

SOUTH CAROLINA BOARD OF EXAMINERS IN OPTOMETRY
BOARD MEETING MINUTES

November 29, 2023 at 1:00 PM

1. Meeting Called to Order

- a. Public Notice of this meeting was properly posted at the Optometry Board Office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with the South Carolina Freedom of Information Act, Section 30-4-80. Members of the public who wish to attend may do so by video. The video link is posted on the agenda.

2. Introduction of Board Members

Dr. Wayne Cannon, President called the meeting of the SC Board of Examiners in Optometry to order at 1:04 p.m. Other board members participating in the meeting were:

- Dr. Michelle Cooper, Vice President
- Dr. Brad Majors
- Dr. Melissa Wood
- Dr. Michael Campbell
- Mr. Charles Hill
- Mr. Jesse Price

LLR staff present included: Marcie Greene, Esq., Advice Counsel, Tracy Adams, Board Executive, Stacey Oswald, Administrative Assistance, Ervin Bond, OIE, and Shelby Sutusky, Esq., ODC.

Others in attendance: Tina Behles, Court Reporter, Courtney Gibson, Adam Gibson, Daryl Hawkins, Esq., Chris Millhouse, Dr. Earl Lofis, OD, Lorie Graham and Joseph Giorduno.

3. Approval of Excused Absences

There weren't any absences

4. Approval of Agenda

Dr. Michelle Cooper made a motion to approve the agenda. Mr. Jesse Price seconded the motion and it carried.

5. Approval of Meeting Minutes

- a. Board Meeting – August 30, 2023
Dr. Michelle Cooper made a motion to approve the minutes for the August 30, 2023, Board meeting with correction of conference to visit to NBEO Facility. Mr. Jesse Price seconded the motion and it carried.
- b. Special Called Meeting – September 8, 2023
Dr. Michelle Cooper made a motion to approve the minutes for the September 8, 2023, Special Called Board meeting. Mr. Jesse Price seconded the motion and it carried.

6. Administrative Reports

Ms. Tracy Adams, Board Executive reported, to date, the Board has 1024 active licensees, 4 pending applications, 3 exam eligible applicants, 4 inactive licensees and 1 mobile unit. Since August 30, 2023 through November 17, 2023, there have been 9 licenses issued and 1 license reinstated.

The Board's current cash balance as of November 29, 2023 is \$322,324.19.

- a. **OIE Report** – For Information – Ervin Bond – This report was for information purposes only and was given by Mr. Ervin Bond. Year to date through November 20, 2023, they have received a total of 23 cases, 7 active investigations and 21 closed cases.
- b. **IRC Report** – For Approval – Ervin Bond – There are 2 cases that are being submitted for approval. The committee recommended 2 cases for dismissal.

Dr. Michelle Cooper made a motion to approve the dismissals. Dr. Michael Campbell seconded the motion and it carried.

- c. **ODC Report** – For information – Shelby Sutusky, Esq. – This report was for information purposes only and was given by Ms. Shelby Sutusky, Esq. There are 2 open cases, 2 pending hearing and agreements, 0 pending closure, 0 closed, 0 appeals, 0 closed since August 6, 2023 and 2 closed since January 1, 2023.

7. New Business

- a. **Hearing Officer** – Dr. Cannon
Dr. Michael Campbell has been recommended to be the alternate hearing officer for the Board.

Dr. Michelle Cooper made a motion to have Dr. Michael Campbell as the alternate Hearing Officer. Mr. Jesse Price seconded the motion and it carried.

8. Final Order Hearings

- a. **2021-8 & 2021-11 Formal Complaints**
Dr. Earl Loftis, OD appeared before the Board for a disciplinary hearing. He was represented by Mr. Daryl Hawkins, Esq. and was sworn in. Witnesses present were Ms. Courtney Gibson, Ms. Lorie Graham, Mr. Joseph Giorduno and were sworn in. Disciplinary hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Mr. Charles Hill made a motion to go into executive session for legal advice. Mr. Jesse Price seconded the motion and it carried.

Dr. Michelle Cooper made a motion to return from executive session. Mr. Jesse Price seconded the motion and it carried. No motions were made or votes taken during the executive session.

Dr. Michelle Cooper made a motion to go into executive session for legal advice. Mr. Jesse Price seconded the motion and it carried.

Dr. Michelle Cooper made a motion to return from executive session. Mr. Charles Hill seconded the motion and it carried. No motions were made or votes taken during the executive session.

Dr. Michelle Cooper made a motion to have Dr. Earl Loftis complete and show completion of a Professional Conduct and Ethics course to be determined and approved by the President of the Board. Dr. Brad Majors seconded the motion and it carried.

9. Board Member Report

- a. National Board of Optometry Review Committee Conference – Dr. Cannon
Dr. Cannon reported he has been appointed by ARBO to serve on the review committee. A meeting was held the first of November. The purpose of the meeting was to discuss whether the board is being used in a proper manner and how they arrive with the different parts of the Board. There are three parts of the Board which there are about ten members in each part and about seven or eight serve on a committee. The committees are to review the exam is given and the questions on the exam. The committees determine if the questions need to be revised.

10. Public Comments

11. Announcement

Next meeting will be held January 24, 2024.

12. Adjournment

Dr. Michelle Cooper made a motion to adjourn the meeting at 4:44 p.m. Mr. Charles Hill seconded the motion and it carried.