

**South Carolina Department of Labor, Licensing and Regulation
Board of Examiners in Opticianry
Board Meeting Minutes
January 16, 2020
110 Centerview Drive, Kingstree Building, Room 204
Columbia, South Carolina**

Public notice of this meeting was properly posted at the S.C. Board of Examiners in Opticianry 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 Chairman
Grant Brown
James L. Rhodes
Emily Mikell
John Hollis Inabinet

SCLLR STAFF PRESENT:

Mary League, Office of Advice Counsel
Meredith Buttler, Administrator
Angela Baldwin, Office of Investigation and Enforcement

PRESENT:

Tina Behles, Court Reporter
Ron Harbert, SC Association
Jim Morris, ABO
Harvey Rubin

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

APPROVAL OF AGENDA

Motion: To approve the agenda.
Hayes/Brown/approved.

APPROVAL OF ABSENT BOARD MEMBER

No Board member absence

APPROVAL OF BOARD MEETING MINUTES

Motion: To approve October 3, 2019 Board Meeting minutes.
Inabinet/Hayes/approved.

CHAIRMAN'S REMARKS

Mr. Gosnell invited the Board and members of the audience to introduce themselves.

STAFF REPORTS

Administrator Report

Ms. Buttler stated that to date the Board has 449 active opticians in-state and 89 active opticians out-state, 232 active contact lens dispensing opticians in-state and 45 active contact lens dispensing opticians out-state, and 122 active registered apprentices. The board was presented with the initial lapsed license numbers as of 11/01/2019 with the understanding the lapsed license numbers have since changed with licensees have submitted reinstatement applications.

The Board's current balance as of December 31, 2019 is -\$238,001.93.

Board members are reminded that the Statement of Economic Interest reports are due by noon on March 30, 2020. Board member travel reimbursement reports will be sent out once soon as they are generated by the Finance department.

The election for the two open board seats have been conducted. The nominations were sent to the Governor's office for consideration on December 11, 2019. All candidates have been notified.

A randomize Continuing Education Audit was conducted, initial notification letters were sent out on November 1, 2019. The audit pulled 6 Registered Apprentices, 25 Contact Lens Dispensing Licenses and 25 Opticianry Licenses.

Per the Board's previous request, Ms. Buttler prepared a cost analysis of biennial versus annual renewals.

The SC Practical Examination was to be conducted at the SC Fire Marshall Academy on December 3, 2019. Due unforeseen circumstances the examination was not able to take place at the scheduled time. The Exam was rescheduled for December 5, 2019 at the LLR headquarters in Columbia. Of the initial group registered for the exam, 11 applicants were able to return to LLR and take the hands-on practical and the remaining 9 applicants elected to take the Virtual Practical exam. Per the ABO website, the next testing window for the Virtual Practical will be February 1-29, 2020. Ms. Buttler recognized Mr. Jim Morris of ABO to provide additional information as to the events and follow-up made by ABO.

Advisory Opinions

None at this time

OIE Report

Ms. Baldwin reported there were four cases received in 2019.

IRC Report

Ms. Baldwin reported there is no IRC report.

ODC Report

On behalf of Ms. Brown, Ms. Butter reported that there are no cases pending at this time.

APPLICATION HEARINGS

a. Harvey Rubin

Mr. Harvey Rubin appeared before the Board for an application hearing. He was not represented by counsel and was sworn in by the court reporter. Application hearing are recorded by a certified court reporter in the event a verbatim transcript is necessary.

MOTION: To move into executive session for legal advice.
Inabinet/Hayes/approved.

MOTION: To come out of executive session.
Rhodes/Inabinett/approved.

MOTION: To approve the reinstatement application contingent upon the completion of eight(8) CE hours for the lapsed period plus completion of the required four (4) hours for 2020, for a total of twelve (12) hours, by September 30, 2020. Additionally a fine of \$500 shall be paid to the board within thirty (30) days of the final order and the licensee is recommended to be audited for the next five (5) years. The license will be retroactive to the date of lapsed.
Brown/Rhodes/approved.

AMENDED MOTION:

For the licensee to be included in the next two (2) license cycle audits.
Brown/Inabinet/approved.

NEW BUSINESS

a) Rescheduling of April 2020 Meeting Date

Due to schedule conflicts of the board members and room availability, Ms. Buttler requested a rescheduling of the April 2020 board meeting.

MOTION: To approve board meeting rescheduling for April 16, 2020.
Inabinet/Brown/approved.

b) Elections

Mr. Gosnell requested clarification as the future conduct of board elections. Ms. Buttler confirmed that election would continue to be conducted via paper ballot. Through the events of the most recent election, it has been identified that the Board is not receiving the most up-to-date contact information for the licensees. Ms. Buttler is looking into the reason behind this and will report findings to the Board at an upcoming Board meeting. Ms. Mikell requested tamper proof sheets be utilized for all future elections. Mr. Ron Harper of the SC Opticianry Association offered assistance to help in updating licensee confirmation.

ELECTION OF OFFICERS

MOTION: To approve the nomination of Daniel Gosnell as Board Chair.
Brown/Hayes/approved.

MOTION: To approve the nomination of Keith Hayes as Board Vice Chair.
Mikell/Inabinet/approved.

PUBLIC COMMENTS

Mr. Brown requested additional understanding from Mr. Morris regarding the new Virtual Practical Examination. Mr. Morris shared with the Board that the test window for the Virtual Practical has changed from being offered the first two weeks of select months to a full month. Applicants will be able to schedule anytime during the month window. Mr. Morris requested that if any licensee reports problems with the

testing to please contact ABO directly or report the information to Ms. Buttler so that it could be address promptly.

Mr. Brown requested that an email notice be sent to all current sponsors to make them aware that the practical exam content has changed and allow them the opportunity to adjust their training accordingly.

ANNOUNCEMENTS

The next South Carolina Board of Examiners in Opticianry Meeting will be held April 16, 2020.

Adjournment

MOTION To adjourn
Hayes/Rhodes/approved.

The Board meeting was adjourned at 10:42 a.m.