

South Carolina Department of Labor, Licensing and Regulation (LLR)
Board of Examiners in Optometry
Board Meeting Minutes
May 24, 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. James Vaught, President
Dr. Michelle Cooper, Vice President
Dr. Peter V. Candela
Dr. Derek Van Veen
Dr. Thomas E. Tucker
Charles Hill, Public Member
Jesse W. Price, III, Public Member

SCLLR STAFF PRESENT:

Mary League, Esquire, Office of Advice Counsel
April Koon, Administrator
Missy L. Jones, Administrative Assistant
Darra Coleman, Chief Advice Counsel of Office of Advice Counsel
Rebecca Leach, Office of Governmental Affairs
Holly Beeson, Office of Governmental Affairs
Dottie Buchanan, Office of Communications
Lesia Kudelka, Media Relations, Office of Communications
Sym Sigh, Office of Governmental Affairs
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
Jackie Rivers, Executive Director, SCOPA
Anna Balderson, SCOPA

CALL TO ORDER: At 3:00 p.m. the meeting was called to order by Dr. Vaught.

APPROVAL OF AGENDA: A **motion** was made by Dr. Candela to accept the May 24, 2017, Agenda. The motion was seconded by Dr. Cooper and carried unanimously.

APPROVAL OF ABSENT BOARD MEMBER(S): No members were absent.

APPROVAL OF FEBRUARY 8, 2017 MEETING MINUTES: A **motion** was made by Dr. Candela to accept the February 8, 2017 minutes as written. The motion was seconded by Mr. Price 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 #2016-10 and case #2016-11. A **motion** was made by Dr. Candela to accept the IRC dismissal recommendations. The motion was seconded by Dr. VanVeen and carried unanimously.

OFFICE OF DISCIPLINARY COUNSEL (ODC) REPORT: Ms. Johnson reported that there is one case pending case in the Office of Disciplinary Counsel. A **motion** was made by Dr. Cooper to accept the Office Disciplinary Counsel report. The motion was seconded by Dr. VanVeen and carried unanimously.

LEGISLATIVE UPDATE: Ms. Leach reported on Bill H.3824 effective May 19, 2017 amending Section 40-37-240 (D) (2) regarding the Prescription Monitoring Program. The Prescription Monitoring Program requires Optometrists to reference the program prior to prescribing controlled substances with exceptions. The Bill also changes the continuing education requirements for Optometrists in South Carolina who are authorized to prescribe controlled substances. Two (2) of the requisite hours of continuing education must be related to approved procedures of prescribing and monitoring controlled substances listed in Schedules II, III, and IV of the schedules provided for in Sections 44-53-210, 44-53-230, and 44-53-250. The Bill also allows pharmacies to fill prescriptions on an emergency basis for 10 days, once every 12 months without a current prescription. Ms. Leach also reported that there is a bill that is in progress but has not passed which is the Prescription Monitoring Report Card. This Bill would direct SC DHEC to generate a report stating whether or not Optometrists in SC are using the Prescription Monitoring Program. Ms. Leach reported the Bill for the Criminal Background Checks for licensees did not pass this Legislative Session.

REPORTS / INFORMATION

- **Licensee Totals Report and Endorsement Applicant Report** – S.C. 852 licensed optometrists; 557263 practice in S.C.; 280 practice out-of-state.
- **Endorsement Applicant Report** – No Endorsement Applicant licenses issued
- **Financial Report** - provided and accepted as information
- **Election of Board Member Processes** – A **motion** was made by Dr. Cooper to go into executive session. The motion was seconded by Mr. Hill and carried unanimously. A **motion** was made by Mr. Hill to come out of executive session. The motion was seconded by Dr. Tucker and carried unanimously. A **motion** was made by Dr. Tucker to conduct the election of Board Members at the annual SCOPA meeting in August. Notice of elections are to be mailed to all licensed Optometrists in SC and the Board Administrator will be present at the annual meeting to handle election processes. The motion was seconded by Mr. Price and carried unanimously.

UNFINISHED BUSINESS

TELEMEDICINE: The Board asked SCOPA to research Telemedicine and report to the Board at the next Board Meeting. This item is carried over to the next Board Meeting.

NEW BUSINESS

CONTINUING EDUCATION AUDIT DISCUSSION: This item is carried over to the next Board Meeting.

SCOPE OF PRACTICE INQUIRY CONCERNING 40-37-310 (D): Dr. Mazhari submitted a question pertaining to Section 40-37-310 (D) which prohibits optometrists in South Carolina from performing surgery. Dr. Mazhari asked if removal of foreign bodies with the use of an Alger Brush is considered performing surgery or is this within the scope of practice for optometrists. A **motion** was made by Dr. Candela that it was within the scope of practice for optometrist. The motion was seconded by Dr. Tucker and carried unanimously.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

A **motion** was made by Dr. Candela, seconded by Dr. Tucker, and unanimously carried to adjourn the meeting. Dr. Candela adjourned the meeting at 4:47 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.