



## OREGON BOARD OF OPTOMETRY

February 2, 2018 Board Meeting

### PUBLIC SESSION MINUTES

**Board Members Present:** Molly Cardenal, OD, President  
Douglas Walker, OD, Vice-President  
Derek Louie, 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:** Joel Tuttle, OD, Treasure Wheeler, OD, Gary Wheeler, OD

**Attendance Via Conference Call:** Bruce Parker, OD, Fraser Horn, OD, Carrie Breeden, OD,  
Megan Ebel, OD, Lauren Hunt, OD

**CALL TO ORDER:** Dr. Cardenal called the meeting to order at 9:01 a.m., in OTE's downstairs conference room. The Public Session was adjourned at 9:02 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 November 3, 2017 Public Session. Dr. Walker made a motion that the Board approve the minutes as presented. Ms. Klein 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.

**Continuing Education Committee Report:** The agenda was moved around to accommodate Dr. Louie's report as he needed to leave the meeting early. OOPA made a request that the Board comment regarding their submitting video recorded CE. Dr. Louie has no concern as long as CE requirements are met. He stated that he prefers that both a pre and post test be given but that the CE needs at least a post test. Dr. Walker summed up the discussion that the Board will tell OOPA that the Board is open to their submitting video recorded CE and to submit their format with at least a post test for review.

**Public Comment:** No comments.

### **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 2/2/2018 section 3.1) that detailed the Board's financial position at the end of December 31, 2017. The Board has nearly the same revenue as last year. The Board has an overall net loss of \$11,937 for the fiscal year to date. This is nearly the same as last year. The Board's cash position is nearly \$40,000 less than the previous year. The cash was used to fund the net loss in the current fiscal year. The Board continues to maintain nearly 12 months of operating reserves.
  - Dr. Walker asked if there was any more information regarding DAS IT costs. Ms. Sneed said there is no definite answer from DAS yet.
  
- **Board Activities Report**
  - Licensing as of 1/26/2018 was 1,199. There is no information in the system to compare to January of last year as the Board had just started using elite. There should be data for comparison starting with February. Nine new licenses were issued by examination. There was one reinstatement to active status and one reactivation from inactive to active status. At the end of January 2018 there were 8 new complaints, 2 former open complaints and 2 monitored cases. Ms. Sneed added three new categories of lapsed, retired and deceased for information purposes. Dr. Louie reviewed and approved 48.5 CE hours.

### **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 – Brooks Alldredge, OD**
- **Reactivate Inactive to Active Status – Ann Woods, OD**

**Candidates for Examination and Licensure** - The 9 optometrists listed in elite Board Events for 2/2/2018, Section 3.2 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. Dr. Walker seconded the motion. The motion carried unanimously by oral vote.

▪ **Office Updates**

- The office update was included in elite Board Events 2/2/18 Section 3.3. In addition, Ms. Sneed informed the Board that currently PERS fees are paid entirely by the employer including a 6% match. In the near future there will be a 6.95% pay increase for employees and then employees will pay the 6% to PERS. This action will have budget implications for the Board.

**ACTIONS ON EXECUTIVE SESSION:**

**New Complaints**

2017-15 – This case will remain open. No new information.

2017-16 – This case will remain open and the Board will refer case to the Medical Board.

2017-21 - This case will be closed as no optometric error was found.

2017-22 - This case will remain open. A follow up investigation will be done in the next several months.

2017-23 – This case will be closed with a letter of caution to the doctor.

2017-24 – This case will remain open with a request that the doctor attend the next Board meeting.

2017-25 – This case will remain open with a request that the doctor attend the next Board meeting.

2017-26 – This case will remain open.

2018-1 – This case will be closed.

**Monitored Cases**

14-07-02 – The Board proposed an amendment to the consent order to remove restrictions on the doctor's license.

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

### **BOARD MEMBER REPORTS:**

Before committee reports, Dr. Cardenal stated that the Board bylaws state that new Board officers are to be elected at the first board meeting of the year. Since Dr. Louie was not present Dr. Cardenal decided to postpone elections until the next meeting.

**Continuing Optometric Education:** Dr. Louie gave report earlier. See notes above.

**Budget:** There was no budget committee report made.

**Legislative:** There was no legislative committee report made.

**Administrative Rules:** No discussion. Ms Sneed said there needs to be some rewording and review of some rules and she will work with Dr. Tronnes on that.

