

South Carolina Department of Labor, Licensing and Regulation (LLR)
Board of Examiners in Optometry
Board Meeting Minutes
February 8, 2017
Synergy Business Park
110 Centerview Drive, Kingtree Building, Room 204
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 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. Peter V. Candela, President
Dr. James Vaught, Vice President
Dr. Derek Van Veen
Dr. Thomas E. Tucker
Charles Hill, Public Member
Jesse W. Price, III, Public Member

BOARD MEMBERS ABSENCE:

Dr. Michelle Cooper

SCLLR STAFF PRESENT:

Donnell Jennings, Esquire, Office of Advice Counsel
April Koon, Administrator
Missy L. Jones, Administrative Assistant
Darra Coleman, Chief Advice Counsel of Office of Advice Counsel
For IRC Report:
David Love, Chief Investigator, Office of Investigations and Enforcement
For ODC Report:
Shanika Johnson, Esquire, Office of Disciplinary Counsel

PRESENT:

Gary Haywood, Nationally Certified Court Reporter
Wayne Cannon, OD, IRC Member, LLR
Jackie Rivers, Executive Director, SCOPA
Dr. R.B. Antley, OD
E.J. Movmeg, OD
Marion Efron, OD

CALL TO ORDER: At 3:01 p.m. the meeting was called to order by Dr. Candela.

APPROVAL OF AGENDA: A **motion** was made by Dr. Vaught to accept the February 8, 2017, Agenda. The motion was seconded by Dr. Tucker and carried unanimously.

APPROVAL OF ABSENT BOARD MEMBER(S): A **motion** was made by Dr. Vaught to approve Dr. Michelle Cooper's absence. The motion was seconded by Dr. Tucker and carried unanimously.

APPROVAL OF OCTOBER 12, 2016 MEETING MINUTES: A **motion** was made by Dr. Tucker to accept the October 12, 2016 minutes as written. The motion was seconded by Dr. Vaught and carried unanimously.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE) REPORT: Mr. Love presented the OIE Statistical Report. The Board accepted this report as information.

INVESTIGATIVE REVIEW COMMITTEE (IRC) REPORT: Mr. Love provided the IRC Report. It was recommended to dismiss case #2016-9. A **motion** was made by Dr. Vaught to accept the IRC dismissal recommendations. The motion was seconded by Dr. Tucker and carried unanimously.

OFFICE OF DISCIPLINARY COUNSEL (ODC) REPORT: Ms. Johnson reported that there is one (1) pending case in the Office of Disciplinary Counsel.

OFFICE OF ADVICE COUNSEL (OAC) TRAINING FOR BOARD MEMBERS ON SELECTED LEGAL AND ETHICAL TOPICS: Mrs. Coleman gave the Board a training presentation from OAC on selected legal and ethical topics.

EXECUTIVE SESSION-COMPLAINT PROCESS: A **motion** was made by Dr. Van Veen to go into executive session. The motion was seconded by Dr. Tucker and carried unanimously. A **motion** was made by Dr. Tucker to come out of executive session. The motion was seconded by Dr. Vaught and carried unanimously.

LEGISLATIVE UPDATE: Mr. Singh gave a brief presentation of Bill H3438, Drug Substitutions. Mr. Singh stated that this law allows a pharmacist to substitute an interchangeable biological product for a specific biological product. The pharmacist has five days to notify the prescribing physician that the generic version was used to fill the prescription.

Mr. Jennings gave a brief presentation of SC Code Section 63-7-310. Mr. Jennings stated that this law states that all medically related licensees must report any kind or signs of child abuse or neglect. The Board accepted this as information.

REPORTS / INFORMATION

- **Licensee Totals Report and Endorsement Applicant Report** – S.C. 837 licensed optometrists; 563 practice in S.C.; 274 practice out-of-state. No Endorsement Applicant licenses issued
- **Renewal Report** – 837 optometrist renewed. Only 87 did not renew. Cease and Desist letters were mailed to the 87 optometrist that did not renew on February 2, 2017.
- **Financial Report** - provided and accepted as information
- **ARBO Membership Benefits and Annual Meeting** – Information only.

UNFINISHED BUSINESS

JURISPRUDENCE EXAMINATION REVIEW: A **motion** was made by Dr. Vaught to eliminate “D” in Question 10 and retitle “E” as “D” and adopt all changes. The motion was seconded by Dr. Van Veen and carried unanimously. A **motion** was made by Dr. Van Veen to make the changes and implement the exam. The motion was seconded by Dr. Tucker and carried unanimously.

NEW BUSINESS

REQUEST FOR CE APPROVAL FOR UNLIMITED HOURS-SOCIETY OF

PROFESSIONAL OPTOMETRIST INC.: Dr. Antley requested that the Board grant unlimited continuing education hours for the Society of Professional Optometrist, Inc. A **motion** was made by Dr. Van Veen to go into executive session. The motion was seconded by Dr. Tucker and carried unanimously. A **motion** was made by Dr. Tucker to come out of executive session. The motion was seconded by Dr. Vaught and carried unanimously. A **motion** was made by Dr. Van Veen to approve the request for unlimited continuing education hours for Society of Professional Optometrists for 2017 only. The motion was seconded by Dr. Tucker and carried with Dr. Vaught and Mr. Price opposing. Dr. Candela suggested that the Society of Professional Optometrist remove the statement

on their website claiming that South Carolina hours are automatically approved since they require approval on a yearly basis.

MEDICAL EXTENSION AND LICENSE RENEWAL: Requests for a medical extension for license renewal will be reviewed on a case-by-case basis. This request must include a medical statement by the attending physician as proof of the medical condition and be reviewed by the Board president and staff. A six month time frame will be given to complete all required continuing education or the license will lapse.

DISCUSSION OF RENEWAL PROCESSES AND GUIDELINES: The Board gave guidance to LLR staff to continue to allow the one month extension for renewal (Jan 1 – 31 odd years) with \$50.00 late fee. During that month, the licensee is allowed to practice up until January 31st of any renewal cycle.

TELEMEDICINE: This item has been carried over to the May 24, 2017 Board Meeting.

ELECTION OF BOARD OFFICERS: A **motion** was made by Dr. Tucker for Dr. Vaught to be President of the Board. The motion was seconded by Dr. Van Veen and carried unanimously. A **motion** was made by Dr. Tucker for Dr. Cooper to be Vice President of the Board. The motion was seconded by Dr. Van Veen and carried unanimously.

APPROVAL OF BOARD MEMBER AND ADMINISTRATOR TRAVEL TO ASSOCIATION OF REGULATORY BOARDS OF OPTOMETRY (ARBO) ANNUAL MEETING JUNE 18-20, 2017: A **motion** was made by Dr. Tucker to approve a Board Member and the Administrator to attend the Association of Regulatory Board of Optometry Annual Meeting June 18 – 20, 2017. The motion was seconded by Dr. Van Veen and carried unanimously.

PUBLIC COMMENTS

There were no public comments.

ANNOUNCEMENTS

The next Board meeting is scheduled for May 24, 2017.

ADJOURNMENT

A **motion** was made by Dr. Tucker, seconded by Dr. Van Veen, and unanimously carried to adjourn the meeting. Dr. Candela adjourned the meeting at 6:00 p.m.

These minutes are a record of the official actions taken by the Board and a summary of the meeting provided by April Koon, Administrator. Minutes are presented to the Board for final approval.