



OREGON BOARD OF OPTOMETRY

May 19, 2017 Board Meeting

PUBLIC SESSION MINUTES

Board Members Present: Molly Cardenal, OD, President
Douglas Walker, OD, Vice-President
Derek Louie, OD
Steven Tronnes, OD

Board Member Absent: Catherine Webber, Public Member

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

Board Legal Counsel: Lori Lindley, Assistant Attorney General

Others in Attendance: Janet Baker, Oregon Optometric Physicians Association (OOPA),
Renee Klein

CALL TO ORDER: Dr. Cardenal called the meeting to order at 9:07 a.m., in OTE's downstairs conference room at 1500 Liberty St SE, Ste 150, Salem, Oregon. The Public Session was adjourned at 9:08 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 12:27 p.m.

MINUTES: The Board reviewed the minutes of the February 10, 2017 Public Session and the April 25, 2017 Board meeting held via conference call. Dr. Tronnes made a motion that the Board approve the minutes as presented. Dr. Walker 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/Reactivation of license:
 - Reactivate Inactive to Active Status –
 - Shauna Harbison, OD
 - Douglas Crotty, OD
 - Brian Chow, OD

Candidates for Examination and Licensure - The 4 optometrists listed in Attachment P-B 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. Dr. Louie seconded the motion. The motion carried unanimously by oral vote.

ACTIONS ON EXECUTIVE SESSION:

16-12-01-- This case will remain open and the Board will continue to monitor the case. Dr. Louie will continue to review CE materials

16-12-03-- This case will be closed.

17-03-01-- Littlefield, Susan. The Board approved Ms. Sneed signing a Stipulated Order and assessing a \$250 penalty for lapsed CPR audit.

4-2017-- This case will be closed. No action to be taken as this was a fee dispute.

5-2017-- This case will be closed.

6-2017-- This case is informational only at this time. No action will be taken.

7-2017-- This case will be closed with a letter of concern to the doctor with recommendation that he review protocols for billing. Ms. Sneed will also send a letter to the patient informing them that the VSP charges were reversed and the OD can bill their medical insurance when appropriate and the Board found that this was an appropriate case.

8-2017 – This case will remain open. Ms. Sneed will confer with the Medical Board as to what constitutes the practice of acupuncture.

9-2017 – This case will be closed with letter of concern to the doctor regarding his communication skills. No optometric error was found.

10-2017 – Ogata, Daniel. The Board approved Ms. Sneed signing a Stipulated Order and assessing a \$250 penalty for lapsed CPR audit.

Monitored Cases

14-07-02 – Hoyt, K. No new information on this case.

16-03-03, 04, 05 – Biggar, David. This case will remain open. The Board approved Ms. Sneed to send a certified letter to the OD reminding him of his requirements as stated in the consent order and to reply within 14 days. The Board also approved Ms. Sneed to send a certified letter to Dr. Conti requesting a written treatment plan for said OD.

Other:

Introduction of Renee Klein, new public Board member approved by the Governor and Senate confirmed. Ms. Klein's term will start June 1, 2017.

CORRESPONDENCE:

The Board reviewed the ARBO Greensheet Newsletter. No decisions were made – the newsletter was informational.

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 (attachment P-D) that detailed the Board's financial position at the end of April 30, 2017. The Board has \$1,355 more revenue than the previous period to date. The Board had a net loss of \$38,713 more than the previous period. Overall net income compare to the budgeted net loss is \$57,000 less. The Board's cash position is nearly \$40,000 less than the previous year, due to the net loss. The Board continues to maintain nearly 12 months of operating reserves.
- **Board Activities Report**

Licensing at the end of January 2017 was 1,239, which is lower than typical months. Seven new licenses were issued since September 1, 2016 by examination. At the end of January 2017, 14 complaints were carried over and pending.
- **Office Updates**
 - The office update was included as attachment P-F. Ms. Sneed discussed the Discipline Search function in elite. Ms. Sneed had taken off the alphabetical list of complaints from the system and discipline could be found by searching a licensee by name. Credentialing organizations look up new discipline, not just one OD name. Ms. Sneed will work with our OBO vendor for a solution.

- The new Oregon Health Authority survey fee was scheduled to begin July 1, 2017 but has started now with July renewals which were sent out the middle of May.
- Celina Rowley, our temporary employee, has been scanning and attaching documents to the elite system. Original records are being shredded on site after being verified.

BOARD MEMBER REPORTS:

Continuing Optometric Education: Dr. Louie is continuing to streamline the CE review process and attempting to bring review more in line with COPE guidelines.

Budget: There was no report at this time.

