

**South Carolina Department of Labor, Licensing and Regulation (LLR)**  
**South Carolina Board of Examiners in Optometry**  
**Regular Board Meeting Minutes**  
**June 30, 2010**  
**Synergy Business Park**  
**110 Centerview Drive, Kingstree Building, Room 108**  
**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 2:21 p.m.

**BOARD MEMBERS PRESENT:**

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

**VACANT POSITION:** Public Member (One)

**SCLLR STAFF PRESENT:**

Paula Magargle, Office of General Counsel  
James Saxon, Hearing Counsel, Professional and Occupational License (POL) Division  
Daniel Grigg, Hearing Counsel, Professional and Occupational License (POL) Division  
Angie M. Combs, Administrator  
Janice D. Meetze, Administrative Assistant

**ALSO PRESENT:**

Respondent, Case #2009-9  
Mr. Richard P. Wilson, Special Counsel Program Coordinator,  
Recovering Professional Program (RPP)  
Mr. Frank Sheheen, M.S., CACII, Program Director (RPP)  
Maureece Jones, M.A., CACII (RPP)  
Terri A. Winiarski, CVR, Capital City Reporting

The agenda for the June 30, 2010 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 31, 2010 minutes as written. The motion was seconded and passed.

## **PRESIDENT'S REMARKS**

Dr. Williams welcomed Dr. Peter Candela to the Board and expressed the Board's appreciation for Dr. Kenneth Nash's service to this Board during the previous eleven years.

### *EXECUTIVE SESSION*

**Motion:** A motion was made that the Board be recessed to go into executive session for LLR Legal Counsel to advise as to guidelines and protocol for a hearing. The motion received a second. The motion carried. The meeting was recessed at 2:25 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 2:30 p.m.

## **HEARING – Case #2009-9**

The Hearing of Case #2009-9 was conducted by the Board and recorded and transcribed by certified court reporter, Terri A. Winiarski, CVR, Capital City Reporting.

*The following is an abbreviated account of the hearing and provided for information only:*

**Motion:** *A motion was made that the Board be recessed to go into executive session to discuss Case #2009-9. The motion received a second. The motion carried. The meeting was recessed at 3:11 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 3:38 p.m.*

**Motion:** *A motion was made that the Memorandum of Agreement the Respondent entered into be accepted with conditions to include a private reprimand; the motion carried.*

*Respondent, Mr. Wilson, Mr. Sheheen, and Mr. Jones departed the meeting at 3:40 p.m.*

## **REPORTS / INFORMATION**

**Licensee Totals:** Ms. Combs reported there are 742 licensed optometrists; 473 are in state; 12 candidates for licensure are eligible to take the online S.C. Jurisprudence Exam; and 12 licenses have been issued since the March 31, 2010 Board meeting.

**Office of Investigations and Enforcement:** Ms. Combs reported that for the period of 03/31/10 through 06/23/10 there is one active investigation, one case was closed, one case qualified as a do not open case, and one case is pending review by the Investigative Review Committee (IRC).

**Office of General Counsel Report:** There are no pending cases residing in the Office of General Counsel except for the case heard at this meeting.

**Financial Report:** Information available upon request.

**Branch Registrations:** None to report.

**Board Member Election – Electronic Voting:** Ms. Combs informed the Board that electronic voting for board member elections may be possible in the future.

**Web Site Newsletter/ E-mail Blast:** Valuable information can be found on the Board's Web site at [www.llr.state.sc.us/POL/Optometry/](http://www.llr.state.sc.us/POL/Optometry/). Licensees can change an address, renew a license, review a profession's Laws and Regulations, see a listing of Board members, view past meeting minutes, review how a complaint is processed, etc. The agency has the capability to send e-mail blasts to licensee e-mail addresses.

**Optometry Legislation Update:** Ms. Combs attended the May 4, 2010 House Medical, Military, Public and Municipal Affairs Committee meeting for House Bill 4819 that, if passed, would amend the current Optometry Practice Act; the Committee decided to adjourn debate.

**Future Board Meeting Dates:** The Board agreed to continue to meet quarterly on Wednesdays at 3:00 p.m. for the calendar year 2011. Ms. Combs will provide possible 2011 meeting dates for the Board to review. The next regularly scheduled meeting for the current year is October 27, 2010.

**Association of Regulatory Boards of Optometry (ARBO) Meeting:** Dr. Williams and Ms. Combs attended the ARBO National Meeting in Orlando, Florida held June 13-15, 2010. Dr. Williams reported on the topics of discussion; one of the major topics was Board Certification. Various organizations made presentations on this subject. The Board will continue to review this subject and how it pertains to the responsibilities this Board has been charged with.

Dr. Williams made the Board aware that there is an ongoing need for COPE reviewers to examine course material to verify that guidelines for pharmacology, therapeutics, and practice management are being met.

The 2010 ARBO Annual Meeting Resource Binder will be housed at the Board office; this is an excellent reference book that contains all topics covered, attendees, state boards and national organizations reports, etc.

## **UNFINISHED BUSINESS**

None to Discuss.

## **NEW BUSINESS**

**Board Certification:** Dr. Williams previously addressed the topic of board certification in his remarks regarding the ARBO meeting.

**Use of the Term Optometric Physician:** Ms. Combs received an inquiry from a licensee as to whether or not the term optometric physician was acceptable use for business cards. The Board continues with its previous position reflected in the November 30, 2001 meeting minutes that stated the Board would not reprimand a licensee for the use of the term optometric physician. It was noted the State Association changed its name to the South Carolina Optometric Physicians' Association.

**Fluorescein Angiography:** The Board agreed that it is within the scope of practice of a South Carolina optometrist to order and interpret the results of a Fluorescein Angiography.

**Part I Exemption for Licensure:** Ms. Combs received an inquiry from a 1997 optometry school graduate who has passed the National Board Parts II, III, and the TMOD, but, despite numerous attempts has not passed NBEO Part I. She reported that she has kept her skills current by continuing to work in the profession under the supervision of licensed optometrists and ophthalmologists in South Carolina; she is appealing to the Board to grant licensure absent passage of Part I. The South Carolina Practice Act states the successful completion of NBEO Part I as a requirement of licensure by credentials; the request was therefore denied.

#### **ANNOUNCEMENTS**

The next Board meeting is scheduled for October 27, 2010, 3:00 p.m., Kingtree Building, Room 204, Columbia, South Carolina.

There being no further business or announcements, Dr. Williams adjourned the meeting at 5:15 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.*