

Douglas A. Ducey
Governor

John Chrisagis, O.D.
President

Marla Husz, O.D.
Vice President



Arizona State Board of Optometry
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Executive Director

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**FINAL MINUTES FOR REGULAR MEETING
AUGUST 18, 2017 SCHEDULED TO COMMENCE AT 9:00 A.M.**

Board Members

John Chrisagis, O.D., President
Marla Husz, O.D., Vice-President
Michael Lamb, O.D.
Brian Mach, O.D.
Mark Peller, O.D.
George A. Evanoff, Public Member
Blake Whiteman, Public Member

Staff:

Margaret Whelan, Executive Director
Paula Hollins, Licensing Administrator

Legal Counsel:

Mona Baskin, Assistant Attorney General

A. CALL TO ORDER:

Dr. Chrisagis

Dr. Chrisagis called the meeting to order at 9:04 a.m.

B. ROLL CALL:

Ms. Hollins

Members Present:

John Chrisagis O.D., President
Mark Peller, O.D.
Marla Husz, O.D., Vice President
Michael Lamb, O.D.
Brian Mach, O.D.
George A. Evanoff, Public Member

Members Absent:

Blake Whiteman, Public Member

Legal Counsel Present:

Mona Baskin, Assistant Attorney General

Staff Present:

Margaret Whelan, Executive Director
Paula Hollins, Licensing Administrator

C. PRESIDENT'S REPORT:

Dr. Chrisagis

None.

D. INFORMAL INTERVIEW:

9:00 a.m.

1. Andrew Ochiltree, O.D.

IR#2017152

This case was continued from the May 19, 2017 meeting at which time the Board moved it to informal interview to further discuss the matter. Dr. Ochiltree was present, without an attorney, to address the Board.

Dr. Chrisagis opened the informal interview and witnesses were sworn in. Dr. Chrisagis asked Ms. Whelan to provide a summary of the case. Ms. Whelan summarized the case as the patient was seen in November of 2013 and was diagnosed with cataracts. The patient had an appointment with a retinal specialist in January 2014 at which time he was diagnosed with a retinal detachment. The patient didn't report any changes in vision to Dr. Ochiltree until several weeks after Dr. Ochiltree saw him, making it challenging to determine when the retinal detachment took place. Dr. Mach stated at the previous meeting that it was possible there was a small tear at the time the patient saw Dr. Ochiltree or it could have happened sometime after the patient was seen by him. The exam records showed the patient had cataracts; there was no documentation of any retinal detachment however, no dilation was performed to determine ocular health when the eye was a 90-diopter lens with cataracts. There was no further treatment recommended by Dr. Ochiltree.

Based on the foregoing summary, Dr. Ochiltree may have failed to properly diagnose and treat a disease of the eye as he did not dilate the patient for proper diagnosis and did not refer the patient to a specialist.

Dr. Chrisagis asked Dr. Ochiltree if he had any response to the summary presented. Dr. Ochiltree responded stating that the summary was grossly accurate. He did refer to patient to a cataract specialist and then referred by that specialist to a retinal specialist. He acknowledged that he did not perform dilation but should have. The patient's blood pressure was elevated at the time which factored in to his decision not to dilate but that perhaps he should have still performed it so he could have better seen the eye to determine what was going on. DR. Mach asked if the patient was taking any hypertension medication at the time of the exam. Dr. Ochiltree stated he was not. Dr. Lamb asked if patient's blood pressure was documented in the record; it was. Dr. Mach asked about the medication used to dilate. Dr. Ochiltree stated he typically used a phenylephrine tropicamide combination. Dr. Mach asked is tropicamide was contraindicative for hypertension. Dr. Ochiltree stated it was not. Dr. Mach asked why he didn't just use that to dilate due to the concern of the hypertension. Dr. Ochiltree stated it was "a fair question" and that he should have considered that.

Closing comments from Dr. Ochiltree: In retrospect, he felt the exam was flawed and was disappointed about the outcome for the patient.