Legislative: Dr. Walker had no report at this time. Janet Baker reported that through a lot of hard work by many organizations, the word “dental” was inserted into the Telehealth bill so it only pertains to the dental profession now.

Administrative Rules: Ms. Webber absent – no report.

Personnel: There was no report at this time.

PRESIDENT’S REPORT:

There was no report at this time.

ITEMS FOR CONSIDERATION/DISCUSSION:

- OR Public Records Project & Fee schedule – P-H provides an overview of the new state policy for public records and fees. The Governor wants standardization of fees and expected processing times to fill public record requests. OBO proposed rule changes to follow DAS policies.
- OHA survey was reviewed to see what gathered data looks like when reported.
- Two additional elite modules were presented for consideration. The first was a Board Meeting module which eliminates the need for email or gmail correspondence to Board members prior to board meetings. It will save on staff time and put all meeting information in one central repository. Ms. Sneed can load information as it comes in in preparation for Board meeting. One time cost of \$4,000 and will be included in the current monthly maintenance fee. The second module is an online application module which would replace paper license applications. A new licensee would start the application process and pay online. OBO would still require transcripts, license verifications, NBEO scores and other current requirements. This module would help eliminate a lot of paper gathering which we are trying to reduce currently by scanning files and disposing of unnecessary paper copies. One time cost would be \$5,000 and take 2-3 weeks to implement. Maintenance included in current monthly maintenance fee.
 - Dr. Louie asked about what this would do to the budget. Ms. Sneed said we were under budget this year and feels now is a good time to purchase the upgrades.
 - Dr. Walker made a motion to implement both modules. Dr. Louie seconded the motion. No opposed.

- Scanning Project – Currently a temp here until the end of the month is scanning licensee files. This is costing time and money. The goal is to reduce paper files and storage space. Ms. Sneed explained that she feels we need to scan all information in current licensee files to show a complete application file for each licensee. Once a file is scanned, Ms. Sneed said only the original application, original transcripts, NBEO scores and the Oregon law exam score is retained. The Board questioned the current retention timeline and Ms. Sneed said she will look into the records retention rules to see if they can be streamlined.
- Dr. Cardenal proposed a rule change to delete the word “original” in CE certificate submission in current rules to allow for OE Tracker and legible copies of CE certificates for CE requirement. Ms. Sneed will work on rule language and file a rule change to be approved at next meeting. Dr. Louie asked if our system could pull the CE information from the OE tracker like some other states can do. Ms. Sneed will ask our vendor if elite has the capability to do this and how much.
- Brian Nguyen, OD – OD requested to be licensed without passing TMOD. Letter to be sent stating that the Oregon Optometric rules require an OD to pass the TMOD in order to practice optometry in Oregon.

ITEMS FOR BOARD ACTION:

- Approved to update the Delegated Authority letter to allow Ms. Sneed, Executive Director, to sign Stipulated Agreements for CE/CPR audits and also to move money between accounts. Board would ratify agreements at the next meeting. Any disputed cases would be held for Board review until next meeting. Dr. Tronnes made a motion to update the Delegated Authority letter. Dr. Louie seconded the motion. The motion carried unanimously by oral vote.
- Approve contract with CPA for financial review to look at our systems and processes. Ms. Sneed feels this is more helpful than just an audit especially with OBO instituting the new elite system. Dr. Walker made a motion to approve the contract. Dr. Louie seconded the motion. The motion carried unanimously by oral vote.

UNFINISHED BUSINESS: There was no unfinished business before the Board.

OTHER BUSINESS:

- AGG Lindley has a conflict with the September 8, 2017, meeting date. Reschedule Board meeting to September 15. The Board will keep the November 3rd meeting on the books with the possibility of turning into a phone meeting.

FUTURE MEETINGS:

- November 3rd in the OTE conference room or via conference call.

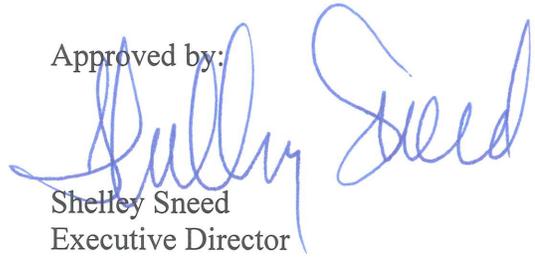
ADJOURNMENT: There was no further business to come before the Board, and President Cardenal adjourned the meeting at 1:59 p.m.

Minutes prepared by:



Melissa Auman
Administrative Coordinator

Approved by:



Shelley Sneed
Executive Director