**Personnel:** No discussion

### **ITEMS FOR CONSIDERATION/DISCUSSION:**

**Return to Play** - Discussed at last meeting and Ms. Sneed was waiting to see what OOPA was going to decide. Janet Baker of OOPA is leaving for a new job and so Ms. Sneed will wait until her position is filled before pursuing an answer from them.

**Renewal CPR Courses** – Dr, Cardenal asked if the Board should be requiring a hands-on CPR course for renewal licensing and was wondering how much staff time is devoted to reviewing CPR courses to see if they meet our requirements. Ms. Auman stated that it had been taking some time to look into each course that an applicant chose off the internet to take and see if it met Board requirements, as a new applicant is required to take a course with both a cognitive and skills or hands-on component. Ms. Sneed said it would alleviate confusion about acceptable courses if applicants/licensees could only choose from CPR courses listed on OBO's website that the Board had already approved.

Dr. Cardenal raised the question as to whether all license renewals should require hands-on certification at time of CPR renewal. Ms. Sneed asked how often any of the Board member OD's had used CPR in their practices. Dr. Tronnes said never. Dr. Treasure Wheeler said never. Ms. Lindley asked what other boards require a hands-on component. Dr. Tronnes suggested the Board look to see what other boards in Oregon and other states require.

**Dr. Cooper Letter Regarding CE Audit** – OD sent a letter with concern about the wording in the CE audit letter sent out by the Board. OD had submitted all 18 hours of required and requested CE and was due for one hour of law/ethics. He had taken the law/ethics course but had failed to print a certificate copy and submit it along with the others, therefore he did not meet the 21-day deadline to submit for the audit. He feels the wording in the audit notice and stipulated order should be changed to reflect the fact that he had completed all the requirements in a timely manner but had neglected to submit the law/ethics certificate.

Dr. Cardenal noted that changing the wording won't affect the penalty. Ms. Lindley stated that it is clearly stated in the order that he failed to submit one certificate. OD should have asked for a change before signing the order. Dr. Cardenal believes there is no need to change the wording and a letter will be sent to OD informing him of that.

**NEW BUSINESS:**

**2015-2017 Financial Review and Proposed Board Response** – The Board is required every two years to have a financial review done by an outside source. Most of the recommendations from the previous review have been implemented. Ms. Sneed said that the main challenge in the current recommendation will be getting the financial information and statistics out of the eLite system. We will work with the vendor on this. Ms. Sneed will have Ms. Klein review the financials before future Board meetings.

**Article on start-ups and the law** – Ms. Sneed shared article regarding Hubble Optical. Board members noted seeing an increase in start-up articles for businesses such as Hubble Optical.

**Dr. Hess Request of Refund of Late Fee** – Dr. Hess did not do business on-line. She sent in an old renewal form with the wrong renewal fee (\$2 short). She was charged a late fee as it was an incomplete renewal. Dr. Hess notified the Board to send correspondence via mail after this issue came up. Ms. Klein asked how many licensees are being sent renewals via mail. Ms. Sneed said there are a few who do not have computers or live in out of the way locations and the Board will send a paper renewal to them. Dr. Hess, however, had an email address on file at the time. She requested the situation be brought before the Board and a refund of the late fee be considered. The consensus of the Board was that there will be no refund.

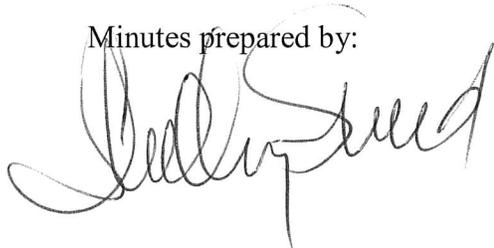
**Old Website** – Dr. Cardenal asked about if the old OBO website is down now. Ms. Sneed said yes, when you go to the old website it will redirect you to the new website. However, Ms. Sneed also said that if you Google the Board then the old site and discipline comes up. Dr. Cardenal said she had a fellow optometrist who Googled her license verification and got into the old website. Ms. Sneed will contact DAS to work on breaking the link to the old website.

**FUTURE MEETINGS:**

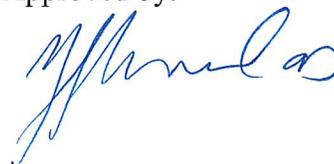
- Friday May 11, 2018
- Friday August 3, 2018
- Friday November 2, 2018

**ADJOURNMENT:** There was no further business to come before the Board, and President Cardenal adjourned the meeting at 1:40 p.m.

Minutes prepared by:



Approved by:



Shelley Sneed  
Executive Director

Molly Cardenal, OD  
President