The Board had concern about the lack of referral and how to determine when the retinal detachment took place. It's possible that the tear was not present at the time of the exam but dilation of some kind may have shown symptoms at that time. Dr. Peller felt some form of dilation should have been done, especially due to the patient's high blood pressure as there could have been other things going on in the eye as a result. Dr. Lamb had some concern that Dr. Ochiltree did not refer this patient back to his primary care doctor to address the high blood pressure.

FINDINGS OF FACT: (Allegation #1): Dr. Ochiltree failed to properly diagnose and treat a retinal tear, did not dilate the patient or properly refer the patient to a retinal specialist.

CONCLUSIONS OF LAW: Based on the Findings of Fact, the Board finds violation of A.A.C. R4-21-304 Vision Exam Standards for not performing dilation on the patient on November 8, 2013.

MOTION: Dr. Mach moved to accept the Findings of Fact and Conclusions of Law for Allegation #1; Dr. Ochiltree failed to perform dilation and issue a Letter of Concern for violation of A.A.C. R4-21-304 for failure to follow Vision Examination standards regarding dilation. Dr. Peller seconded the motion.

<u>Vote</u>		John Chrisagis President	Mark Peller Optometrist	Marla Husz Optometrist Vice President	Brian Mach Optometrist	Michael Lamb Optometrist	George Evanoff Public Member	Blake Whiteman Public Member
YES	6	X	X	X	X	X	X	
NO	0							
ABSTAIN	0							
ABSENT	1							X

VOTE: Motion passed 6-0.

E. REVIEW, DISCUSSION AND POSSIBLE ACTION ON INVESTIGATIVE REVIEWS/COMPLAINTS:

2. Kathy Vu, O.D. IR#2017157

Dr. Peller summarized case as patient is diabetic and requested records to be sent to a podiatrist for further treatment of a related condition. Patient stated Dr. Vu refused to give her medical records unless she pays for the exam. The records were never sent as requested.

MOTION: Dr. Mach moved to issue a Letter of Concern for failure to release records pursuant to A.A.C. R4-21-305(E)(F). Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

3. Matthew Palmer, O.D. IR#2017154

Dr. Mach summarized the case as this was a corneal transplant patient who needed a sclera lens not covered by the insurance however, the fitting would have been covered. The patient left before the exam was completed. Dr. Mach questioned why Dr. Palmer changed the contact lens from gas permeable to scleral when the patient was asymptomatic but saw no violation of the optometric practice act. Mr. Scott King, attorney for Dr. Palmer was present and addressed the Board stating that the patient did leave and in terms of which lens to use, it was a professional call on the part of the doctor as to which lens was best. Dr. Mach noticed in the chart that the patient's acuities were not identified as "with correction" or not.

MOTION: Dr. Peller moved to dismiss the case due to lack of violation of the optometric practice act. Mr. Evanoff seconded the motion.

VOTE: Motion passed 6-0.

4. Victor Rosen, O.D. IR#2017175

Dr. Lamb summarized the case as 1-800 Contacts alleges that Dr. Rosen failed to release a copy of the contact lens prescription when requested. 2 patients; 1 not a patient, 1 didn't return to finalize the contact lens prescription.

MOTION: Dr. Lamb moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

5. Kendra Eck, O.D. IR#2017178

Dr. Lamb summarized the case as 1-800 Contacts alleges that Dr. Eck failed to release a copy of the contact lens prescription when requested. 3 patients; no requests received from 1-800 Contacts.

MOTION: Dr. Lamb moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

6. Thomas Johnson, O.D. IR#2017188

Dr. Husz summarized the case as 1-800 Contacts alleges that Dr. Johnson failed to release a copy of the contact lens prescription when requested. 3 patients; 2 were never seen in this office, 1 patient no request was received from 1-800 Contacts.

MOTION: Dr. Husz moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Peller seconded the motion.

VOTE: Motion passed 5-0. Dr. Lamb recused.

7. Matthew Hunter, O.D. IR#2017189

Dr. Husz summarized the case as 1-800 Contacts alleges that Dr. Hunter failed to release a copy of the contact lens prescription when requested. 1 patient; no request was received from 1-800 Contacts.

MOTION: Dr. Peller moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Husz seconded the motion.

VOTE: Motion passed 5-0. Dr. Lamb recused.

