

South Carolina Department of Labor, Licensing and Regulation (LLR)
Board of Examiners in Optometry
Board Meeting Minutes
May 4, 2016
Synergy Business Park
110 Centerview Drive, Kingtree Building, Room 105
Columbia, South Carolina

Public notice of this meeting was properly posted at the South Carolina Board of Examiners in Optometry, Synergy Business Park, Kingtree Building and provided to all requesting persons, organizations, and news media in compliance with section 30-4-80 of the South Carolina Freedom of Information Act.

BOARD MEMBERS PRESENT:

Dr. Peter V. Candela, President
Dr. James Vaught, Vice President
Dr. Derek Van Veen
Dr. Thomas E. Tucker
Dr. Michelle Cooper
Charles Hill, Public Member
Isaac L. Johnson, Jr., Esquire, Public Member

SCLLR STAFF PRESENT:

Donnell Jennings, Esquire, Office of Advice Counsel
April Koon, Administrator
Missy L. Jones, Administrative Assistant
For IRC Report:
David Love, Chief Investigator, Office of Investigations and Enforcement
Lori Graham, Investigator, Office of Investigations and Enforcement
For ODC Report:
Shanika Johnson, Esquire, Office of Disciplinary Counsel

PRESENT:

Tina F. Behles, Nationally Certified Court Reporter
Eric Bang, OD
Wayne Cannon, OD, IRC Member, LLR
Jackie Rivers, Executive Director, SCOPA
Rick Wilson, RPP
Frank Sheheen, RPP
Maureen Jones, RPP

CALL TO ORDER: At 3:02 p.m. the meeting was called to order by Dr. Candela.

APPROVAL OF AGENDA: A **motion** was made by Dr. Vaught to accept the May 4, 2016 Agenda. The motion was seconded by Dr. Cooper and carried unanimously.

APPROVAL OF ABSENT BOARD MEMBER(S): All Board members were present for this meeting.

APPROVAL OF FEBRUARY 10, 2016 MEETING MINUTES: A **motion** was made by Dr. Vaught to accept the February 10, 2016 minutes as written. The motion was seconded by Dr. Tucker and carried unanimously.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE) REPORT: Ms. Graham presented the OIE Statistical Report. The Board accepted this report as information.

INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT: Mr. Love provided the IRC Report. It was recommended to file a formal complaint on case #2013-11. A **motion** was made by Dr. Vaught to accept the IRC formal complaint recommendations. The motion was seconded by Dr. Van Veen and carried unanimously.

OFFICE OF DISCIPLINARY COUNSEL (ODC) REPORT: Ms. Johnson reported that there were no cases pending in the Office of Disciplinary Counsel.

LEGISLATIVE UPDATE: Mr. Jennings gave a brief presentation of the Eye Care Consumer Protection Law. The Law passed the House on April 27, 2016. It is awaiting the Governor's signature or veto. A **motion** was made by Dr. Tucker for the Board to write a letter to the Governor stating the Board was in support of the bill and requesting she sign it. The motion was seconded by Dr. Vaught and carried unanimously.

NAME WITHHELD – SECTION 40-47-190 CASE 2011-11 REQUEST TO BE RELEASED – CLOSED SESSION: A **motion** was made by Vaught for respondent to be released from his Order. The motion was seconded by Mr. Johnson and carried unanimously.

REPORTS / INFORMATION

- **Licensee Totals Report** – 878 S.C. licensed optometrists; 556 practice in S.C.; 322 practice out-of-state
- **Endorsement Applicant Report** – There were no Endorsement Applicant licenses issued since February 11, 2016 through May 2, 2016.
- **Financial Report** - provided and accepted as information

UNFINISHED BUSINESS

CE BROKER – DYLAN SITTERLE: Mr. Sitterle gave a presentation on the CE Broker program offered by LLR. This was accepted by the Board as information only.

BRANCH OFFICE REGISTRATION FEES: The Board has asked staff to review past minutes and report back to the Board any findings concerning branch offices.

WALL CERTIFICATES: Ms. Koon informed the Board that the request for larger wall certificates could not be granted at this time due to a large overstock of certificate paper already purchased and obtained by the Board.

BOARD CERTIFICATION E-BLAST: A **motion** was made by Dr. Vaught not to send out the e-blast regarding board certification because the law is self-explanatory. The motion was seconded by Mr. Johnson and carried unanimously.

VISION SCREENING INQUIRY: A letter was mailed to The Lion's Club and Walmart explaining the laws of South Carolina pertaining to the practice of Optometry.

NEW BUSINESS

ACCEPTANCE OF ELECTRONIC TRANSCRIPTS: A **motion** was made by Mr. Hill to accept electronic transcripts directly from the educational institute. The motion was seconded by Mr. Johnson and carried unanimously.

TEMPORARY VISION CARE CLINICS – EYEMED: After review, the Board determined EyeMed must follow the laws and regulations pertaining to mobile units.

EYEWEAR RE-USE REGULATIONS: Ms. Koon is to send a letter to Institute for Applied Neurosciences stating that the Board does not have authority over this matter.

ENDORSEMENT APPLICATIONS – EXECUTIVE SESSION: A **motion** was made by Mr. Tucker to go into executive session. The motion was seconded by Dr. Cooper and carried unanimously. A **motion** was made by Dr. Vaught to come out of executive session. The motion was seconded by Dr. Cooper and carried unanimously. A **motion** was made by Dr. Vaught for Dr. Tucker to continue evaluations of endorsement candidates as he has been. The motion was seconded by Dr. Cooper and carried unanimously.

PUBLIC COMMENTS

There were no public comments.

ANNOUNCEMENTS

The next Board meeting is scheduled for July 20, 2016.

ADJOURNMENT

A **motion** was made by Dr. Vaught, seconded by Dr. Tucker, and unanimously carried to adjourn the meeting. Dr. Candela adjourned the meeting at 4:55 p.m.

These minutes are a record of the official actions taken by the Board and a summary of the meeting provided by April Koon, Administrator. Minutes are presented to the Board for final approval.