

South Carolina Department of Labor, Licensing and Regulation (SCLLR)
Board of Examiners in Opticianry
Board Meeting Minutes
November 17, 2016
110 Centerview Drive, Kingstree Building, Room 204
Columbia, South Carolina

BOARD MEMBERS PRESENT:

Daniel B. Gosnell, Chairman
Keith Hayes, Vice Chair
Grant Brown
Emily Mikell
James L. Rhodes

ABSENT BOARD MEMBERS:

John Hollis Inabinet, Esquire, Public Member

VACANT POSITION:

Public Member (One)

SCLLR STAFF PRESENT:

Stacey Hewson, Esquire, Office of Advice Counsel
April Koon, Administrator
Missy L. Jones, Administrative Assistant
For IRC Report:
Serrena Swartz, Investigator, Office of Investigations and Enforcement

PRESENT:

M. Sean Cary, Court Reporter, Creel Court Reporting, Inc.
Shannon Scott Greene, Licensee
Sarah McMahan, Licensee

Public notice of this meeting was properly posted at the South Carolina Board of Examiners in Opticianry, Synergy Business Park, Kingstree 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. A quorum was present at all times.

CALL TO ORDER: Chairman Gosnell called the meeting to order at 9:01 a.m.

APPROVAL OF AGENDA: A **motion** was made by Mr. Rhodes to accept the November 17, 2016 Agenda. The motion was seconded by Mr. Hayes and carried unanimously.

APPROVAL/DISAPPROVAL OF ABSENT BOARD MEMBER(S): A **motion** was made by Mr. Hayes to approve the absence of Mr. Inabinet. The motion was seconded by Mr. Brown and carried unanimously.

APPROVAL OF MINUTES: A **motion** was made by Mr. Brown to accept the June 30, 2016 minutes as written. The motion was seconded by Mr. Rhodes and carried unanimously.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE) STATISTICAL REPORT: Ms. Swartz provided the OIE Statistical Report; the Board accepted this as information.

INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT: Ms. Swartz provided the IRC Report from the September 21, 2016 IRC meeting. It was recommended to dismiss case #2016-2, case # 2016-3, case #2016-7, case 2016-8, and case #2016-9. A **motion** was made by Mr. Hayes to accept the IRC dismissal recommendations. The motion was seconded by Mr. Rhodes and carried unanimously.

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

REINSTATEMENT OF LICENSE HEARING – SHANNON SCOTT GREENE: A **motion** was made by Mr. Hayes to go into Executive Session to receive legal advice. The motion was seconded by Mr. Rhodes and carried unanimously. A **motion** was made by Mr. Rhodes to come out of Executive Session. The motion was seconded by Mr. Hayes and carried unanimously. A **motion** was made by Mr. Hayes to accept the application for reinstatement upon payment of all fees and approval of Continuing Education hours (20 Optical and 5 Contact Lens) by the approving Board member, Mr. Brown. The motion was seconded by Ms. Mikell and carried unanimously.

APPLICATION HEARING – SARAH MCMAHAN: A **motion** was made by Mr. Brown to go into Executive Session to receive legal advice. The motion was seconded by Mr. Hayes and carried unanimously. A **motion** was made by Mr. Rhodes to come out of Executive Session. The motion was seconded by Mr. Hayes and carried unanimously. A **motion** was made by Mr. Brown to approve Ms. McMahan's apprentice application. The motion was seconded by Mr. Rhodes and carried unanimously.

REPORTS / INFORMATION

Information provided by Ms. Koon concerning the following topics:

- **Licensee Totals Report** – 825 S.C. licensed opticians; 691 opticians practice in S.C.; 134 practice out-of-state, 115 registered apprentices.
- **S.C. Practical Examination** –Twenty-two candidates signed up for the December 5, 2016 S.C. Practical Exam.
- **Financial Report** – presented as information.

NEW BUSINESS

CLARIFICATION OF APPRENTICESHIP PROGRAM COMPLETION: A **motion** was made by Mr. Rhodes to approve the Apprenticeship Program Completion form. The motion was seconded by Mr. Brown and carried unanimously.

EXEMPTION REQUEST FOR FEDERAL INSTALLATION AS A NON-LICENSING STATE: An apprenticeship exemption request was made to the Board for an individual based on the number of years in the Optical field with supervision while working on a federal base. A **motion** was made by Mr. Hayes to deny the exemption request. The individual must complete the apprentice program to become a licensed Optician in South Carolina. The motion was seconded by Ms. Mikell and carried unanimously.

DISPENSING: Mr. Gosnell requested that the Board look into having a basic definition of dispensing glasses.

A **motion** was made by Ms. Mikell to go into Executive Session to receive legal advice. The motion was seconded by Mr. Rhodes and carried unanimously. A **motion** was made by Mr. Hayes to come out of Executive Session. The motion was seconded by Mr. Brown and carried unanimously.

A **motion** was made by Mr. Brown for the Board to work with Advice Counsel to revise the proposed Chapter 38 Bill eliminating Section 40-38-20 (7) lines one through four of the Bill and to change the Board's Position statement from "Dispensing" to "Delivery of contact lenses" and change "medical device" to "contact lenses" within the statement. The motion was seconded by Mr. Hayes and carried unanimously.

2017 BOARD MEETING DATES: A **motion** was made by Mr. Hayes for the 2017 Board Meeting date to be February 16, 2017, June 15, 2017, and October 19, 2017. The motion was seconded by Mr. Rhodes and carried unanimously.

PUBLIC COMMENTS

There were no public comments.

ANNOUNCEMENTS

The next South Carolina Board Examiners in Opticianry Board Meeting will be held February 16, 2017.

The next South Carolina Practical Examination in Opticianry will be administered December 5, 2016, 110 Centerview Drive, Columbia, South Carolina, Kingstree Building, Room 115.

ADJOURNMENT

A **motion** was made by Mr. Rhodes to adjourn the meeting. The motion was seconded by Mr. Brown and unanimously carried. Mr. Gosnell adjourned the meeting at 11:05 a.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.