8. Martin Brussels, O.D. IR#2017190

Dr. Peller summarized the case as 1-800 Contacts alleges that Dr. Brussels failed to release a copy of the contact lens prescription when requested. 1 patient; Dr. Brussels never practiced in the office alleged in the complaint; no request was received from 1-800 Contacts.

MOTION: Dr. Peller moved to dismiss the case due to lack of violation of the optometric practice act. Mr. Evanoff seconded the motion.

VOTE: Motion passed 5-0. Dr. Lamb recused.

9. Marshall Palmer, O.D. IR#2017191

Dr. Husz summarized the case as 1-800 Contacts alleges that Dr. Palmer failed to release a copy of the contact lens prescription when requested. 1 patient with a very common name; doctor unable to identify which patient as there are several in practice with same name and no birthdates or other identifying information was provided by 1-800 Contacts.

MOTION: Dr. Husz moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Peller seconded the motion.

VOTE: Motion passed 5-0. Dr. Lamb recused.

10. Jeffrey Olsen, O.D. IR#2017192

Dr. Peller summarized the case as 1-800 Contacts alleges that Dr. Olsen failed to release a copy of the contact lens prescription when requested. 5 patients; doctor unable to identify which patients were requested as there are several in practice with same name and no birthdates or other identifying information was provided by 1-800 Contacts.

MOTION: Dr. Peller moved to dismiss the case due to lack of violation of the optometric practice act. Mr. Evanoff seconded the motion.

VOTE: Motion passed 5-0. Dr. Lamb recused.

11. Ryan Wiggins, O.D. IR#2017208

Dr. Husz summarized the case as 1-800 Contacts alleges that Dr. Wiggins failed to release a copy of the contact lens prescription when requested. 2 patients; 1 response sent back by Dr. Wiggins and 1, no request was received from 1-800 Contacts.

MOTION: Dr. Husz moved to dismiss the case due to lack of violation of the optometric practice act. Mr. Evanoff seconded the motion.

VOTE: Motion passed 5-0. Dr. Peller recused.

12. Roberto Lucca, O.D. IR#2017209

Dr. Lamb summarized the case as 1-800 Contacts alleges that Dr. Lucca failed to release a copy of the contact lens prescription when requested. 7 patients; 3 no request was received by 1-800 Contacts, 3 response sent back by Dr. Lucca and 1 no patient by that name in practice.

MOTION: Dr. Husz moved to dismiss the case due to lack of violation of the optometric practice act. Mr. Evanoff seconded the motion.

VOTE: Motion passed 5-0. Dr. Peller recused.

13. Rhonda Nell, O.D. IR#2017211

Dr. Husz summarized the case as 1-800 Contacts alleges that Dr. Nell failed to release a copy of the contact lens prescription when requested. 9 patients; 3 no request was received by 1-800 Contacts, 2 response sent back by Dr. Nell and 4 not patients in practice.

MOTION: Dr. Husz moved to dismiss the case due to lack of violation of the optometric practice act. Mr. Evanoff seconded the motion.

VOTE: Motion passed 5-0. Dr. Peller

14. Miguel Char, O.D. IR#2017215

Dr. Husz summarized the case as 1-800 Contacts alleges that Dr. Char failed to release a copy of the contact lens prescription when requested. 1 patient who was not Dr. Char's patient.

MOTION: Dr. Peller moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Lamb seconded the motion.

VOTE: Motion passed 6-0.

15. Michael Sachen, O.D. IR#2017216

Dr. Lamb summarized the case as 1-800 Contacts alleges that Dr. Sachen failed to release a copy of the contact lens prescription when requested. 3 patients; 2 no request was received by 1-800 Contacts and 1 not patient in practice.

MOTION: Dr. Lamb moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Husz seconded the motion.

VOTE: Motion passed 6-0.

16. Roger Juarez, O.D. IR#201718

Dr. Peller summarized the case as 1-800 Contacts alleges that Dr. Juarez failed to release a copy of the contact lens prescription when requested. There were 5 complaints for 3 patients, Dr. Juarez stated the names were too common and he needed more identifying information to respond and provide records.

