

South Carolina Department of Labor, Licensing and Regulation (LLR)
South Carolina Board of Examiners in Opticianry
Regular Meeting Minutes
December 6, 2010
Synergy Business Park
110 Centerview Drive, Kingstree Building, Room 105
Columbia, South Carolina

BOARD MEMBERS PRESENT: Daniel B. Gosnell, Chairman
C. Milton Corley, Jr., Vice Chairman
James L. Rhodes
Margie L. Chapman
William M. Whitlock

CONSUMER MEMBERS (2): Positions Vacant

SCLLR STAFF PRESENT: David Love, Investigations and Enforcement
Tracey McCarley, Education Coordinator
Sharon A. Dantzler, Office of General Counsel
Angela M. Combs, Board Administrator
Janice D. Meetze, Administrative Assistant

PRESENT FOR HEARING: Morgan Fralick, III, Optician License #547/Lapsed
William Isgett, Optician License #276/Lapsed
Terri A. Winiarski, Certified Court Reporter

CALL TO ORDER: The regular session of the South Carolina Board of Examiners in Opticianry was held December 6, 2010, 110 Centerview Drive, Kingstree Building, Room 105, Columbia, South Carolina. At least twenty-four hours prior to the scheduled meeting time, public notice was properly posted at the Board's office and provided to requesting persons, organizations, and news media in compliance with Section 30-4-80 of the 1976 South Carolina Code, as amended, relating to the Freedom of Information Act. After a quorum having been determined, Chairman Gosnell called the meeting to order at 9:05 a.m.

APPROVAL OF AGENDA: Motion was made by Mr. Corley and seconded by Mr. Whitlock 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 7, 2010 minutes as written. The motion carried.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT REPORT

Mr. David Love, Chief of Investigations and Enforcement, reported that in calendar year 2009 the Office of Investigations and Enforcement (OIE) received, investigated, and closed nine (9) cases. For the calendar year beginning January 1, 2010 through December 3, 2010, OIE received five (5) complaints, of which three have been closed and two remain active.

Mr. Love departed the meeting at 9:08 a.m.

**REINSTATEMENT APPLICATION HEARING
WILLIAM ISGETT, OPTICIAN LICENSE #275/LAPSED**

The reinstatement application hearings were conducted by the Board and recorded and transcribed by Terri A. Winiarski, Certified Court Reporter.

The following is provided for information only:

EXECUTIVE SESSION

Motion: A motion was made that the Board be recessed to go into executive session to discuss the reinstatement application of William Isgett, Optician #275/Lapsed. The motion received a second. The motion carried and the meeting was recessed at 9:15 a.m.

RECONVENE IN PUBLIC SESSION

Motion: A motion was made that the Board reconvene in public session. The motion received a second. The motion carried. The meeting reconvened in public session at 9:21 a.m.

Motion: Ms. Chapman made a motion that upon receipt of the required twenty-four (24) continuing education hours required for reinstatement of optician license #275, along with the fees that are due, Mr. Isgett can be awarded reinstatement of license #275 and contact lens dispensing license #53. The motion was seconded by Mr. Corley. The motion carried.

Mr. Isgett departed the meeting at 9:22 a.m.

**REINSTATEMENT APPLICATION HEARING
MORGAN FRALICK III, OPTICIAN LICENSE #574/LAPSED**

EXECUTIVE SESSION

Motion: A motion was made that the Board be recessed to go into executive session to discuss the reinstatement application of Morgan Fralick, III, Optician #574/Lapsed. The motion received a second. The motion carried and the meeting was recessed at 9:32 a.m.

RECONVENE IN PUBLIC SESSION

Motion: A motion was made that the Board reconvene in public session. The motion received a second. The motion carried. The meeting reconvened in public session at 9:36 a.m.

Motion: A motion was made by Mr. Corley to accept the continuing education hours Mr. Fralick has acquired in Georgia, which are sufficient to meet the requirements of thirty-six (36) continuing education hours due in South Carolina, plus outstanding fees, to reinstate Mr. Fralick as a licensed optician in South Carolina. The motion was seconded by Ms. Chapman. The motion carried.

Mr. Fralick departed the meeting at 9:38 a.m.

REPORTS / INFORMATION

Administrative Reports and Information:

- There are 500 **currently licensed** opticians, 233 licensed contact lens dispensers, and 124 registered apprentices.
- The **Office of General Counsel** has no opticianry cases residing in its area.
- **Board Member Election Update:** Mr. Daniel B. Gosnell has been officially reappointed to the Board. The terms for Mr. Milton Corley and Mr. James Rhodes are due to expire in 2011; notice of election letters will be mailed in January 2011.
- **Financial Report:** Ms. Tracey McCarley informed the Board that she has been assigned by Assistant Deputy Director Randy Bryant to design a detailed report that will be used to provide financial information; this report will be presented to the Board at a future meeting.
- **The South Carolina Practical Examination in Opticianry** is being administered by The Learning Curve to 13 candidates on this day, December 6, 2010; eight of the candidates are retaking the exam. The June 7, 2010 Practical Examination was administered to 22 candidates; 12 of the candidates passed.
- **South Carolina Open Meeting Statute:** The State Newspaper recently reported that four South Carolina officials were charged in violation of the 1974 open meeting statute by not holding a public meeting, failing to give proper notice of the meeting, and failing to take proper minutes of the meeting. The law is designed to give the public oversight of government, and calls for fines of up to \$100 or up to 30 days in jail for a first offense.
- **Future Meeting Dates:** The January 23, 2011 Board meeting will be held at the Embassy Suites in Columbia, S.C. in conjunction with the continuing education hours offered by the S.C. Association of Opticians. Ms. Combs will check room availability at the Kingstree Building and notify Board members of possible future Thursday meeting dates in 2011.

UNFINISHED BUSINESS

Penn Foster Career School – Opticianry Program Available: At the June 7, 2010 meeting, the Board discussed adding the Penn Foster Career School Opticianry Program as an approved program for the formal education requirement portion of the S.C. Apprenticeship Program; this topic was deferred to the December meeting. The Board approved the accredited Penn Foster Career School as an option for the formal educational requirement component for apprentices.

Opticianry Practice Act: The Board will continue to work on the language for future Opticianry Practice Act legislation.

ANNOUNCEMENTS:

- The next Board meeting will be held, Sunday, January 23, 2011, 8:30 a.m., Embassy Suites, Columbia, South Carolina.
- The next South Carolina Practical Examination in Opticianry will be held June 6, 2011, Kingstree Building, Room 115, Columbia, South Carolina.

There being no further business, Chairman Gosnell adjourned the meeting at 10:05 a.m.

Meeting recorded and minutes transcribed by Janice Meetze, Administrative Assistant.
Minutes edited by Angie Combs, Administrator.
Minutes presented to the Board for final approval.