

South Carolina Department of Labor, Licensing and Regulation (LLR)
South Carolina Board of Examiners in Optometry
Regular Board Meeting Minutes
June 10, 2009
Synergy Business Park
110 Centerview Drive, Kingstree Building, Room 105
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. Williams called the meeting to order at 3:01 p.m.

BOARD MEMBERS PRESENT:

Dr. Robert N. Williams, President
Dr. Kenneth M. Nash
Dr. William W. Spearman
Dr. Derek P. Van Veen
Dr. Thomas E. Tucker

SCLLR STAFF PRESENT:

Sheridon Spoon, Office of General Counsel, LLR
Yarikza Alexander, Investigations and Enforcement
Angie M. Combs, Administrator
Janice D. Meetze, Administrative Assistant

ALSO PRESENT:

Philip Flynn, O.D., South Carolina Optometric Association
Gregory J. Sokol, O.D.
William Rafferty, O.D., ARBO Representative
Lisa Fennell, ARBO Representative

The agenda for the June 10, 2009 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 by Dr. Spearman and seconded by Dr. Nash to accept the March 27, 2009 minutes as written. The motion was seconded and passed.

PRESIDENT'S REMARKS

Dr. Williams welcomed two new Board members, Drs. Tucker and Van Veen; they replaced Dr. Furman Mason Smith and Dr. Deborah Long.

INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT

One complaint came before the Investigative Review Committee held on June 3, 2009. A brief synopsis of the case and the IRC logic to dismiss was presented by Investigator Yarikza Alexander. **Motion:** Dr. Nash made a motion to accept the dismissal recommendation of the IRC concerning Case #2008-5. The motion was seconded by Dr. Spearman. The motion carried.

Ms. Alexander departed the meeting at 3:05 p.m.

LICENSURE BY ENDORSEMENT APPLICATION HEARING - GREGORY J. SOKOL, O.D.

The application hearing was conducted by the Board and recorded and transcribed by Eric B. Gore, court reporter.

The following is provided for information only:

EXECUTIVE SESSION

Motion: *A motion was made that the Board be recessed to go into executive session to discuss the Licensure by Endorsement Application of Gregory J. Sokol, O.D. The motion received a second. The motion carried and the meeting was recessed at 3:20 p.m.*

RECONVENE IN PUBLIC SESSION

Motion: *A motion was made that the Board reconvene in public session. The motion received a second. The motion carried. The meeting reconvened at 3:23 p.m.*

Motion: *A motion was made by Dr. Spearman that Dr. Gregory J. Sokol's application for licensure by endorsement be approved by the Board. Dr. Nash seconded the motion. The motion carried.*

Dr. Sokol and Mr. Spoon departed the meeting at 3:25 p.m.

REPORTS / INFORMATION

Licensee Total: Ms. Combs reported there are 690 South Carolina licensed optometrists, 449 of the 690 are in state licensees.

Branch Registrations: There were no branch registrations to report.

Association of Regulatory Boards of Optometry (ARBO) 90th Annual Meeting – June 21-23, 2009: Dr. Williams and Ms. Combs will be attending ARBO's Annual Meeting to be held in National Harbor, Maryland.

Budget Proviso Concerning Meeting Location: A new budget proviso becomes law for the period from July 1, 2009 to June 30, 2010 which states, "The Director of the Department of Labor, Licensing, and Regulation cannot authorize reimbursement under Section 40-1-50(A) of the 1976 Code to members of any board listed in Section 40-1-(B) for meetings held at any location other than the offices of the department unless there has been a determination that the department is unable to provide space for the meeting in a state-owned or leased facility in Richland or Lexington County." The Board agreed to continue to meet at the same location the S.C. Optometric Association conducts their annual continuing education seminars. This has proven to be an excellent venue that provides the opportunity for interaction between members of the Board and licensees.

Continuing Education – Course Approval: Ms. Combs had no education courses pending approval. Dr. Spearman stated that he had previously reviewed and approved continuing education courses that meet Board specific criteria.

OE Tracker / COPE Presentation Provided by ARBO Representatives: On behalf of the Association of Regulatory Boards of Optometry, Inc. (ARBO), Dr. Rafferty and Ms. Fennell made a presentation/demonstration to the Board for informational purposes on the topics of OE Tracker and COPE. The OE Tracker was designed to capture, verify, store continuing education attendance data for optometrists and continuing education providers, and can be used to electronically audit one-hundred percent of licensees for CE attendance.

Dr. Rafferty and Ms. Fennell departed the meeting at 4:50 p.m.

UNFINISHED BUSINESS

H.3303 Optometry Legislation: A motion was made and carried at the March 11, 2009 meeting that the Board supports H.3303; the Board would make certain that prior to authorizing licensees to perform procedures allowed by passage of H.3303, appropriate requirements would be in place to ensure the safety of the citizens of South Carolina. It was reported the original language of the Bill has not changed and is currently residing in the House Committee on Medical, Military, Public and Municipal Affairs.

NEW BUSINESS

Present CPT Codes for Review – Dr. Philip Flynn: The Board reviewed CPT Codes submitted for approval by Dr. Flynn. The following codes are approved: 0198T, 67850, 65600, 67700, 2027F, 4007F, 2019F, 1055F, 3073F, 2020F, 2021F, 5010F. The following codes were not approved: 65286 and 68530. The approved CPT Codes will be sent to Medicare and Medicaid.

Dr. Philip Flynn departed the meeting at 5:25 p.m.

Joint Board Certification Project Team Proposal: The Joint Board Certification Project Team (JBCPT), formed by six optometric organizations in 2007, released a draft model framework for a board certification process for optometry. The ARBO Board of Directors is encouraging licensing board members to review, discuss, and consider the proposal, which will be on the agenda for the House of Delegates meeting during the June ARBO Annual Meeting. The proposal was provided to all members. Ms. Sharon Dantzler, Office of General Counsel, had previously reviewed this information presented by Ms. Combs and has advised that the proposal is not a licensing issue. The Board agreed to abide by Dr. Williams' decision when a vote is taken on this issue during the ARBO Annual Meeting.

Latisse – Writing Prescriptions: At the March 27, 2009 meeting Dr. Spearman volunteered to check into writing prescriptions for Latisse as it pertains to the practice of optometry in South Carolina. He reported that South Carolina Law only limits the use of topical steroids; all other topical drugs may be prescribed as long as they are used in the treatment of ocular and ocular adnexal eye disease. Latisse is intended for the use of treating hypotrichosis, inadequate or not enough eye lashes. Latisse is an appropriate drug for use within the scope of the practice of optometry and does not violate the Practice Act.

ANNOUNCEMENTS

The next Board meeting is scheduled for September 30, 2009, 3:00 p.m. Kingstree Building, Room 204, Columbia, South Carolina.

There being no further business or announcements, Dr. Williams adjourned the meeting at 6:25 p.m.

*Meeting recorded and minutes transcribed by Janice D. Meetze, Administrative Assistant.
Minutes reviewed and edited by Angie Combs, Administrator.
Minutes presented to the Board for final approval.*