MOTION: Dr. Peller moved to dismiss due to lack of violation of the optometric practice act. Dr. Husz seconded the motion.

Dr. Mach stated the names were not common and that Dr. Juarez needs to properly respond as his response to the Board is insufficient. Dr. Mach suggested tabling the complaint to request medical records. Ms. Whelan informed the Board that several requests have been made by staff for further clarification of the response; none has been submitted. Dr. Peller withdrew his motion to dismiss. Dr. Husz withdrew her second to the motion.

MOTION: Dr. Mach moved to go to Informal Interview to inquire why the doctor is not properly responding to the Board's requests. Dr. Peller seconded the motion.

Ms. Baskin advised the Board of its options regarding subpoena versus informal interview. Dr. Husz stated that it appears that Dr. Juarez thinks his response is proper so he just needs to send the records to complete his response and for the Board to properly determine compliance. Dr. Husz felt the Board should subpoena the records and not go to informal interview.

Dr. Mach withdrew his motion to go to informal interview. Dr. Peller withdrew his second to the motion.

MOTION: Dr. Lamb moved to subpoena the records of all the patients in Dr. Juarez's practice with the same name who were named in the complaint from 1-800 Contacts. Dr. Mach seconded the motion.

VOTE: Motion passed 6-0.

17. Christopher Parot, O.D. IR#2017164

Dr. Lamb summarized the case as 1-800 Contacts alleges that Dr. Parot failed to release a copy of the contact lens prescription when requested. 6 patients; 5 prescriptions were expired; 1 no request was received by 1-800 Contacts and 1 not patient in practice.

MOTION: Dr. Lamb moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

18. Karen Chow, O.D. IR#2017166

Dr. Lamb summarized the case as 1-800 Contacts alleges that Dr. Chow failed to release a copy of the contact lens prescription when requested. 1 patient; no such patient in practice.

MOTION: Dr. Peller moved to dismiss the case due to lack of violation of the optometric practice act. Mr. Evanoff seconded the motion.

VOTE: Motion passed 6-0.

19. Lincoln Daynes, O.D. IR#2017168

Dr. Lamb summarized the case as 1-800 Contacts alleges that Dr. Daynes failed to release a copy of the contact lens prescription when requested. 1 patients; prescription was expired, Dr. Daynes responded sending the expired prescription.

MOTION: Dr. Lamb moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Mach seconded the motion.

VOTE: Motion passed 6-0.

20. Kayle Haws, O.D. IR#2017171

Dr. Husz summarized the case as 1-800 Contacts alleges that Dr. Haws failed to release a copy of the contact lens prescription when requested. 5 patients; Dr. Haws responded to all requests.

MOTION: Dr. Peller moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Lamb seconded the motion.

Dr. Mach stated he had a problem with the medical record as there is no printed name or date stamp on the record nor is there a doctor's signature.

Dr. Haws appeared before the Board telephonically. Dr. Mach asked Dr. Haws about the records not having any identifying information. Dr. Haws stated the date is at the top of the page of each record. Dr. Mach stated that the record must have the date and signature at the bottom of each record. Dr. Haws stated that this is the office form and that his signature is at the bottom and the date is at the top, however, it does not have the printed name on it. Dr. Haws stated he no longer works at this office.

VOTE: Motion passed 5-1. Dr. Mach voted no.

21. Kelly Moffat, O.D. IR#2017172

Dr. Husz summarized the case as 1-800 Contacts alleges that Dr. Moffat failed to release a copy of the contact lens prescription when requested. 6 patients; 2 not patients of the practice, 1 response sent by Dr. Moffat, 3 no requests received from 1-800 Contacts.

MOTION: Dr. Husz moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

22. Seth Morgan, O.D. IR#2017173

Dr. Husz summarized the case as 1-800 Contacts alleges that Dr. Morgan failed to release a copy of the contact lens prescription when requested. 6 patients; 2 responses sent to 1-800 Contacts, 4 requests went to the wrong office; doctor did not see patients at that location.

MOTION: Dr. Peller moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Lamb seconded the motion.

VOTE: Motion passed 6-0.

