

South Carolina Department of Labor, Licensing and Regulation (LLR)
Board of Examiners in Optometry
Board Meeting Minutes
February 6, 2019 3:00P.M., Room 204
Synergy Business Park
110 Centerview Drive, Kingtree Building, Room
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 on the board website 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. James Vaught, President
Dr. Michelle Cooper, Vice President
Dr. Derek Van Veen
Mr. Jesse Price

SCLLR STAFF PRESENT

Emily Farr, Director of LLR
Stacey Hewson, Esquire, Office of Advice Counsel
Holly Beeson, Counsel to the Office of Communications and Governmental Affairs
David Love, Office of Investigations
Meredith Buttler, Administrator
Patricia Lutz, Administrative Assistant

ALSO PRESENT

Gary Haygood, Court Reporter
Henry Blackford, Vision to Learn
Courtney Mochan, Vision to Learn
Catherine Hanhauser, Vision to Learn
Damian Carroll, Vision to Learn
Dr. Wayne Cannon, Optometrist

CALL TO ORDER: Dr. Vaught called the meeting to order at 3:03 P.M.

APPROVAL OF AGENDA

Motion: To approve the agenda.
Van Veen/Cooper/approved.

APPROVAL OF ABSENT BOARD MEMBER

Motion: To approve the absence of Thomas Hill due to work conflict.
Price/Cooper/approved.

APPROVAL OF JULY 25, 2018 AND DECEMBER 19, 2018

Motion: To approve the minutes from the July 25, 2018 and December 19, 2018 meetings.
Cooper/Price/approved.

DIRECTOR OF LLR

Emily Farr, Director of LLR, introduced herself to the Board and thanked them for their Service.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT

Mr. Love presented the Statistical Report. From January 1, 2018 to January 3, 2019, there were a total of 15 cases: three cases have been closed, seven cases are pending Board action and five cases were not opened. The Board accepted this as information.

INVESTIGATIVE REVIEW COMMITTEE REPORT

Mr. Love provided the IRC Report. The committee recommended to dismiss one case, dismiss five cases for Cease & Desist and one formal complaint.

Motion: To accept the IRC Report.
Cooper/Price/approved.

OFFICE OF DISCIPLINARY COUNSEL REPORT

On behalf of Tina Brown, Mr. Love reported that there were no cases listed as pending on the report provided. Since the date of the report, the Office of Disciplinary Counsel has one case pending a hearing.

REPORTS / INFORMATION

Meredith Buttler introduced herself as the new administrator and stated she looks forward to working with the Board.

Licensee Totals

Ms. Buttler reported that to date the board has 881 licensed optometrists: 579 practice in state and 302 practice out-of-state. Renewals officially closed on January 31, 2018 at which time, 95 licensees had not renewed and are now lapsed.

Board staff will be conducting a Continuing Education audit, polling 5% of all active licensees. Audited licensees must provide proof of CEs completed during the time period January 1, 2017 to December 31, 2018.

Endorsement Applicant Report

Ms. Buttler reported three optometrist were licensed by endorsement application from July 25, 2018 to February 6, 2019. Currently there is one pending endorsement application. With the vacancy of Dr. Tucker, Ms. Buttler requested a board member be designated to review the endorsement applications. Dr. Van Veen volunteered.

Financial Report

Provided and accepted as information.

Board Election Update

Ms. Buttler reported in September 27, 2018, former Board Administrator, April Koon, submitted a letter to the Governor's office with three candidates for the filling of the two vacant Optometrist board seats. To date, appointments have not been made.

Statement of Economic Interest Report

Ms. Buttler reminded the Board that the 2019 Statement of Economic Interest filing is due by March 31, 2019.

LEGISLATIVE UPDATE

Ms. Beeson reported no legislation specific to the profession is active at this time. She shared a number of medical related bills that may be of interest.

NEW BUSINESS

1. BOARD ELECTION PROCESSES

Dr. Wayne Cannon presented to the board his dissatisfaction in how the 2018 election was conducted and the SCOPA presentation given by former board administrator at the SCOPA meeting in October.

EXECUTIVE SESSION:

Motion: For the board and administrator to enter into executive session to seek legal advice.
Price/Cooper/approved.

RETURN TO PUBLIC SESSION

Motion: For the Board to return to public session.
Cooper/Van Veen/approved.

The Board will ensure that a Board report will be presented at the 2019 SCOPA meeting by a licensed optometrist and the Board Administrator will be working on creating a more secure and fair election process.

2. 2019 BOARD MEETING DATES

The 2019 Meeting Dates were presented to the Board. Dr. Van Veen noted a conflict with the May 22, 2019 meeting date. The date was changed to May 29, 2019.

3. TRAVEL APPROVAL FOR ARBO ANNUAL MEETING – JUNE 16-18, 2019 IN ST. LOUIS, MO

Motion: To approve travel for two board members and one staff.
Price/Cooper/approved.

4. VISION TO LEARN – HENERY BLACKFORD

Mr. Blackford presented the Vision to Learn program, a non-profit organization working with local school districts to connect students to local optometrists for vision services. Vision to Learn provides mobile vision care services to students identified through vision screenings. Mr. Blackford is seeking the Board's approval for licensed use of the mobile unit.

EXECUTIVE SESSION:

Motion: For the board and administrator to enter into executive session to seek legal advice.
Cooper/Price/approved.

RETURN TO PUBLIC SESSION

Motion: For the Board to return to public session.
Cooper/Price/approved.

The Board cannot grant Mr. Blackford's request to provide licensure for the mobile unit utilized by Vision to Learn due to SC Code of Law 40-37-320, which specifies mobile units are limited to visiting and providing services to licensed health care facilities within the State.

Schools do not constitute licensed health care facilities.

5. SCOPA COMMENTS REGARDING PROPOSED REGULATION CHANGES

Advice counsel to the Board, Stacey Hewson, presented a revised version of the proposed regulation changes. Ms. Hewson stated that the revisions were requested by SCOPA.

Motion: To approve the revisions to the Board's proposed regulation changes.
Price/Van Veen/approved.

ELECTION OF BOARD OFFICERS

Dr. Vaught nominated Dr. Cooper for President and Dr. Van Veen for Vice-President.

Motion: To approve Dr. Cooper as President and Dr. Van Veen as Vice-President.
Price/Van Veen/approved.

PUBLIC COMMENTS

There were no public comments.

ANNOUNCEMENTS

The next Board meeting is May 29, 2019 in room 204.

ADJOURNMENT

Motion: To adjourn the meeting.
Cooper/Price/approved.

The meeting adjourned at 4:48 P.M.