

South Carolina Department of Labor, Licensing and Regulation
Board of Examiners in Optometry
Board Meeting Minutes
August 18, 2021, 3:00 p.m.

Public notice of this meeting was properly posted at the South Carolina Board of Examiners in Optometry Office, Synergy Business Park, Kingstree Building, 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. Members of the public who wished to attend could do so by live stream. The Board office, via contact.optometry@llr.sc.gov, provided live stream access information.

BOARD MEMBERS PRESENT

Dr. Michelle Cooper, President
Dr. Jeremy P. Anderson, Vice President
Dr. Deborah Long
Dr. Brad Majors
Dr. Wayne Cannon
Mr. Jesse Price
Mr. Charles Hill

SCLLR STAFF PRESENT

Kyle Tennis, Office of Advice Counsel
Meredith Buttler, Administrator
Shelby Sutusky, Office of Disciplinary Counsel
Tina Brown, Office of Disciplinary Counsel
Mark Sanders, Office of Investigation and Enforcement
Lorie Graham, Office of Investigation and Enforcement

ALSO PRESENT

Tina Behles, Court Reporter

CALL TO ORDER: Dr. Cooper called the meeting to order at 3:01 P.M.

APPROVAL OF AGENDA

Motion: To approve the agenda.
Cannon/Anderson/approved.

INTRODUCTION OF BOARD MEMBERS

Board members and staff introduced themselves.

APPROVAL OF ABSENT BOARD MEMBER

No members absent

APPROVAL OF MEETING MINUTES

Motion: To approve the minutes from the May 26, 2021 meeting.
Long/Cannon/approved.

PRESIDENT'S REMARKS

Dr. Cooper thanked all for attending and reminded the members the meeting was being live streamed on YouTube.

STAFF REPORTS

Administrator's Report

Ms. Buttler reported to date the Board has 994 active licensees, 3 pending applications and 2 exam-eligible applications. Since the last Board meeting on May 26, 2021, the Board has issued 32 licenses. The Board's current fiscal balance as of June 30, 2021, is \$196,958.91.

The Board is currently holding elections for three board members seats. The online election portal opened on Monday, August 16, 2021, and would remain open until midnight on August 30, 2021. Licensees who do not wish to utilize the online portal may request paper ballots by contacting the Board office at contact.optometry@llr.sc.gov. Ballots and candidate bios will be mailed to the requesting licensee. Mailed ballots must be have a postmark date on or before August 30, 2021, to be included in the count. After logging into the portal, licensees will see three elections in which to vote. The current election portal is designed to allow one vote per election. As there are three seats open, three election modules had to be designed. All of the nominees show up in each of the election module with the incumbents for the seats noted.

On June 21, 2021, the 2021-2022 General Appropriations Bill was ratified and proviso 81.15 went into effect. The Proviso provides for the use of mobile optometry units at SC Title I schools after registering with the Board.

Office of Investigations and Enforcement Report

Mr. Sanders reported for time period of January 1, 2021, to August 13, 2021, fifteen complaints have been received, eleven cases opened, one case closed and eight active investigations.

Mr. Sanders presented the Board with the IRC report, which met on August 11, 2021. The report included four cases for dismissal.

Motion: To approve the four cases for dismissal.
Cannon/Anderson/approved.

Office of Disciplinary Counsel Report

Ms. Sutusky reported there are no open cases in ODC and one case has closed since January 1, 2021.

REPORTS

Dr. Cannon presented a report for the ARBO Annual Meeting held virtually on June 19-20, 2021. Dr. Cannon commended ARBO for their handling of the conference and the national testing procedures in light of the national health crisis. The report was presented for Board information only.

OLD BUSINESS

a. Mobile Optometry Units

Ms. Buttler presented the Board with the 2018 survey from ARBO regarding registration and licensing of mobile units. Ms. Buttler reported that most jurisdictions treat mobile units in

the same manner as brick and mortar offices. Mr. Tennis stated that the statutes do allow the Board to promulgate regulations regarding optometrists' offices for adequate and appropriate office facilities, the proper handling of patient records, and appropriate sanitation for office facilities. In contrast to the dental statutes that provide broader statutory authority for the Dental Board to promulgate regulations, the Optometry Board regulations regarding optometrists' offices are more limited in scope. Dr. Cannon shared with the Board members the proposed policy that he and members of SCOPA had drafted. Mr. Tennis reminded the Board that policy would not be enforceable in the same manner regulations would be. As such, if the Board wished to promulgate regulations surround optometry facilities, they would need to submit a notice of drafting first.

Motion: To submit a notice of drafting for regulations on optometry office standards.
Cannon/Hill/approved.

The Board will establish a committee to draft proposed regulations and then submit to the Board for approval at a special called meeting. Members of the committee include Dr. Cooper and Dr. Cannon. Additional names of interested public members will be submitted to the Board office for coordination of committee meeting dates.

NEW BUSINESS

a. 2022 Board Meeting Dates

Dr. Cooper submitted the proposed 2022 board meeting dates for approval. Conflict for the first quarter and third quarter meetings were identified. The Board office will review additional available dates and submit to the Board members.

Motion: To approve the second and fourth quarter 2022 Board meeting Dates.
Majors/Long/approved.

b. Travel Approval: 2021 SCOPA Annual Meeting, August 26-29, 2021

Motion: To approve travel for Dr. Cooper.
Cannon/Price/approved.

c. Travel Approval: 2022 ARBO Southern Regional Meeting, March 12, 2022 in New Orleans, LA

Motion: To approve travel for two Board members and staff.
Cannon/Price/approved.

d. Travel Approval: 2022 ARBO Annual Meeting, June 12-14, 2022 in Chicago, IL

Motion: To approve travel for two Board members and staff.
Long/Anderson/approved.

PUBLIC COMMENTS

None.

ANNOUNCEMENTS

The next Board meeting is December 1, 2021.

ADJOURNMENT

Motion: To adjourn.

Anderson/Long/approved.

The SC Board of Examiners in Optometry meeting adjourned at 3:36 P.M.