23. Jeffrey Martin, O.D. IR#2017174

Dr. Husz summarized the case as 1-800 Contacts alleges that Dr. Martin failed to release a copy of the contact lens prescription when requested. 5 patients; 1 patient could not be identified as name too common and no birthdate or other identifying information was provided by 1-800 Contacts, 3 no requests were received by 1-800 Contacts and 1 was responded to even though the request was a phone call and not a written request.

MOTION: Dr. Lamb moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

24. Andrew Frank, O.D. IR#2017179

Dr. Peller summarized the case as 1-800 Contacts alleges that Dr. Frank failed to release a copy of the contact lens prescription when requested. Dr. Frank did not send a narrative response but sent records.

MOTION: Dr. Mach moved to issue a Letter of Concern for failure to respond pursuant to the FLCLA. Mr. Evanoff seconded the motion.

Dr. Husz disagreed with the motion for a letter of concern because the lack of response appeared to be the same oversight as some of the other submissions. Ms. Whelan interjected that staff did not distinguish that the response was incomplete and asked the Board to continue the complaint to a future meeting so that a letter requesting more information from Dr. Frank could be sent.

Dr. Mach withdrew his motion for a letter of concern. Mr. Evanoff withdrew his second of the motion.

25. Chad Carlsson, O.D. IR#2017183

Dr. Lamb summarized the case as 1-800 Contacts alleges that Dr. Carlsson failed to release a copy of the contact lens prescription when requested. 2 patients; 1 not a patient and 1 request was responded to by Dr. Carlsson.

MOTION: Dr. Lamb moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

26. Jason Ransdell, O.D. IR#2017184

Dr. Lamb summarized the case as 1-800 Contacts alleges that Dr. Ransdell failed to release a copy of the contact lens prescription when requested. 15 complaints for 2 patients; Dr. Ransdell indicated in his response that he needed more information to respond as there were no birthdates, social security numbers or other identifying information submitted.

MOTION: Dr. Lamb moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Husz seconded the motion.

VOTE: Motion failed 3-3. Dr. Mach, Dr. Chrisagis and Mr. Evanoff voted no.

Dr. Chrisagis stated that even though it is only two patients, the names are not common enough where the doctor can't provide a specific record. Ms. Whelan stated she would follow up with Dr. Ransdell to get an amended response with the patient names and information as provided.

MOTION: Dr. Lamb moved to subpoena the records of all the patients in Dr. Ransdell's practice with the same name who were named in the complaint from 1-800 Contacts. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

27. Peter Ryan, O.D. IR#2017193

Dr. Husz summarized the case as 1-800 Contacts alleges that Dr. Ryan failed to release a copy of the contact lens prescription when requested. The address where the request was sent was incorrect and the requests were for another doctor who is deceased.

MOTION: Dr. Peller moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Lamb seconded the motion.

VOTE: Motion passed 6-0.

28. John Castro, O.D. IR#2017195

Dr. Husz summarized the case as 1-800 Contacts alleges that Dr. Castro failed to release a copy of the contact lens prescription when requested. 4 patients; 1 no patient by that name in practice, 3 requests were responded to by Dr. Castro who stated that 1-800 Contacts also had a wrong fax number to send back the documentation.

MOTION: Dr. Peller moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Mach seconded the motion.

VOTE: Motion passed 6-0.

29. Alice Kwok, O.D. IR#2017196

Dr. Lamb summarized the case as 1-800 Contacts alleges that Dr. Kwok failed to release a copy of the contact lens prescription when requested. 1 patient; minor patient, mother asked that the child's information not be released to anyone. Dr. Kwok responded as such to 1-800 Contacts.

MOTION: Dr. Peller moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Lamb seconded the motion.

VOTE: Motion passed 6-0.

F. REVIEW, DISCUSSION AND POSSIBLE ACTION ON PENDING REGULAR LICENSE APPLICATIONS:

- 30. Duong, Michelle
- 31. Pan, Yang
- 32. Perkins, Jarred
- 33. Roe, Matthew

MOTION: Dr. Lamb moved to approve items 30, 31 and 33 for licensure. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

MOTION: Dr. Peller moved to approve item 32 for licensure contingent upon signing a Consent Agreement for a term of probation concurrent with the deferred prosecution agreement and providing quarterly reporting and proof from the court of completion of deferred program. Dr. Mach seconded the motion.

