



OREGON BOARD OF OPTOMETRY

August 3, 2018 Board Meeting

PUBLIC SESSION MINUTES

Board Members Present:

Douglas Walker, OD, President
Derek Louie, OD, Vice-President
Molly Cardenal, OD
Steven Tronnes, OD
Renee Klein, Public Member

Board Staff:

Shelley Sneed, Executive Director
Melissa Auman, Administrative Coordinator

Board Legal Counsel:

Lori Lindley, Assistant Attorney General

Others in Attendance:

Ami Halvorson, OD, Salisa Williams, OD

Attendance via Conference Call: Scott Walters, OD, Amand Tasripin, OD, Lauren Hunt, OD, Michael Olma, OD, Rick Letherer, OD, Deanna Lydick, OD

CALL TO ORDER: Dr. Walker called the meeting to order at 9:00 a.m., in OTE's downstairs conference room. The Public Session was adjourned at 9:01 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 12:36 p.m.

MINUTES: The Board reviewed the minutes of the May 11, 2018 Public Session. Dr Cardenal made a motion that the Board approve the minutes as presented. Dr. Louie seconded the motion.

There was no discussion and the Board made no changes or additions to the minutes. The motion carried unanimously by oral vote.

RATIFICATIONS:

Reactivation and Reinstatements – The following actions were approved by the Executive Director or the Board President since the last meeting of the Board:

- **Reinstatement to Inactive Status** – None
- **Reinstatement to Active Status** – Borbidge, Jamy V., OD
- **Reactivate Inactive to Active Status** – Thanos, Crystal, OD

Candidates for Examination and Licensure - The 36 optometrists listed in elite Board Update 3.2 for 8/3/18 met all the requirements for licensure and were approved by the Executive Director since the last Board meeting.

Dr. Tronnes 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:

2017-15 – This case will remain open.

2017-16 – This case will remain open.

2017-26 – This case will be closed.

2018-06 – This case will be closed.

2018-13 – This case will be closed with letters to both parties.

New Complaints:

2018-14 – This case will be closed with letters to both parties.

2018-15 – This case will be closed with no optometric error.

2018-16 – This case will remain open.

2018-17 – This case will remain open while waiting for more documentation.

2018-19 – This case will be closed

2018-20 – This case will be closed with a stipulated order.

2018-21 – This case will be closed.

2018-22 – This case will be closed.

2018-23 – This case will be closed.

2018-24 – This case will be closed.

2018-25 – This case will be closed.

Dr. Cardenal made a motion to ratify the above actions on 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, elite Financial Report 3.1, that detailed the Board's financial position at the end of June 30, 2018. The balance sheet shows that our cash position is \$55,000 less than last year. As budgeted, the cash was used to fund the net loss in the current biennium. The Board continues to have about a year's worth of capital reserves despite the projected net loss for the 2017-19 biennium. The overall net loss for the biennium to date was \$57,000. Ms. Sneed stated the Board still has the \$200,000 CD and the goal is to keep it invested for the full 13 months to maximize income.

- Ms. Sneed is watching the checking account closely due to the deficit. She says the Board is operating close to the break-even point monthly. Dr. Walker asked about controlling the DAS fees. Ms. Sneed feels there is little chance of lowering the fees.

- **Board Activities Report**

Inactive status licensees are going down. As of July 27, 2018, there was one reinstatement, one reactivation and 36 new licensees. Ms. Sneed shared the fact that OSP had a delay in processing LEDS background checks, which in turn delayed a couple of applicant's applications from being completed in a timely manner. In regards to CE audits, there was one licensee in May who did not respond timely and will receive a penalty.

- **Office Updates**

The office update was included in elite 3.3 for 8/3/2018. Ms. Sneed completed an Affirmative Action statement per the Governor's office. Dr. Tronnes inquired about the scanning project. Ms. Sneed said it takes about an hour to scan a file. Ms. Sneed will check on getting someone to scan files while she does quality control checks.

PUBLIC COMMENT PERIOD:

CE for ASCRS Conference – Amy Halvorson, OD and Salisa Williams, OD presented information regarding the ASCRS American Society of Cataract & Refractive Surgery conference to apply for CE credit. Currently it is not approved for Oregon optometry CE. Dr. Halvorson stated that the format of this conference is different from most optometry conferences.

The format is rapid-fire speakers every 7-10 minutes. Due to the length of the conference and the Board's CE requirement of CV's for each speaker, this would equate to about 150 CV's needed to review for all the speakers at the conference. Dr. Halvorson handed out the accreditation requirements that ASCRS puts their speakers through.

Dr. Williams said this conference is very similar to Devers' Thorny Issues conference, which has been accepted by the Board in the past. Thorny Issues does not offer COPE credit and neither does the ASCRS. Drs. Halvorson and Williams would like the Board to consider approving this yearly conference for CE.

