

South Carolina Department of Labor, Licensing and Regulation (SCLLR)
Board of Examiners in Opticianry
Board Meeting Minutes
February 16, 2017
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

VACANT POSITION:

Public Member (One)

SCLLR STAFF PRESENT:

Mary League, Esquire, Office of Advice Counsel
April Koon, Administrator
Missy L. Jones, Administrative Assistant
Darra Coleman, Chief Advice Counsel, Office of Advice Counsel
Shanika Johnson, Esquire, Office of Disciplinary Counsel
Christa Bell, Office of Investigations and Enforcement

PRESENT:

Tina Behles, Court Reporter, Capital City Court Reporting, Inc.
Ronald Harbert, South Carolina Association of Opticians
Jim Morris, Esquire, ABO and NCLE

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 February 16, 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 November 17, 2016 minutes as written. The motion was seconded by Mr. Rhodes and carried unanimously.

LEGISLATIVE UPDATE: Mrs. Koon gave the Board a brief legislative update regarding the Regulation for the Apprenticeship Program document number 4723. The Regulation passed through the Regulatory and Administrative Procedures Subcommittee. If it passes through all committees, it should time out and become effective May 10, 2017. Mrs. Koon discussed the Chapter 10 application fees in Regulations. She presented to the Board the Opticianry Application fees in Chapter 10 is \$100.00 whereas the Board has only been charging \$25.00. A **motion** was made by Mr. Hayes to charge \$100.00 for the Opticianry Application. The motion was seconded by Mr. Inabinet and carried unanimously.

A **motion** was made by Mr. Hayes to go into Executive Session to receive legal advice regarding the investigative review process. The motion was seconded by Mr. Rhodes and carried unanimously. A **motion** was made by Mr. Hayes to come out of Executive Session. The motion was seconded by Ms. Mikell and carried unanimously.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE) STATISTICAL REPORT: There were no cases to report.

INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT: There were no cases to report.

OFFICE OF DISCIPLINARY COUNSEL (ODC) REPORT: Ms. Johnson reported that there were no cases pending in the Office of Disciplinary Counsel.

OVERVIEW OF OFFICE OF INVESTIGATIONS AND ENFORCEMENT PROCESS: Mrs. Bell gave the Board an overview of the Office of Investigations and Enforcement processes.

OVERVIEW OF OFFICE DISCIPLINARY COUNSEL PROCESS: Ms. Johnson gave the Board an overview of the Office of Disciplinary Counsel processes.

OFFICE OF ADVICE COUNSEL (OAC) TRAINING FOR BOARD MEMBERS ON SELECTED LEGAL AND ETHICAL TOPICS: Mrs. Coleman gave the Board a training presentation on selected legal and ethical topics.

NEW BUSINESS

SC PRACTICAL EXAM SOLD TO AMERICAN BOARD OF OPTICIANRY: Mr. Morris presented to the Board that the American Board of Opticianry recently bought the South Carolina Practical Exam from Dr. Ferguson. Mr. Morris stated that no changes will be made to the exam or the exam schedule in South Carolina. Mr. Morris explained that the American Board of Opticianry has several different types of exams that South Carolina could possibly adopt. Mr. Hayes and Mr. Brown will review the American Board of Opticianry online exams and present their findings at the June 15, 2017 Board meeting.

FREEDOM OF LAB CHOICE -VIRGINIA HOUSE BILL NO 1444: Mr. Harbert presented the Virginia Bill No. 1444 to the Board. Mary League advised the Board they can't make decisions on freedom of lab choice because they do not have oversight of labs. The Board accepted this as information only.

MODEL OPTICIAN MOBILITY ACT: This item will be carried over to the June 15, 2017 Board Meeting.

****The June 15, 2017 was rescheduled to June 29, 2017.****

APPROVAL OF ALTERNATE CONTINUING EDUCATION COURSE (CLOSED SESSION): A **motion** was made by Mr. Inabinet to approve online continuing education courses to a licensee due to extenuating circumstances and for the online CE to be pre-approved by Mr. Brown. CE must be completed by October 1, 2017 in order for the licensee to renew the license. The motion was seconded by Mr. Hayes and carried unanimously.

UNFINISHED BUSINESS

DISPENSING: This policy was updated at the November 17, 2016 meeting and posted to the website.

REPORTS / INFORMATION

Information provided by Ms. Koon concerning the following topics:

- **Licensee Totals Report** – 831 S.C. licensed opticians; 695 opticians practice in S.C.; 136 practice out-of-state, 123 registered apprentices.
- **S.C. Practical Examination** –Twenty-two candidates signed up for the December 5, 2016 S.C. Practical Exam. Seven exam candidates passed. Ten exam candidates failed. Five exam candidates did not show up for the exam.
- **Financial Report** – presented as information.

ELECTION OF BOARD OFFICERS: A **motion** was made by Mr. Hayes for Mr. Gosnell be Chair of the Board. The motion was seconded by Mr. Brown and carried unanimously. A **motion** was made by Mr. Rhodes for Mr. Hayes be Vice Chair of the Board. The motion was seconded by Mr. Inabinet and carried unanimously.

PUBLIC COMMENTS

There were no public comments.

ANNOUNCEMENTS

The next South Carolina Board Examiners in Opticianry Board Meeting will be held June 15, 2017.

The next South Carolina Practical Examination in Opticianry will be administered June 6, 2017, 110 Centerview Drive, Columbia, South Carolina, Kingtree Building, Room 115.

ADJOURNMENT

A **motion** was made by Mr. Rhodes to adjourn the meeting. The motion was seconded by Mr. Brown and unanimously carried. Mr. Gosnell adjourned the meeting at 11:05 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.