<u>Vote</u>		John Chrisagis President	Mark Peller Optometrist	Marla Husz Optometrist Vice President	Brian Mach Optometrist	Michael Lamb Optometrist	George Evanoff Public Member	Blake Whiteman Public Member
YES	5	X	X	X	X		X	
NO	0							
ABSTAIN	1					X		
ABSENT	1							X

VOTE: Motion passed 5-0. Dr. Lamb recused from the discussion and vote.

G. REVIEW, DISCUSSION AND POSSIBLE ACTION ON PENDING ENDORSEMENT APPLICATIONS:

34. Sorgentoni, Vincent

MOTION: Dr. Lamb moved to approve item 34 for licensure. Dr. Mach seconded the motion.

VOTE: Motion passed 6-0.

H. REVIEW, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF CONTINUING EDUCATION AS PROVIDED BY A.R.S. §32-1704(D) and A.A.C. R4-21-210:

Fiscal Year 2018

	Continuing Education	Date	No. of hours requested
a.	Retina Update 2017, Associated Retina Consultants	8/30/17 10/4/17	3 Regular 3 Regular

MOTION: Dr. Husz moved to approve item a for continuing education. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

I. EXECUTIVE DIRECTOR'S REPORT:

35. Budget update

36. E-licensing update
37. Move update
38. Future agenda items
39. Future Board meeting dates

Budget:

8.33% of FY elapsed; with a beginning cash balance of \$283,608 and an ending cash balance of \$288,340. The Board is appropriated \$222,200 for FY18. There was a one-time \$10K increase to the appropriation for this FY to cover the cost of the 1-800 Contacts complaints processing and \$2100 for general adjustments. For FY19 budget, there is an annualized cost of \$2231 (related to the move) for armed security in the new building, WiFi, eFax and an FTE to handle the customer service window in the lobby.

eLicensing Update:

The State is looking at a “standardized” system for licensing for all Boards. There was a committee who reviewed the bids and met with the companies. The bid was awarded and there are 13 Boards who are participating in the initial roll-out, of which the Optometry Board is one. There will be a fund sweep of \$45,900 to pay our portion of the program. It is currently unknown what the ongoing cost will be as the final product is not completed.

Move Update:

The Board is funding its own move but is trying to have ADOA fund it. The projected move date is January 5, 2018. Our offices will be on the third floor of 1740 W. Adams St. just a few blocks west of our current location.

Future agenda items:

Dr. Chrisagis requested a consent agenda for board meetings containing multiple 1-800 Contacts complaints; Board member appointments/update

Future Board meeting dates:

Future Board meeting dates are October 13, 2017 and December 8, 2017.

J. REVIEW, DISCUSSION AND VOTE ON PERSONNEL ISSUES PERTAINING TO EVALUATION OF EXECUTIVE DIRECTOR:

40. Evaluation Forms
41. Performance review from July 1, 2016 to June 30, 2017
42. Possible salary adjustment

Dr. Chrisagis asked the Board for their completed evaluation forms for review. The Board feels that Ms. Whelan is doing a fine job and discussed a possible salary adjustment.

Dr. Chrisagis moved to go into executive session to discuss personnel matters. Dr. Mach seconded the motion.

The Board went into Executive Session at 10:42 a.m.
The Board reconvened Regular Session at 10:52 a.m.

MOTION: Dr. Mach moved to increase Ms. Whelan's base salary by 5%. Dr. Husz seconded the motion.

VOTE: Motion passed 6-0

K. CALL TO PUBLIC:

Dr. Chrisagis made a call to the public at 10:53 a.m.

Thomas Galvin from the Rose Law Group on behalf of 1-800 Contacts addressed the Board, thanking both Board and staff for all the work they've done on the 1-800 Contacts complaint.

L. MOTION TO ADJOURN:

Dr. Peller moved to adjourn the meeting at 10:53 a.m. Mr. Evanoff seconded the motion.

The meeting was adjourned at 10:53 a.m.

END OF MINUTES:

Margaret Whelan, Executive Director

Date