Dr. Louie commented on the Board's current CE requirements, saying that the challenge for him as CE reviewer has been to apply the same rules for approval to everyone. He feels ophthalmologists should not be put in a different category than optometrists. Optometry CE requirements are more rigid than MD requirements/accountability for ophthalmologists. Dr. Louie has talked with the sponsors of Thorny Issues about meeting the higher standards of CE for OD's.

Dr. Cardenal said that a few state boards do accept CME credits. She said there is talk within ARBO of making COPE & ACCME equivalent. She asked if the Board should consider a rule change to accept CME's also. Dr. Walker said that the Board will continue to look at the rules and discuss if there are different ways to interpret them. Ms. Sneed will contact ARBO and other state Boards to see how they are handling this subject of CE vs. CME.

COMMITTEE REPORTS:

Continuing Optometric Education:

The continuing education offerings approved since the last meeting were presented to the Board in elite 5.1 for 8/3/18. Dr. Louie also asked the Board to approve the injections course OPTO 1700 from Midwestern University to satisfy the requirement for ATI injections status for new licensees. Dr. Tronnes made a motion that the Board approve the course. Dr. Cardenal seconded the motion. There was no discussion. The motion carried unanimously by oral vote.

OOPA requested approval to video their in-person CE presentations and post for online CE credit. Ms. Sneed asked Dr. Louie that if a course is approved in-person, is it automatically approved for online. Dr. Louie said in his opinion it would be if the online course included a pre and post-test. Ms. Sneed will list both in-person and online course separately on the OBO website.

Budget:

Ms. Sneed asked the Board for approval of the budget that included proposed fee increases as of 1/1/2019. The fee to renew will increase from \$325 to \$375 for active licensees and from \$100 to \$125 for inactive licensees. The proposed rule change, see elite 5.1, also increases other licensing fees. Ms. Sneed said that the last time there was a change in fees was when Nancy DeSouza was Executive Director. At that time, the Board elected to drop the charge for additional locations. Dr. Cardenal stated that there was no licensing increase at that time. Dr. Tronnes made a motion to adopt the rules to adopt the budget amendment rule with the increases the fee structure as stated in elite 5.1 for 8/3/2018. Ms. Klein seconded the motion. The motion carried by unanimous oral vote.

Dr. John Rickman submitted a public comment suggesting the Board change licensing renewal to every 2 years. Dr. Louie was opposed to the idea as he felt it would create audit problems. Ms. Sneed stated with licensing only being every two years we may need to take a staff person to half time. Ms. Klein felt the fee increases that will be enacted in January 2019 will

ARBO 2018 annual meeting minutes: This item was informational only. Dr. Cardenal suggested that a Board member and the Executive Director go to the 2019 annual ARBO meeting. Ms. Sneed will wait to see what the attendance incentives will be and the Board will discuss as it gets closer.

OD's Referrals for OT: An optometrist inquired of the Board if they can refer a patient to occupational therapy. Dr. Cardenal and Dr. Louie do not see this as an issue. Dr. Cardenal said that it is a patient's responsibility to must make sure their insurance covers the cost.

NEW BUSINESS:

NBEO Part III: This item was information only.

2019-21 Diversity & Inclusion/Affirmative Action Statement approval: The Governor's office suggested the Board work with OOPA to do some high school outreach to create interest in the field of optometry and explain educational requirements. Dr. Louie made a motion to approve the Affirmative Action Statement. Dr. Cardenal seconded the motion. The motion passed unanimously by oral vote.

Continuity of Operations Plan approval: Dr. Louie made a motion to approve the plan. Ms. Klein seconded the motion. The motion passed unanimously by oral vote.

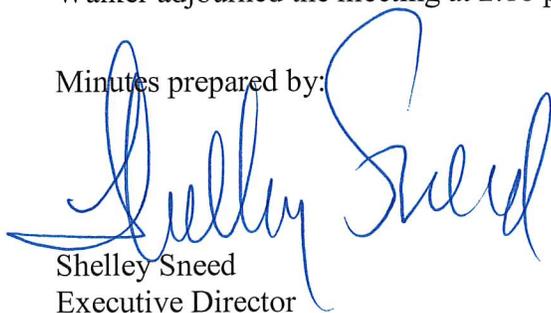
Return to Play: Ms. Sneed asked the Board if they wanted to revisit the matter of "Return to Play" which was brought up about 9 months ago at a Board meeting. Dr. Walker thinks it would take a special certification for an optometrist. Dr. Louie feels it might create a greater liability for an optometrist. The consensus was that the matter needed no further discussion at this time.

FUTURE MEETINGS:

- November 8, 2018 at the OTE Conference Room in Salem

ADJOURNMENT: There was no further business to come before the Board, and President Walker adjourned the meeting at 2:18 p.m.

Minutes prepared by:


Shelley Sneed
Executive Director

Approved by:


Douglas Walker, OD
President