

**South Carolina Department of Labor, Licensing and Regulation (LLR)**  
**South Carolina Board of Examiners in Optometry**  
**Regular Board Minutes**  
**June 19, 2007**  
**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. Deborah Long  
Dr. Robert Neal Williams

**BOARD MEMBER ABSENT:** Isaac L. Johnson, Jr., Public Member  
**PUBLIC BOARD MEMBER:** One Vacancy

**IN ATTENDANCE:**

Dr. Paul K. Coppola  
Ms. Paulette Bentley, R.N., CARN, Recovery Specialist,  
Recovering Professional Program (RPP)

**SCLLR STAFF PRESENT:**

Angie M. Combs, Administrator  
Sharon Dantzer, Deputy General Counsel  
Steve Freshley, Investigator, Office of Investigations and Enforcement (OIE)  
Janice D. Meetze, Administrative Assistant

The agenda for the June 19, 2007 Regular Board Meeting was presented for review and approval. A **motion** was seconded and passed.

A **motion** was made to accept the March 28, 2007, Board Meeting Minutes as written. The motion was seconded and passed.

**PRESIDENT'S REMARKS**

Dr. Hamill reserved 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 616 TPA, 39 DPA, and 25 Basic, for a total of 680 licensed optometrists. In South Carolina there are 434 TPA, 8 DPA, and 6 Basic licenses for a total of 448 licensees.

**Reports continued:**

**S.C. Jurisprudence Examination** was administered to fifteen candidates immediately preceding the Board meeting.

The Board's **Financial Report** was provided and accepted for informational purposes.

**Deferred:** A detailed discussion and explanation of the budget was deferred to the September 26, 2007 meeting.

There is one **complaint** pending for the 2006-07 fiscal year.

There were no new **branch registrations** to report.

Dr. Neal Williams will attend the June 24, 25, 26, 2007 annual **Association of Regulatory Boards of Optometry (ARBO) meeting** in Boston, Massachusetts. Dr. Williams was requested to inquire while at the ARBO meeting how other states interpret the term "optometric physician," i.e., how do other states make the determination of what their policy is in permitting the use of the term, whether it is accepted or forbidden, and the differential use of the term by some optometrists.

With the June 22, 2007 publication of the *South Carolina State Register* the **Optometry Regulations will become law.**

There were no **continuing education course approval** requests to review.

**UNFINISHED BUSINESS**

**CPT Code – Request to add:** The following CPT codes were submitted to the Board for approval and are accepted to be within the scope of optometric practice in South Carolina:

92025 Corneal Topography

90901 Biofeedback by any modality

99053 Miscellaneous Services provided between 10:00 p.m. and 8:00 a.m. at a twenty-four hour facility, in addition to basic service / is acceptable only if the doctor's office is a twenty-four hour facility.

**Deferred:** CPT code 87071, microbiology, quantitative, aerobic with isolation and presumptive identification, from any source except urine, blood or stool, was deferred for further discussion to the September 26, 2007 meeting.

**NEW BUSINESS**

**Branch Location Fees:** Section 40-37-325 states that every optometrist must display a separate certificate of licensure certified by the Board in each location in which the optometrist practices.

Duplicate certificates of licensure may be obtained from the Board by filing an application on a form prescribed by the Board and paying the prescribed fees. Discussion followed. Ms. Dantzler advised reviewing the entire fee structure and then addressing any fee changes after the budget presentation has been made at the September 26, 2007 meeting. The Board is not restricted by law from changing the fee schedule; Section 40-1-50 provides legislative guidance.

***Deferred:*** Further discussion concerning branch location fees was deferred.

**DEA Numbers – Requirement for Optometrists:** The Controlled Substance Act of 1970 (CSA) was enacted to regulate the lawful use of, and eliminate the illegal distribution of controlled substances. The intent of the DEA (Drug Enforcement Administration) registration number is to identify and validate those individuals who have been authorized by the federal DEA to prescribe controlled substances as part of their professional practice. There is currently no legal basis for DEA to prevent or preclude companies from requiring or requesting a practitioner's DEA registration number. The Board recommends obtaining a DEA registration number to identify and validate those individuals who have been authorized by the DEA to prescribe controlled substances in the course of their professional practice.

