

**South Carolina Department of Labor, Licensing and Regulation (SCLLR)**  
**Board of Examiners in Opticianry**  
**Board Meeting Minutes**  
**October 19, 2017**  
**110 Centerview Drive, Kingstree Building, Room 202-02**  
**Columbia, South Carolina**

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.

**BOARD MEMBERS PRESENT:**

Daniel B. Gosnell, Chairman  
Keith Hayes, Vice Chair  
Grant Brown  
Emily Mikell  
James L. Rhodes  
John Hollis Inabinet, Esquire, Public Member

**VACANT POSITION:**

Public Member (One)

**SCLLR STAFF PRESENT:**

Mary League, Esquire, Office of Advice Counsel  
April Koon, Administrator  
Missy L. Jones, Administrative Assistant  
Tina Brown, Esquire, Office of Disciplinary Counsel

**PRESENT:**

Kitty Lindler, Court Reporter  
Vincent Hopkins, Applicant

**CALL TO ORDER:** Chairman Gosnell called the meeting to order at 9:00 a.m.

**APPROVAL OF AGENDA:** A **motion** was made by Mr. Rhodes to accept the October 19, 2017 Agenda. The motion was seconded by Mr. Brown and carried unanimously.

**APPROVAL/DISAPPROVAL OF ABSENT BOARD MEMBER(S):** All Board Members were present.

**APPROVAL OF MINUTES:** A **motion** was made by Mr. Hayes to accept the June 29, 2017 minutes as written. The motion was seconded by Mr. Rhodes and carried unanimously.

**OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE) STATISTICAL REPORT:** Mrs. Koon presented the IRC Statistical Report for Mr. Love. There were a total of 14 cases. Eleven cases has been closed. One case is pending Board action. Two cases are pending further information. The Board accepted this as information.

**INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT:** Mrs. Koon provided the IRC Report from the September 27, 2017 IRC meeting. It was recommended to dismiss case #2017-1. A **motion** was made by Mr. Brown to accept the IRC dismissal recommendation. The motion was seconded by Mr. Hayes and carried unanimously.

**OFFICE OF DISCIPLINARY COUNSEL (ODC) REPORT:** Ms. Brown reported that there were no cases pending in the Office of Disciplinary Counsel. A **motion** was made by Mr. Hayes to approve the ODC Report. The motion was seconded by Ms. Mikell and carried unanimously.

**REINSTATEMENT APPLICATION HEARING – VINCENT HOPKINS:** A **motion** was made by Mr. Hayes to go into Closed Session in compliance with the Federal Confidentiality Laws. The motion was seconded by Mr. Inabinet and carried unanimously. A **motion** was made by Mr. Hayes to go into Executive Session for legal advice. The motion was seconded by Mr. Brown and carried unanimously. A **motion** was made by Mr. Hayes to come out of Executive Session. The motion was seconded by Mr. Rhodes and carried unanimously. A **motion** was made by Mr. Hayes to go back into Executive Session for further legal advice. The motion was seconded by Mr. Rhodes and carried unanimously. A **motion** was made by Mr. Inabinet to approve Mr. Hopkins reinstatement upon payment of past renewal and reinstatement fees and completion of six (6) hours of continuing education. Once his license has been reinstatement Mr. Hopkins will be on six (6) months' probation with the Board and will provide SLED background check at his own expense which will be subject to Board action if there are any arrests or convictions during the probationary period. The motion was seconded by Mr. Rhodes and carried unanimously.

#### **REPORTS / INFORMATION**

Information provided by Ms. Koon concerning the following topics:

- **Licensee Totals Report** – 846 S.C. licensed opticians; 710 opticians practice in S.C.; 136 practice out-of-state, 156 registered apprentices.
- **S.C. Practical Examination** –Fifteen candidates signed up for the December 5, 2017 S.C. Practical Exam.
- **Renewal Update** – As of October 17, 2017, 650 Opticians renewed their licenses and 97 Apprentices renewed their registrations.
- **Financial Report** – presented as information.

#### **NEW BUSINESS**

**REGULATORY REVIEW PURSUANT TO EXECUTIVE ORDER 2017-09:** Ms. League gave a brief overview of the Governor's Executive Order 2017-9 to review the Regulations for purpose of promoting a less burdensome regulatory structure. Ms. League read through each Regulation for the Opticianry Board asking for comments or revisions. The Board noted that they recently just updated their Regulations for the apprenticeship program. A **motion** was made by Mr. Hayes to allow Mr. Gosnell as Board Chair to send a report to the Governor with the information as required by the Governor's Executive Order 2017-9 that the Opticianry Board does not intend to promulgate any regulations and that the Board does not believe any regulations need to be amended at this time nor are burdensome. The regulations as written are properly protecting the public's interest and economic wellbeing of the profession. The motion was seconded by Mr. Brown and carried unanimously.

**APPROVE 2018 BOARD MEETING DATES:** A **motion** was made by Mr. Hayes to set the 2018 meeting dates as February 15, 2018, May 17, 2018, July 26, 2018, and October 4, 2018. The motion was seconded by Mr. Inabinet and carried unanimously.

#### **UNFINISHED BUSINESS**

**APPOINTMENT OF IRC MEMBER:** A **motion** was made by Mr. Brown to approve the appointment of a potential IRC Member subject to their consent and they should be contacted in the following order Milton Corley, Neal Higgins, or Patrick Forth. The motion was seconded by Mr. Hayes and carried unanimously.

**CHAPTER 96 – APPRENTICESHIP REGISTRATION AND PROGRAM REVISIONS (96-106):**

Mrs. Koon briefly explained that no motions had been made at the last meeting regarding the recently amended Regulation 96-106 and how to implement the amendments to the apprentices that have been registered with the Board passed the five year deadline as the new Regulation states. The apprentices now have a certain timeframe to take and pass the South Carolina Practical Exam and become licensed Opticians. A **motion** was made by Mr. Brown that all apprentices registered with the Board prior to 2014 are required to take and pass the South Carolina Practical Exam by December 2018. The motion was seconded by Mr. Hayes and carried unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**ANNOUNCEMENTS**

The next South Carolina Board of Examiners in Opticianry Board Meeting will be held February 15, 2018.

The next South Carolina Practical Examination in Opticianry will be administered December 5, 2017, SC Fire Academy, 141 Monticello Trail, Columbia, South Carolina.

**ADJOURNMENT**

A **motion** was made by Mr. Hayes to adjourn the meeting. The motion was seconded by Mr. Rhodes and unanimously carried. Mr. Gosnell adjourned the meeting at 10:43 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.*