should be made by January 2018.

**BOARD MEMBER REPORTS:**

**Continuing Optometric Education:**

Dr. Louie brought up a concern about reviewing CE less than 1 hour and asked the Board how do they wanted to handle this type of situation. He has been requiring the same requirements as for a full hour of CE. Dr. Louie said a popular CE course is Thorny Issues which is an MD based program with two to three 20 minute lectures per hour. Participants do not check in or out and the provider does not monitor their attendance. CE reporting is on the honor system. This creates a challenge for auditing the CE Dr. Louie said. Dr. Cardenal said she sees great value in Thorny Issues and would hate to see the program not meet CE requirements because many OD's attend. Dr. Louie asked if the Board wanted him to continue evaluating CE the way he has been doing and if so, how to handle the amount of information the sponsor needs to submit. Ms. Sneed said she is looking into using a drop box for providers to submit each part of the CE information needed and then upload the file once everything is gathered and ready for review. This process will eliminate wasted time in reading, copying and transferring multiple emails back and forth.

**Budget:** Dr. Cardenal had nothing to report.

**Legislative:** Dr. Walker had nothing new to report.

**Administrative Rules:** No discussion as there is no chair at the present.

**Personnel:** Dr. Tronnes was absent so no report.

**PRESIDENT'S REPORT:**

Dr. Cardenal had nothing to report.

**ITEMS FOR CONSIDERATION/DISCUSSION:**

**Board Committee Assignments:** Ms. Klein will take over the Budget committee. Dr. Cardenal will ask Dr. Tronnes if he is willing to oversee Administrative Rules and she will take over Personnel. Dr. Louie and Dr. Walker will continue in their current positions of CE and Legislative Committee Chairs respectively.

**NBEO Part III Update:** The Board received notice from NBEO that in August 2018 the injections part of Part III of the NBEO test will be a separate score from the rest of Part III. Ms. Auman recently had an applicant who questioned if her passing the current NBEO Part III injections portion qualified her for an ATI (Nontopical TPA with injections) license. The Board currently does not take passing the NBEO Part III injections as qualifying for the ATI licensure. The Board discussed the upcoming change in Part III and decided not to make any changes to OBO's rules for ATI licensure now or in August. The Board will continue to accept approved injections courses from already approved optometry schools and Nontopical TPA workshops of at least seven hours for ATI licensure. In addition, an applicant can submit a syllabus from an injections course taken at a school other than the Board approved schools of optometry for review and approval. Ms. Sneed said that any additional approved injection courses will be added to the website.

**Optikal Care:** Ms. Sneed has been getting several inquiries regarding regulations for contact lenses. Ms. Sneed has been communicating that the Board regulates OD's and the FTC regulates contact lenses. The Board was fine with that message to inquiries.

**NEW BUSINESS:**

**“Return to Play”-** The question as to whether optometrists in Oregon were licensed for “Return to Play” concussion assessments was posed to the Board by Dr. Doug Smith. Dr. Smith had been denied purchase of ImPact Tests and was told by ImPact Applications, Inc that optometrists were not qualified medical providers for concussion assessment. Ms. Lindley does not think Oregon has a “Return to Play” statute as to who can assess an athletes return to play. Ms. Lindley questions if a medical doctor should be the one to access and determine instead of an optometrist. Dr. Louie feels that with the appropriate training an optometrist ought to be able to perform concussion assessment. Dr. Louie suggests that Dr. Smith challenge the ruling since midlevel medical providers such as nurse practitioners can currently perform assessments. Dr. Cardenal said that OD's can evaluate strokes so she feels OD's are qualified to evaluate concussions. Dr. Walker suggested sending the issue on to OOPA for more investigation and possible protocol. Ms. Sneed will send a letter to Dr. Smith stating that the Board will work as a team with OOPA to investigate and gather more information.

**FUTURE MEETINGS:**

- Friday February 2, 2018
- Friday May 11, 2018
- Friday August 3, 2018
- Friday November 2, 2018

**ADJOURNMENT:** There was no further business to come before the Board, and President Cardenal adjourned the meeting at 1:50 p.m.

Minutes prepared by:



Melissa Auman  
Administrative Coordinator

Approved by:



Shelley Sneed  
Executive Director