

**South Carolina Department of Labor, Licensing and Regulation (LLR)**  
**Board of Examiners in Optometry**  
**Board Minutes**  
**June 5, 2013**  
**Synergy Business Park**  
**110 Centerview Drive, Kingstree Building, Room 204**  
**Columbia, South Carolina**

Public notice of this meeting was properly posted at the Board office and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the 1976 South Carolina Code, as amended, relating to the Freedom of Information Act.

**BOARD MEMBERS PRESENT:**

Dr. William W. Spearman, President  
Dr. Thomas E. Tucker, Vice President  
Dr. Derek Van Veen  
Dr. Peter V. Candela  
Dr. James E. Vaught

**BOARD MEMBERS ABSENT:**

Isaac L. Johnson, Jr., Esquire, Public Board Member

**VACANT POSITION:**

Public Member (One)

**SCLLR STAFF PRESENT:**

Sheridon Spoon, Esquire, Office of Advice Counsel  
Angie M. Combs, Administrator  
For IRC Report and OGC Report:  
David Love, Chief Investigator, Office of Investigations and Enforcement  
Serrena Swartz, Investigator, Office of Investigations and Enforcement  
Suzanne Hawkins, Esquire, Office of General Counsel

**OTHERS PRESENT:**

Annie Phelps, South Carolina Department of Motor Vehicles  
Jackie Rivers, S.C. Optometric Physicians Association  
Melissa Wood, O.D., S.C. Optometric Physicians Association  
Gary A. Haygood, Professional Court Reporter, Capital City Reporting

**CALL TO ORDER:** Dr. Spearman called the meeting to order at 3:01 p.m. and declared a quorum.

**APPROVAL OF AGENDA:** Dr. Spearman asked for an approval of the agenda. A **motion** was made by Dr. Van Veen to accept the order of the June 5, 2013 Agenda. The motion was seconded by Dr. Vaught and carried unanimously.

**APPROVAL OF ABSENT BOARD MEMBER(S):** Dr. Spearman asked for approval of absence from the meeting for Mr. Johnson. A **motion** was made by Dr. Candela to approve the absence from the meeting for Mr. Johnson. The motion was seconded by Dr. Vaught and carried unanimously.

**APPROVAL OF MINUTES:** A **motion** was made by Dr. Vaught to accept the February 13, 2013 minutes as written. The motion was seconded by Dr. Tucker and carried unanimously.

**APPROVAL OF MINUTES:** A **motion** was made by Dr. Tucker to accept the April 10, 2013 special meeting minutes as written. The motion was seconded by Dr. Vaught and carried unanimously.

**OFFICE OF INVESTIGATIONS AND ENFORCEMENT REPORT:** Mr. Love presented the Office of Investigations and Enforcement (OIE) Statistical Report. The Board accepted this report as information.

**INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT:** Mr. Love provided the Investigative Review Committee (IRC) Report from their March 21, 2013 meeting. It was recommended to dismiss Case #2013-1. A **motion** was made by Dr. Vaught, seconded by Dr. Van Veen, and unanimously carried to accept the IRC recommendation of dismissal.

**OFFICE OF GENERAL COUNSEL REPORT:** Ms. Hawkins introduced herself as the Board's new prosecutor. It was reported there are no outstanding cases in the Office of General Counsel.

**SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES REPRESENTATIVE:** The Board had extended an invitation for a SCDMV representative to attend a Board meeting to clarify some of the rules and regulations and statutes as it related to vision standards in driving. Ms. Annie Phelps with the Department of Motor Vehicles Procedures and Compliance Administration represented the SCDMV. Discussion ensued. The Board agreed to provide to Ms. Phelps input concerning the current DMV standards and procedures.

## **REPORTS / INFORMATION**

Information was provided concerning the following topics:

- Licensee Totals – there are 787 South Carolina licensed optometrists; 513 practice in South Carolina.
- Branch Registrations – no requests to present.
- Financial Report provided – accepted as information.
- Association of Regulatory Boards of Optometry (ARBO) 2013 Meeting – Dr. Vaught will be attending the ARBO meeting.
- ARBO Southeast Meeting Report was provided by Dr. Van Veen.
- Continuing Education (CE) Course Approval – no courses presented for review.

A **motion** was made by Dr. Tucker to enter into executive session. The motion was seconded by Dr. Van Veen and carried unanimously.

**EXECUTIVE SESSION** (4:10 p.m. – 4:36 p.m.): for legal advice only; no actions or votes were taken.

A **motion** was made by Dr. Tucker to enter back into regular session. The motion was seconded by Dr. Van Veen and carried unanimously.

### **NEW BUSINESS**

**CPT CODE 65778:** A **motion** was made by Dr. Vaught that CPT Code 65778 be approved for use by South Carolina licensees. The motion was seconded by Dr. Van Veen and carried unanimously.

**BOARD MEMBER ELECTIONS:** A **motion** was made by Dr. Candela to review how Board member elections are conducted and create a plan to put in place beginning in 2014; the 2013 election will be conducted as done in the past to include candidate information being available on the Board's website. The motion was seconded by Dr. Vaught and carried unanimously.

### **PUBLIC COMMENTS**

Dr. Spearman thanked the representatives from the S.C. Optometric Physicians Association for attending. No comments were made by the public.

### **ANNOUNCEMENTS**

The next Board meeting will be August 7, 2013 at 3:00 p.m.

### **ADJOURNMENT**

A **motion** was made by Dr. Van Veen, seconded by Dr. Vaught, and unanimously carried to adjourn the meeting. Dr. Spearman adjourned the meeting at 4:45 p.m.

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