

South Carolina Department of Labor, Licensing and Regulation (LLR)
Board of Examiners in Optometry
Board Meeting Minutes
February 10, 2016
Synergy Business Park
110 Centerview Drive, Kingtree Building, Room 204
Columbia, South Carolina

Public notice of this meeting was properly posted at the South Carolina Board of Examiners in Optometry, Synergy Business Park, Kingtree 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.

BOARD MEMBERS PRESENT:

Dr. Derek Van Veen, President
Dr. Peter V. Candela, Vice President
Dr. Thomas E. Tucker
Dr. William Spearman
Isaac L. Johnson, Jr., Esquire, Public Member

VACANT POSITION:

Public Member (One)

SCLLR STAFF PRESENT:

Donnell Jennings, Esquire, Office of Advice Counsel
April Koon, Administrator
Missy L. Jones, Administrative Assistant
For IRC Report:
David Love, Chief Investigator, Office of Investigations and Enforcement
For ODC Report:
Shanika Johnson, Esquire, Office of Disciplinary Counsel

PRESENT:

Tina F. Behles, Nationally Certified Court Reporter
Anthony Van Alstine, OD, MS, FAAO, FSLs
Wayne Cannon, OD, IRC Member, LLR
Jackie Rivers, Executive Director, SCOPA

CALL TO ORDER: At 3:05 p.m. the meeting was called to order by Dr. VanVeen.

APPROVAL OF AGENDA: A **motion** was made by Dr. Spearman to accept the February 10, 2016 Agenda. The motion was seconded by Dr. Candela and carried unanimously.

APPROVAL OF ABSENT BOARD MEMBER(S): All Board members were present for this meeting.

INTRODUCTION OF NEW BOARD ADMINISTRATOR – APRIL KOON: Mrs. Koon was formally introduced and welcomed to the Board.

APPROVAL OF OCTOBER 28, 2015 MEETING MINUTES: A **motion** was made by Dr. Candela to accept the October 28, 2015 minutes as written. The motion was seconded by Dr. Tucker and carried unanimously.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE) REPORT: Mr. Love presented the OIE Statistical Report. The Board accepted this report as information.

INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT: Mr. Love provided the IRC Report from the January 26, 2016 IRC meeting. It was recommended to dismiss case #2015-7, case #2015-9, case #2015-11, case #2015-12, case #2015-13, and case #2015-14, and a letter of caution for case #2015-8. A **motion** was made by Dr. Vaught to accept the IRC dismissal recommendations and the letter of caution. The motion was seconded by Mr. Johnson and carried unanimously.

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

REPORTS / INFORMATION

- **Licensee Totals Report** – 865 S.C. licensed optometrists; 550 practice in S.C.; 315 practice out-of-state
- **Endorsement Applicant Report** – Three endorsement candidates, Dr. Kenneth Best, Dr. John Ellis, Sr., and Dr. Marisa Feliciano, have been licensed since October 29, 2015 through February 3, 2016
- **Financial Report** - provided and accepted as information
- Associates of Regulatory Boards of Optometry (ARBO) Annual Meeting on June 26 – 28, 2016 – A **motion** was made by Dr. Spearman to send one Board member and the Board’s Administrator to ARBO’s annual meeting.
- **Statement of Economic Interests** – Due March 30, 2016 - Accepted as information by the Board
- **Continuing Education** – Dr. Candela is the assigned board member that approves CE. The board clarified when an applicant applies and receives a license during a nonrenewal year, they will only be responsible for 20 of the 40 hours required to renew the license the following year.
- **Continuing Education (CE) Course Approvals** –
 1. International Vision Expo & Conference East 2016 – The Board referred to Dr. Candela for review and approval.
 2. South Carolina Chapter of the American Academy of Optometry – Dr. Anthony Van Alstine -- A **motion** was made by Dr. Spearman to accept the continuing education hours from the South Carolina Chapter of the American Academy of Optometry as unlimited. The motion was seconded by Dr. Vaught and carried unanimously.
 3. 2016 SCOPA Spring CE Meeting – The Board referred to Dr. Candela for review and he approved the course as sufficient CE for a total of 10 hours for renewal.

UNFINISHED BUSINESS

Endorsement Application Revisions: Provided and accepted as information

A **Motion** was made by Dr. Vaught to request LLR to change the boards licensing certificates back to full size with all Board members signatures. The Board will increase the licensing fee to accommodate the cost. The motion was seconded by Dr. Candela and carried unanimously.

Branch Office Registration Fees: A **motion** was made by Dr. Spearman that the Board identify different types of practices that may or may not be considered a branch office at the next scheduled Board meeting and create an advisory opinion to that effect. The motion was seconded by Dr. Candela and carried unanimously. Dr. Spearman asked for clarification at the next meeting from LLR staff about the amount of funds that are collected by LLR for branch offices.

Opternative Online Eye Exam: Dr. Cannon gave a summary of law changes in the Eye Care Consumer Protection Law to the Board as information only.

NEW BUSINESS

Vision Screening Inquiry: The Board's Administrator will draft a letter to Lion's Club with Dr. VanVeen's signature, stating that the company is in violation of the Practice Act and Policy. The policy on Vision Screening will also be attached.

CE Broker – Dylan Sitterle: A **motion** was made by Dr. Spearman to table this discussion over to the next scheduled Board meeting. The motion was seconded by Dr. Candela and carried unanimously.

ACOE's Professional Optometric Degree Standards – Comments on second draft of the proposed Professional Optometric Degree Program Standards: The Board has no comments at this time.

Elect Media Designee: A **motion** was made by Dr. Spearman to elect the Board President as the Media Designee and the Vice President as the alternate. The motion was seconded by Dr. Vaught and carried unanimously.

Parameters for Election of Board Officers: The Board elects its officers by seniority at its first meeting each year.

Election of Board Officers: A **motion** was made by Dr. Tucker to elect Dr. Candela as the Board's President and Dr. Vaught as Vice President for 2016. The motion was seconded by Dr. VanVeen and carried unanimously.

Board Certification – Dr. Vaught: A **motion** was made by Dr. Spearman for staff to do e-blast reminding all licensed optometrist of regulation 95-2 (B). The motion was seconded by Dr. Candela and carried unanimously. Dr. Vaught abstained from voting in this matter.

Eye Care Consumer Protection Law (S.1016 & H.4723): Mr. Jennings gave the board an update on the Eye Care Consumer Protection Law and the Board accepted as information.

Delegation of Authority to New Board Administrator: The Board will delegate authority to the new Board Administrator on a case by case basis.

PUBLIC COMMENTS

There were no public comments.

ANNOUNCEMENTS

The next Board meeting is scheduled for May 4, 2016.

ADJOURNMENT

A **motion** was made by Dr. Tucker, seconded by Dr. Candela, and unanimously carried to adjourn the meeting. Dr. Van Veen adjourned the meeting at 5:20 p.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.