

**South Carolina Department of Labor, Licensing and Regulation (SCLLR)**  
**Board of Examiners in Opticianry**  
**Board Meeting Minutes**  
**February 28, 2019**  
**110 Centerview Drive, Kingstree Building, Room 204**  
**Columbia, South Carolina**

Public notice of this meeting was properly posted at the S.C. Board of Environmental Certification office, Synergy Business Park, Kingstree Building, and on the board website 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.

**BOARD MEMBERS PRESENT:**

Daniel B. Gosnell, Chairman  
Keith Hayes, Vice Chair  
Grant Brown  
James L. Rhodes  
John Hollis Inabinet

**SCLLR STAFF PRESENT:**

Mary League, Office of Advice Counsel  
Meredith Buttler, Administrator  
Tina Brown, Office of Disciplinary Counsel  
David Love, Office of Investigations

**PRESENT:**

Tina Behles, Court Reporter  
Joseph Venzie  
Molly Glover

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

**APPROVAL OF AGENDA**

**Motion:** To approve the agenda.  
Hayes/Rhodes/approved.

**APPROVAL OF ABSENT BOARD MEMBER**

**Motion:** To approve the absence of Emily Mikell due to family obligation.  
Hayes/Rhodes/approved.

**APPROVAL OF OCTOBER 4, 2018**

**Motion:** To approve the minutes from the October 4, 2018 meetings.  
Hayes/Rhodes/approved.

**STAFF REPORTS**

**Administrator Report**

Ms. Buttler stated that to date the Board has 569 active Optician license (473 in-state/96 out-of-state), 290 Contact Lens Dispensing Opticians (238 in-state/52 out-of-state), and 130 Apprentices. As of January 2019 the Board's account balance is -\$302,543.92.

The SC Practical Exam was administered on December 4, 2018 at the Fire Academy. Of the 23 candidates scheduled to take the exam, 15 passed and 8 did not. The passing rate (65%) is up from the June exam (53%). Applicants wishing to take the June 4, 2019 exam will have till May 31, 2019 to register and pay.

Board members are reminded to submit their Statement of Economic Interest to the Ethics Commission before March 31, 2019. If additional information is needed to complete this, please contact board staff.

#### Advisory Opinions

No advisory opinions were given during this meeting

#### OIE Report

David Love reported from 1/1/2018 to 2/27/19, there were three cases closed, seven cases marked “do not open” and six pending board action. The six cases are to be presented to the Board in the IRC report.

#### IRC Report

David Love informed the Board that the IRC met on Wednesday, February 27, 2019. The IRC report recommends all six cases be dismissed.

**MOTION:** To approve the IRC report.  
Hayes/Brown/approved.

#### ODC Report

Tina Brown reported that there are no cases pending at this time.

#### Legislative Update

On behalf of Holly Beeson, Ms. Buttler reported that at this time there are no legislative updates for the Board.

#### **Unfinished Business**

a) IRC Member Nominations

Mr. Gosnell recommended Mr. Jeffrey Wilkins. Ms. Buttler will submit Mr. Wilkins’ information to the Office of Investigations.

**MOTION:** To approve Mr. Wilkins to the IRC Board pending his appointment acceptance  
Hayes/Inabinet/approved.

#### **New Business**

a) Apprentice Re-examination Request

Ms. Molly Glover appeared before the board to request a waiver allowing her to sit for the SC Practical Exam. Ms. Glover was not represented by counsel and was sworn in by the court reporter. Ms. Buttler presented Ms. Glovers request and application as information for the board.

#### **Executive Session**

**MOTION:** For the Board and board administrator to enter into executive session to seek legal advice regarding the request.  
Inabinet/Hayes/approved.

#### **Return to Public Session**

**MOTION:** For the Board to return to public session.  
Brown/Hayes/approved.

Board Chariman, Daniel Gosnell, noted for the record that no vote or actions were taken while in executive session.

**MOTION:** To allow Ms. Glover to sit for the SC Practical Examination.  
Hayes/Rhodes/approved.

Vice-Chairman, Keith Hayes, presented clarification for Ms. Glover that the Board did not approve a waiver for her to take the exam but found that Ms. Glover had met the regulations concerning apprenticeship. Ms. Glover will now have rights under Board Regulations 95-105(A) to take the exam again and will be subject to section 95-105 regulations if she fails to pass the second time.

b) Continuing Education for Active Duty Service Members

A request for clarification of continuing education requirements for active duty service members was submitted to the Board last month. With Mr. Brown's assistance, it was found that per SC Code §40-1-610 active duty service members are exempt from continuing education requirements. Mr. Brown wanted to bring the statute to the Board's attention for general awareness.

c) Revising Apprenticeship Program presentation

Mr. Venzie presented to the Board his suggestions to create a second pathway for applicants in the apprenticeship program. The second pathway would allow for part-time employees, working less than the required 32 hours, to be able to complete the apprenticeship program based on an end total of 3,000 hours over a three year period. The Board requested Ms. Buttler to research apprenticeship requirements in other states and will review the findings at the next board meeting to determine if a task force is needed for the matter.

### **Election of Officers**

**MOTION** To retain the same slate of officers: Daniel Gosnell as chairman and Keith Hayes as vice-chair.  
Rhodes/Brown/approved.

### **BREAK**

Board took a ten minute break

### **Discussion**

Chairman Gosnell informed the board that WSPA out of Greenville did a report on PDs two weeks prior to the meeting. The reporter of the piece reached out to numerous Board members for comments on the topic but was instructed to contact LLR's Communication Director. Mr. Gosnell stated that the piece was a bit confusing in its presentation and the parts regarding the Board were sensationalized. Advice Counsel, Mary League, reaffirmed that the redirection of media inquiries to the communications office is not an attempt to muzzle the board members but to reaffirm that one individual cannot speak on behalf of the board. If the media wishes to get a board statement, one may be issued through the office of communications. Ms. League reminded the Board that per previous discussion, the Board recognizes the Board's practice act and regulations do not address whether or not a PD measurement should be released to the patient, and therefore the board can offer no opinion

### **Public Comments**

There were no public comments

### **Announcements**

The next South Carolina Board of Examiners in Opticianry Meeting will be held May 30, 2019.

### **Adjournment**

MOTION To adjourn  
Hayes/Inabinet/approved.

The Board meeting was adjourned at 10:16 a.m.