

**South Carolina Department of Labor, Licensing and Regulation (SCLLR)**  
**South Carolina Board of Examiners in Opticianry**  
**Regular Meeting Minutes**  
**110 Centerview Drive, Room 107, Columbia, South Carolina**  
**December 11, 2008**

Board Members Present:

Daniel B. Gosnell, Chairman  
C. Milton Corley, Jr., Vice Chairman  
William M. Whitlock, Optician  
James L. Rhodes, Optician  
Leonard B. Harrington, Optician

Excused absence:

Debra L. Johnson-Austin, Ph.D., Consumer Member

SCLLR Staff Present:

Angela M. Combs, Board Administrator  
David Love, Chief, Investigations & Enforcement  
George Patterson, Investigator, Investigations & Enforcement  
Janice D. Meetze, Administrative Assistant

Present:

Rita Julian

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**CALL TO ORDER:** The regular session of The South Carolina Board of Examiners in Opticianry was held on December 11, 2008, in Room 107 at 110 Centerview Drive in Columbia, South Carolina. Whereas, proper notice of date, time, place having been properly provided to THE STATE NEWSPAPER and ASSOCIATED PRESS and proper notice also having been posted at the LLR Office Building 24 hours prior to the time scheduled for the hearing and a quorum having been determined, Chairman Gosnell called the meeting to order at 12:40 p.m.

**APPROVAL OF AGENDA:** Motion was made by Mr. Whitlock and seconded by Mr. Rhodes to approve the agenda. The motion carried.

**APPROVAL OF MINUTES:** Motion was made by Mr. Corley and seconded by Mr. Whitlock to approve the June 5, 2008 minutes as written. The motion carried.

**CHAIRMAN'S REMARKS:** Chairman Gosnell suspended the order of the agenda to allow for the Investigative Review Committee Report to be presented. Chairman Gosnell reserved further remarks within the context of the meeting.

### **INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT**

Mr. Love stated that Case #2007-11 went before the Investigative Review Committee (IRC) on December 9, 2008. Investigator George Patterson gave a summary of his findings and stated that the IRC recommended dismissal of the case. **Motion:** A motion was made by Mr. Whitlock and seconded by Mr. Corley to dismiss the case. The motion carried.

*Ms. Julian, Mr. Love, and Mr. Patterson departed the meeting at 12:50 p.m.*

**Motion:** Chairman Gosnell made a motion to appoint Ray Sansbury, former Board member, as the Investigative Review Committee professional member. The motion was seconded by Mr. Whitlock. The motion carried.

**File Review Fee for Services:** Ms. Combs stated that occasionally the IRC will need a professional outside of an IRC member to review a patient file or information gathered during an investigation; the Board was asked to determine a fair hourly rate of compensation when such services are rendered. **Motion:** Mr. Harrington made a motion to pay \$75.00 per hour for file review. Mr. Corley seconded the motion. The motion carried.

### **ADMINISTRATIVE REPORTS / INFORMATION**

Ms. Combs reported licensee totals to be 485 licensed opticians and 210 licensed contact lens dispensers for a total of 695 licensees; 85 apprentices are registered. Board meeting and examination dates for 2009 were provided. There are two complaints under investigation and one pending investigation.

**South Carolina Practical Examination in Opticianry** was administered by Mr. Lee Carter to 21 of the 22 scheduled candidates preceding the Board meeting.

The **National Committee of State Opticianry Regulatory Boards** meeting is scheduled to be held January 30-31, 2009 in New Orleans, Louisiana; due to budget constraints the Board decided to forgo sending a member to this meeting.

**SECO continuing educational courses** have been received for review. All courses complying with the Board's CE Policy are approved.

**Board Member Appointment:** Mr. Whitlock was congratulated upon being reappointed to a second Board term that expires September 13, 2012.

**LLR Reorganization:** Ms. Combs informed the Board that a Licensure and Compliance Division has been created as a result of an agency restructure. Basic renewal and licensing functions will be transitioned to the newly formed group at a future date; any questionable applications will be referred to the board administrator. Ms. Combs reported that she has been assigned an additional program, South Carolina Panel for Dietetics, and Mr. Rion Alvey has been appointed Assistant Deputy Director of the Office of Health and Medical Professions.

With the signing of the S.C. Illegal Immigration Reform Act on June 4, 2008, LLR has been given the task of investigating companies for compliance that will require employers to verify legal status of employees beginning in 2009. Training sessions have been scheduled at technical colleges across the state in December and January to help employers know how to comply with the new state immigration law. A Web site [www.llr.state.sc.us/immigration](http://www.llr.state.sc.us/immigration) is available to assist employees, employers, and others affected by the law.

### **UNFINISHED BUSINESS**

None to address.

### **NEW BUSINESS**

**Board Members Role in Practical Examination:** Ms. Combs stated that a discussion was held during a national meeting concerning issues that may arise when Board members participate in licensure examinations; it was duly noted that in South Carolina, Board members are not involved in any process that determines a candidate's grade.

**Apprenticeship Sponsor's Responsibility:** There was a discussion regarding supervision of an apprentice as it pertains to the sponsor. The Board concurred that an apprentice must work a minimum of 32 hours a week and be sponsored by an optician, optometrist, or ophthalmologist that practices at the same work location of the apprentice.

**Registration of Optical Business:** Ms. Combs stated that Regulations stipulate that every optical business must be registered with the Board within ten days of the opening date by the licensed optician; the registration is to be kept current. Ms. Combs suggested including registration forms with information sent to new licensees. The Board stated it would be at the discretion of the Administrator to begin that practice.

**Internet Spectacle Purchase and PD Measurement:** Previous discussion was reiterated that once a PD measurement has been taken, the optician is responsible for the measurement information provided. However, the optician has the right to refuse to provide requested information.

### **ANNOUNCEMENTS**

The next general Board meeting will be held Sunday, January 18, 2009, at the Embassy Suites, Columbia, South Carolina.

The next South Carolina Practical Examination in Opticianry will be held Thursday, June 4, 2009, 8:30 a.m., Rooms 115 and 107.

There being no further business, Chairman Gosnell adjourned the meeting at 1:21 p.m.

Meeting recorded and minutes transcribed by Janice D. Meetze, Administrative Assistant.  
Reviewed and respectfully submitted by Angie M. Combs, Administrator.