

**South Carolina Department of Labor, Licensing and Regulation (LLR)**  
**Board of Examiners in Optometry**  
**Board Meeting Minutes**  
**May 13, 2019 3:00P.M., Room 204**  
**Synergy Business Park**  
**110 Centerview Drive, Kingstree 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, Kingstree 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. Michelle Cooper, President  
Dr. James Vaught,  
Mr. Charles Hill  
Mr. Jesse Price

**SCLLR STAFF PRESENT**

Stacey Hewson, Esquire, Office of Advice Counsel  
David Love, Office of Investigations  
Tina Brown, Office of Disciplinary Counsel  
Meredith Buttler, Administrator  
Patricia Lutz, Administrative Assistant

**ALSO PRESENT**

Christine A. Cortright, Court Reporter  
Dr. Gary White, Optometrist

**CALL TO ORDER:** Dr. Cooper called the meeting to order at 3:00 P.M.

**APPROVAL OF AGENDA**

**Motion:** To approve the agenda.  
Vaught/Price/approved.

**APPROVAL OF ABSENT BOARD MEMBER**

**Motion:** To approve the absence of Dr. Derek Van Veen due to work conflict.  
Vaught/Price/approved.

**PRESIDENT'S REMARKS**

Board President, Michelle Cooper, welcomed everyone to the meeting. She reported that the Boards regulations passed out of the House of Representative's Higher Education Committee on May 1, 2019, and the Senate's Medical Affairs on May 2, 2019. The regulations are on track to pass.

**APPROVAL OF MEETING MINUTES**

**Motion:** To approve the minutes from the February 6, 2019 meeting.  
Vaught/Price/approved.

## **STAFF REPORTS**

### **Administrator's Report**

Ms. Buttler reported, to date the Board has 899 active licensees: 584 in-state licensees, 313 out-state licensees, and 2 pending applications. From February 7, 2019, to May 7, 2019, three license by endorsement applications have been approved, all having practiced as therapeutic optometrists and passed equivalent examinations. The Board's current fiscal balance as of February 28, 2018, is \$96,355.70.

The Board recently conducted a 5% randomized audit; a total of 38 licensees were selected for audit. Initial letters were sent out on February 5, 2019, with follow up letters sent March 5 and March 25, 2019. To date, 32 licensees have completed the audit, 6 are pending compliance and 1 voluntarily surrendered the license. Of the 6 pending, 5 are on track to come into compliance within 3 to 6 months. The remaining licensee is seeking a medical hardship waiver.

In June, Board President and Administrator will be attending the ARBO meeting in St. Louis. A report of the conference will be presented at the July meeting.

### **Office of Investigations and Enforcement Report**

Mr. Love reported to the Board, as of January 1, 2019, 9 cases have been closed, 9 cases were marked "Do Not Open", and 4 are pending. Mr. Love presented the IRC report for Board review.

**Motion:** To accept the IRC Report.  
Hill/Price/approved.

### **Office of Disciplinary Counsel Report**

Tina Brown reported there is one open case which is scheduled to be heard later in the meeting. There are no other pending cases.

### **Legislative Update**

Ms. Beeson was not present at the meeting and Ms. Buttler deferred to Dr. Cooper's report regarding the Board regulation passage through the House and Senate.

## **DISCIPLINARY HEARING**

### **Case #2018-8 Memorandum of Agreement**

Disciplinary case 2018-8 respondent appeared before the Board for a Disciplinary Hearing. All persons testifying were sworn in by the court reporter. All hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Executive Session

**Motion:** For the board to enter into executive session to seek legal advice.  
Vaught/Hill/approved.

Return to Public Session

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

**Motion:** To accept the Memorandum of Agreement and place the licensee on a two year probation.  
Vaught/Price/approved.

## **NEW BUSINESS**

- a. Servants for Sight Proposal – At the request of Dr. O’Dell, this item has been deferred to the July 31, 2019 meeting.
- b. CE Audit Waiver Request – Ms. Buttler shared with the Board the medical hardship waiver request for Dr. T. Croffead for the 2017-2019 CE Audit.  
**Motion:** To allow Dr. Croffead an additional six months to acquire the required 40 hours of CEs. CE compliance must be met by November 13, 2019.  
Vaught/Price/approved
- c. Licensure by Endorsement Revision Parameters – Ms. Buttler reported that she has been working on updating all Board applications and forms to ensure compliance and best practices are being followed. The current licensure by credential and licensure by endorsement applications have directions that are contrary to the Board statutes and regulations. Ms. Buttler presented the Board with updated applications for review and asked for Board approval for staff to process and approve all applications by endorsement that meet the examination and work experience criteria. Any applications by endorsement that do not meet the requirements will be sent for review to the designated licensed Board member.  
**Motion:** To allow board staff to process and approve applications by endorsement that meet the Board's licensing requirements and to continue review by the a licensed board member when necessary.  
Price/Vaught/approved
- d. Discussion and Action: Delegation of authority to Board President to issue Cease & Desist for unlicensed practice – Ms. Hewson reported that all boards within LLR are being presented with this new system. To streamline the process and provide quicker service to unlicensed individuals, the C&D order would not go through the steps of IRC review and Board review but would instead be reviewed internally first by OIE, then ODC, and then to OAC before being brought to the Board President for signature and issuance. The C&D order signed by the President would be the last step in the process and constitute a final order, not requiring Board review.  
**Motion:** To approve delegation of authority to Board President to issue C&D for unlicensed practice.  
Vaught/Price/approved

#### **PUBLIC COMMENTS**

There were no public comments.

#### **ANNOUNCEMENTS**

The next Board meeting is July 31, 2019 in room 204.

#### **ADJOURNMENT**

**Motion:** To adjourn the meeting.  
Hill/Price/approved.

The meeting adjourned at 4:27 P.M.