**Review Board Recommendation Issued in 2001 Concerning Vehicle Window Tint:** Ms. Combs requested the Board to review a 2001 recommendation issued by the Board on how to handle requests by patients to write a letter allowing vehicle windows to be tinted darker than allowed normally by law. The Board continues to recommend that optometrists not issue this type of letter due to creating a potential liability. The South Carolina Board of Examiners in Optometry reaffirmed their opinion that there is no medical eye condition for which darker windows on a vehicle is the only appropriate treatment. The Board concurred that any sun protection needed should be achieved with sunglasses; sunglasses are available in numerous shades and opaque side shields.

**Association of Regulatory Boards of Optometry (ARBO) Possession of Social Security Numbers:** Dr. Hamill reported that some optometrists' social security numbers were found to have been in the possession of ARBO, by virtue of being sent to them by state boards, but this is not the case with South Carolina. However, the practice to release social security numbers is legal if certain conditions are met to protect the personal information.

***Dr. Paul Coppola and Ms. Paulette Bentley, R.N., entered the meeting at 3:30 p.m.***

**APPEARANCE: Dr. Paul Coppola License #1040 / Suspended**

**Request for Stay of Suspension:** Paul K. Coppola, O.D., License #1040, petitioned the S.C. Board of Examiners in Optometry for modification of its Order dated July 27, 2006. Dr. Coppola appeared at the regular Board meeting on June 19, 2007, thanked the Board for the opportunity to again address the Board, and offered testimony to support his petition.

Dr. Coppola enrolled in the Recovering Professionals Program (RPP) on March 15, 2006 and is in full compliance with his RPP contract and the Board Order dated July 27, 2006 to include random drug tests; he has completed inpatient treatment at Pine Grove (Hattiesburg, Mississippi) on January 27, 2007; he is engaged in a variety of recovery support activities and remains under the monitoring of the RPP. Counselor Bentley recommends that he be allowed to return to practice as long as he remains under strict monitoring according to his contract. Ms. Dantzler questioned Dr. Coppola whether he anticipated practicing without prescribing controlled substances; he affirmed he would resume such practice only with the Board's permission to do so.

**Motion:** A motion was made that the Board be recessed to go into Executive Session to deliberate the Request for Modification of Order of Paul K. Coppola, O.D. The motion received a second. The motion carried. Time recessed: 3:45 p.m.

**Motion:** A motion was made that the Board reconvene in Public Session. The motion received a second. The motion carried. Meeting reconvened at 4:00 p.m.

**Motion:** Dr. Williams made a motion that the Order of the Board dated July 27, 2006, be modified to the extent that the suspension of License #1040 be stayed, and Dr. Coppola be allowed to engage in the practice of optometry during the remaining period of probation, to include continued sobriety, RPP monitoring and active participation in approved aftercare activities, and that he continue to be prohibited from authorizing, prescribing, or possessing controlled substances, except as prescribed by a duly licensed practitioner for documented medical purposes. All other terms of probation remain in full force. The motion was seconded by Dr. Nash. The motion carried.

***Ms. Dantzler departed the meeting at 4:00 p.m.***

Dr. Hamill further stated that at this time the Board continues to restrict Dr. Coppola's ability to have access to controlled substances. In the future, the Board would be open to further modification of the Modified Order; one of the stipulations to gaining access to controlled substances would be information coming directly from DEA acknowledging willingness to return his DEA license. The Modification of Order does not take effect until after it is written and signed by the President of the Board. Dr. Coppola expressed his appreciation and thanked the Board for its time.

#### **ANNOUNCEMENTS**

- The next administration of the S.C. Jurisprudence Examination is scheduled for September 26, 2007, 2:00 p.m., Kingstree Building, Room 105, Columbia, South Carolina.
- The next regularly scheduled Board Meeting is September 26, 2007, 3:00 p.m., Kingstree Building, Room 111, Columbia, South Carolina.

There being no further business / announcements, Dr. Hamill adjourned the meeting at 4:10 p.m.

Respectfully submitted,

Angie M. Combs  
Administrator