

**South Carolina Department of Labor, Licensing and Regulation (LLR)**  
**South Carolina Board of Examiners in Optometry**  
**Regular Board Minutes**  
**July 12, 2006**  
**Synergy Business Park**  
**110 Centerview Drive, Kingstree Building, Room 111**  
**Columbia, South Carolina**

Public notice of this meeting was properly posted at the Board office and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the 1976 South Carolina Code, as amended, relating to the Freedom of Information Act. A quorum was present at all times. Dr. Hamill called the meeting to order at 3:10 p.m.

**BOARD MEMBERS PRESENT:**

Dr. David W. Hamill, President  
Dr. Kenneth M. Nash, Vice President  
Dr. Robert Neal Williams  
Dr. Deborah A. Long

**BOARD MEMBERS NOT PRESENT:**

Dr. Furman Mason Smith  
Isaac L. Johnson, Jr., Public Member

One Public Board Member position is vacant

**SCLLR STAFF PRESENT:**

Sharon Dantzler, Office of General Counsel, LLR  
Angie M. Combs, Administrator  
Janice D. Meetze, Administrative Assistant

**PRESENT TO PROVIDE PROGRAM INFORMATION:**

Frank Sheheen, M.S., CACII, Program Director, Recovering Professional Program (RPP)

The agenda for the July 12, 2006 Regular Board Meeting was presented for review and approval. A **motion** was made to accept the order of the Agenda. The motion was seconded and passed.

A **motion** was made to accept the March 15, 2006 Board Meeting Minutes as amended. The motion was seconded and passed.

**PRESIDENT'S REMARKS**

Dr. Hamill reserved his remarks to be within the business of the meeting.

**REPORTS**

**Administrative Reports and Information:** Ms. Combs reported licensee totals for each type of license as 562 TPA, 60 DPA, and 54 Basic for a total of 676 licensed optometrists. In South Carolina there are 13 Basic, 11 DPA, and 404 TPA licenses for a total of 428 licensees.

The S.C. Jurisprudence Examination was administered to thirty-eight candidates immediately prior to this Board meeting on July 12, 2006; five were endorsement candidates.

New branch office registration applications were reviewed for Dr. Richard Rousch, Greenville, South Carolina, license number 1373, and Dr. Frank Forgnoni, Westminster, South Carolina, license number 1393. A **motion** was made to approve the branch office registration applications. The motion was seconded and accepted.

Copies of the Board's Financial Report and Complaint Status were made available and accepted for informational purposes. Dr. Hamill requested Ms. Combs to report at the September meeting the surplus dollar amount in the Optometry Board's budget for Fiscal Year 2006 (July, 1, 2005 – June 30, 2006).

There are six pending complaints for FY 2006. An Investigative Review Committee Report is anticipated to be presented at the September 27, 2006 meeting.

Ms. Combs reported all mileage incurred from July 1, 2006 forward will be subject to an increased reimbursement rate of 44.5 cents. In FY 2005 the Agency internally allowed seminars and conference lodging rates to be reimbursed up to \$150; this is no longer in effect. The maximum reimbursed lodging rate will be determined by the U.S. General Services Administration allowed rate; this rate can be found on their website.

Ms. Combs announced that a board member website is now located on the Professional and Occupational Licensing Boards' main page on LLR's website: [www.llr.state.sc.us/pol.asp](http://www.llr.state.sc.us/pol.asp)

Dr. Nash pointed out that in the past Board members could not receive information that pertained to a complaint prior to a hearing; at the same time information is made available to the public via the Board's website when an Order had been issued to the licensee. All Orders are posted on the Board's website as public information. Ms. Dantzler informed the Board that they can see the formal charges and the licensee's answer prior to a hearing.

**Recovering Professional Program (RPP) Information:** Mr. Frank Sheheen, Program Director of RPP, explains that licensees of boards that join this program are eligible to participate in their services. The program offers licensees a confidential referral and monitoring program designed for health-related professionals in S.C. who are experiencing problems related to alcohol and/or drug abuse or dependence, or from a dual diagnosis of addiction and mental illness. RPP is committed to assisting the health professional return to safe practice; it is both a service to the profession and the public.

Dr. Hamill thanked Mr. Sheheen for his presentation and stated that the information would be taken under advisement by the Board.

**Mr. Sheheen departed the meeting at 3:50 p.m.**

**Association of Regulatory Boards of Optometry (ARBO) National Meeting:** Dr. Hamill attended the June 2006 ARBO meeting in Las Vegas, Nevada and reported the following information:

- Beginning April 2007 the stand-alone Treatment and Management of Ocular Disease examination (TMOD) will be administered only once per year; the TMOD is also embedded in Part II of the NBEO.
- The Advanced Competency in Medical Optometry examination (ACMO) has been designed for doctors that have completed an accredited VA residency program to achieve a valuable credential.
- The National Board of Examiners in Optometry has moved its offices to Charlotte, North Carolina.
- The ARBO OE Tracker assists optometrists by keeping track of continuing education received and providing a print-out that can be used as verification of attendance. It is projected to become increasingly more popular method of proof of education.

Dr. Hamill remarked that South Carolina currently audits one-hundred percent of its licensees. Discussion followed regarding *S.C. implementing CE audits*. Ms. Dantzler advised that the percentage of licensees audited is a Board decision; a random number table can be computer generated. **Motion:** Dr. Nash made a motion that all licensees renewing for the renewal period 10/01/04-10/01/06 submit continuing education hours with an administrative random audit conducted of one-third (33 1/3%) of the license renewal applications and move toward online renewals for the 10/01/06-10/01/08 renewal period. The motion received a second. The motion carried.

