

South Carolina Department of Labor, Licensing and Regulation (SCLLR)
Board of Examiners in Opticianry
Board Meeting Minutes
May 17, 2018
110 Centerview Drive, Kingstree Building, Room 204
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

SCLLR STAFF PRESENT:

Mary League, Esquire, Office of Advice Counsel
April Koon, Administrator
Ashley Reed, Administrative Assistant
Tina Brown, Esquire, Office of Disciplinary Counsel

PRESENT:

Kitty Lindler, Court Reporter

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

APPROVAL OF AGENDA: A **motion** was made by Mr. Hollis to accept the May 17, 2018 Agenda. The motion was seconded by Mr. Rhodes and carried unanimously.

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

APPROVAL OF MINUTES: A **motion** was made by Mr. Rhodes to accept the February 15, 2018 minutes as written. The motion was seconded by Mr. Hollis and carried unanimously.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE) STATISTICAL REPORT: Mr. Love presented the IRC Statistical Report. There were a total of 16 cases. Six cases are actively being investigated. Three cases have been closed. One case is pending Board action. Six cases were not opened. The Board accepted this as information.

INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT: Mr. Love provided the IRC Report from the May 9, 2018 IRC meeting. It was recommended a formal complaint on case #2017-5. A **motion** was made by Mr. Brown to accept the IRC formal complaint 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. The Board received this as information.

LEGISLATIVE UPDATE: There was no legislative updates for this Board meeting.

REPORTS / INFORMATION

Information provided by Ms. Koon concerning the following topics:

1. **Licensee Totals Report** – 524 S.C. licensed opticians; 435 opticians practice in S.C.; 89 practice out-of-state, 136 registered apprentices.
2. **Financial Report** – presented as information.

NEW BUSINESS

1. **Release of Patient Records upon Patients' request:** Questions were raised from the public as to whether or not an Optician is required to release PD measurements to patients. Mr. Hollis made a **motion** to enter into executive session for legal advice. Mr. Rhodes seconded the motion which carried unanimously. Mr. Hayes made a **motion** to exit executive session. Mr. Hollis seconded the motion which carried unanimously. The board consensus was that it 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.
2. **ABO Exam Online:** Mr. Brown briefly discussed the ABO online practical exam and recommended the board consider using this online exam. The board took this as information at this time.

UNFINISHED BUSINESS

1. **Proposed Task Force regarding Opticianry Practice Act:** The board discussed creating a task force to make recommendations to the SC Association of Opticians concerning changes to the practice act. The board determined it would be best if the President or Vice President were to first reach out to the Association to determine what their opinions would be of the recommended changes to the practice act. An update on this topic will be placed on the next board agenda.
2. **Update - Appointment of IRC Member:** Ms. Koon announced to the board that all three individuals that were recommended by the board to serve on the IRC have all declined serving in that capacity or been unresponsive. She recommends the board select several more candidates for recommendation and review.

PUBLIC COMMENTS

There were no public comments.

ANNOUNCEMENTS

The next South Carolina Board of Examiners in Opticianry Board Meeting will be held July 26, 2018.

The next South Carolina Practical Examination in Opticianry will be administered June 12, 2018, SC Fire Academy, 141 Monticello Trail, Columbia, South Carolina.

ADJOURNMENT

A **motion** was made by Mr. Hayes to adjourn the meeting at 10:11 a.m. The motion was seconded by Mr. Brown and unanimously carried.

These minutes are a record of the official actions taken by the Board and a summary of the meeting.