

**South Carolina Department of Labor, Licensing and Regulation
Board of Examiners in Opticianry
Teleconference Board Meeting Minutes
February 04, 2021 at 9:00 am**

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. In accordance with the Governor's directives regarding social distancing, the meeting will be held via teleconference. Members of the public who wish to attend may do so by telephone. The telephone number and access code are provided on the posted agenda.

BOARD MEMBERS PRESENT:

Daniel B. Gosnell, Chairman
Keith Hayes, Vice Chairman
Grant Brown
Emily Mikell
John Hollis Inabinet

SCLLR STAFF PRESENT:

Mary League, Office of Advice Counsel
Meredith Buttler, Administrator

PRESENT:

Robin Reibold, Court Reporter
Leslie Hilton
Kelley Connelly
Ron Harbert

CALL TO ORDER: Chairman Gosnell called the meeting to order at 9:09 a.m.

APPROVAL OF AGENDA

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

APPROVAL OF ABSENT BOARD MEMBER

Motion: To approve Jimmy Rhodes absence.
Mikell/Inabinet/approved.

APPROVAL OF BOARD MEETING MINUTES

Motion: To approve October 29, 2020 Board Meeting minutes.
Hayes/Mikell/approved.

CHAIRMAN'S REMARKS

Mr. Gosnell welcomed all Board and public member on the call.

STAFF REPORTS

Administrator Report

Ms. Buttler stated that to date the Board has 477 active opticians in-state and 97 active opticians out-state, 244 active contact lens dispensing opticians in-state and 47 active contact lens dispensing opticians out-state, and 105 active registered apprentices.

The Board's current balance as of December 31, 2020 is -\$262,499.95.

The SC 2021 Legislative session has begun and as such, LLR has asked for confirmation of the Board's legislative contact. At this time, it is our understanding that all committee or subcommittee meetings will be virtual utilizing Microsoft Teams. If a Board representative is needed, we will ensure all member have Microsoft Teams prior to the meeting date. Typically the board chair is the legislative contact however, if another member would like to serve, that is allowed. Mr. Gosnell confirmed he would be the legislative contact for the Board.

OIE Report

On behalf of Mr. Sander, Ms. Buttler reported through the fourth quarter of 2020, no cases were received and four cases were closed.

IRC Report

On behalf of Mr. Sanders, Ms. Buttler reported the IRC Committee did not meet as there were no cases for review.

ODC Report

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

APPLICATION HEARING

a) Leslie Hilton

Ms. Hilton appeared before the Board for a re-examination application hearing. She was not represented by counsel and was sworn in by the court reporter. Applications 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/Mikell/approved.

MOTION: To return to public session.
Hayes/Mikell/approved.

Mr. Brown noted for the record that no votes or actions were taken while in executive session.

MOTION: To approve Ms. Hilton's application for reexamination of the ABO Virtual Practical Examination.
Brown/Mikell/approved.

b) Kelley Connelly

Ms. Connelly appeared before the Board for a reinstatement application hearing. She was not represented by counsel and was sworn in by the court reporter. Applications 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.
Mikell/Hayes/approved.

MOTION: To return to public session.
Mikell/Hayes/approved.

Mr. Brown noted for the record that no votes or actions were taken while in executive session.

MOTION: To approve Ms. Connelly's application pending submission of an initial license application and the passing of the ABO National Competency Exam and the ABO Virtual Practical. Ms. Connelly is not required to pay the renewal fees nor submit CE for the time period of lapsed licensure.
Mikell/Hayes/approved.

NEW BUSINESS

- a) Review of SC Code of Law Section 40-38-260, Regulations 96-108 and the Board's policy for Online Continuing Education for renewal of licensure due to cancellation of in-person continuing education seminars

Ms. League shared with the Board that following review of the Board's practice act with LLRs general counsel, the continuing education is a requirement of licensure renewals and the Board would not be able to further defer the CE requirement. The Board recognized Ron Harbert with the SC Association of Opticians. Mr. Harbert provided information on the Association's CE course offerings in 2020 and the proposed dates for 2021. All courses continue to be in-person with all social distancing measures taken into consideration. Ms. Mikell and Mr. Brown inquired as to how other Boards were addressing the issue of in-person vs. online CE courses. Ms. Buttler and Ms. League provided several examples of amendments to the various Board's CE requirements for board information only.

MOTION: To move into executive session for legal advice.
Inabinett/Brown/approved.

MOTION: To return to public session.
Inabinett/Mikel/approved.

Mr. Gosnell noted for the record that no votes or actions were taken while in executive session.

MOTION: To allow continuing education hours for the current renewal cycle to be obtained either in-person or online ABO/NCLE approved courses. The courses must be technical in content.
Inabinett/Brown/approved.

ELECTION OF OFFICERS

Mr. Gosnell stated he would like to step aside as Board chair. Mr. Gosnell opened the floor for nominations for Board Chair and Vice-Chair.

MOTION: To nominate Keith Hayes as Board Chair.
Gosnell/Mikel

Mr. Gosnell requested any additional nominations. No further nominations were submitted and Mr. Hayes confirmed his acceptance of the nomination. Following a vote by the board members, Mr. Hayes was approved as Board Chair for 2021.

Mr. Gosnell opened the floor for nominations for Vice-Chair.

MOTION: To nominate Grant Brown as Board Vice-Chair.
Mikel/Inabinet

Mr. Gosnell requested any additional nominations. No further nominations were submitted and Mr. Brown confirmed his acceptance of the nomination. Following a vote by the board members, Mr. Brown was approved as Board Vice Chair for 2021.

PUBLIC COMMENTS

Ms. Mikell thanked Mr. Gosnell for his service to the Board as Chair.

ANNOUNCEMENTS

The next South Carolina Board of Examiners in Opticianry Meeting will be held May 27, 2021.

Adjournment

MOTION To adjourn
Brown/Mikell/approved.

The Board meeting was adjourned at 10:52 a.m.