Dr. Hamill recommended sending Ms. Combs, Administrator, to the Annual ARBO meeting in addition to Board member representation.

*ARBO Report continues:*

- Council on Endorsed Licensure Mobility in Optometry (CELMO) is a service of ARBO that acts as an endorsement licensure mobility vehicle by providing verification of a candidate's qualifications. Dr. Hamill queried whether South Carolina should begin accepting CELMO verification certificates towards endorsement. This is a possible tool for the Board to consider in the future.
- The 1-800 Contacts legislation, also known as the Bennett Bill, has now turned into a national legislative effort. This bill would restrict optometrists to prescribing contact lenses that are only on a formulary maintained by the Attorney General's office.

Dr. Hamill recommended the Board should consider accessing the National Practitioner Database to help in determining if a candidate for licensure has disciplinary issues in other states. Ms. Combs will research this possibility.

*ARBO Report continues:*

- Some states have gone to candidates answering Law questions in a take home examination format.

Discussion was held concerning a *take home examination* along with a possible fee change. Ms. Dantzler advised that the Board must be self-supporting and the fee structure should cover the cost of the program. The next regularly scheduled date for the Jurisprudence Examination is October 18, 2006. Dr. Hamill asked Board members to consider the option of an open book/take home Jurisprudence Examination. Ms. Dantzler advised that in order to make a change in the administration of the S.C. Jurisprudence Examination, the Board would be required to vote in an announced meeting with this topic listed as an agenda item.

*ARBO Report continues:*

- John Robinson, O.D. (North Carolina) informed those at the meeting that everything written, spoken, or in an e-mail is accessible through a public records request. Ms. Dantzler stated that South Carolina has a liberal public records law with few grounds to refuse to produce a document.
- A presentation on ethics in optometry was made by a representative of CIBA Vision.

A copy of the 2006 ARBO National Meeting binder is housed at the Board office.

**Continuing Education Course Approval:** Dr. Williams stated there were no continuing education course approvals before him at this time.

### **UNFINISHED BUSINESS**

**Optometry Regulations:** Drs. Hamill, Williams, and Smith along with Ms. Dantzler and Ms. Combs agreed to meet the day of the next scheduled Board meeting on September 27, 2006 to work on preparing a draft of the Regulations to be submitted for the upcoming legislative session.

**Updated Continuing Education Policy:** Ms. Combs presented to the Board for review an updated Continuing Education Policy. The Board approved the policy as written. A copy of the policy will be part of the minutes.

### **NEW BUSINESS**

**Language Used in Optometric Advertisements:** The Board concurred that the words “specialist” or “specializing in” should not be used in optometric advertisements; the terminology approved is “practice emphasizing” or “practice concentrating on.” Dr. Hamill stated a **newsletter** will be sent out notifying licensees that the use of unacceptable language should cease, recognizing that what has already been circulated, i.e., hard copy, yellow pages, would be taken into consideration.

**Use of the Term Board Certified:** Dr. Hamill stated that terminology suggesting that an individual is certified generally means that an individual has education/training and experience in addition to what is required to become licensed. Licensees, not formally certified, should not use the term “Board Certified” or “Board Certified in Therapeutics.” This issue will be addressed in the upcoming **newsletter**.

**Basic Licensed Optometrists in Solo Practices:** Dr. Hamill has been asked how a basic optometrist can practice optometry solo since a dilated exam cannot be preformed. The Board has addressed the issue with the expiration of such a license in 2008 with the implementation of a three-year transition period to upgrade to TPA as mandated by law effective July 2005.

**Endorsement Requirement – Length of Active Practice Prior to Licensure:** At the ARBO meeting Dr. Hamill posed the question of what is an equitable and reasonable definition of actively practicing at the therapeutic level for a candidate applying for licensure by endorsement. Responses ranged from twelve months prior to date of application, three of the last five years, four of the last six years, and two of the last three years. The Board agreed that a fair definition of actively practicing at the therapeutic level would mean either the prior twelve months or two of the last three years.

**Titmus Screener for Vision Screenings:** The current Vision Screening Policy was reviewed and the Board concurred additional language should be added. The highlighted words in italics have been added to the policy. It now reads: “Any use of auto refraction devices or *visual screening* equipment has been determined by the Board of Examiners in Optometry to be the practice of optometry and ophthalmology and is strictly prohibited by any person not properly licensed to engage in such practice *unless used for the limited purpose of measuring visual acuity.*”

**Posting of Licensee Renewal Pocket Card:** Ms. Combs inquired if it was necessary for each branch location to have displayed an original proof of renewal pocket card. The Board concurred that posting a copy would be acceptable.

*Ms. Dantzler departed the meeting at 5:45 p.m.*

**Future Meeting Dates:** The September 20, 2006 Board meeting date has been rescheduled to September 27, 2006. A service award for Dr. Vaughn Parfitt will be presented at the December meeting in Hilton Head.

#### **ANNOUNCEMENTS**

The next General Board Meeting will be held September 27, 2006 at Kingstree Building, Room 306-30, Columbia, South Carolina.

The South Carolina Jurisprudence Examination will be administered on Wednesday, October 18, 2006 at 10:00 a.m., Kingstree Building, Room 105, Columbia, SC.

There being no further business or announcements, Dr. Hamill adjourned the meeting at 5:52 p.m.

Respectfully submitted,

Angie M. Combs  
Administrator