

Douglas A. Ducey
Governor

John Chrisagis, O.D.
President

Marla Husz, O.D.
Vice President



Arizona State Board of Optometry
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Margaret Whelan
Executive Director

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**FINAL MINUTES FOR REGULAR MEETING
FEBRUARY 9, 2018 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
Vacant, 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 9:00 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

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

None.

E. CONSENT AGENDA

1. CASES RECOMMENDED FOR DISMISSAL; CONSENT AGENDA; REVIEW, DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING CASE(S):

- | | | |
|----|------------------------|------------|
| 1. | Ghadeer Makoshi, O.D. | IR#2017126 |
| 2. | William Rainey, O.D. | IR#201852 |
| 3. | Peter Langenfeld, O.D. | IR#201889 |
| 4. | James Mowbray, O.D. | IR#2018119 |
| 5. | Thelma Barnes, O.D. | IR#2018120 |
| 6. | April Williams, O.D. | IR#2018130 |
| 7. | Boram Chung, O.D. | IR#2018131 |
| 8. | Chris Began, O.D. | IR#2018132 |

MOTION: Dr. Lamb moved to dismiss items 1, 6, 7 and 8 due to lack of violation of the optometric practice act. Dr. Mach seconded the motion.

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

Dr. Peller asked to take item 3 separately from the Consent Agenda.

MOTION: Dr. Lamb moved to dismiss items 2, 4 and 5 due to lack of violation of the optometric practice act. Dr. Mach seconded the motion.

VOTE: Motion passed 6-0.

Dr. Peller asked the Board if anyone else had a problem with Dr. Langenfeld's medical records. He stated that there was no pathology, no dilation of any patient regardless of age and lack of visual acuity in the records. There were 34 complaints for 23 patients and responses were sent back to 1-800 Contacts. Dr. Mach felt there may be an issue with the records however, Dr. Langenfeld works at Davis-Monthan AFB and it's possible that the medical portion of the records was not released as this complaint was about a copy of a prescription.

MOTION: Dr. Husz moved to dismiss item 3 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:

9. Bluth, Jordan
10. Kroona, Katie

MOTION: Dr. Peller moved to approve items 9 and 10 for licensure. Dr. Lamb seconded the motion.

VOTE: Motion passed 6-0.

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

11. Drabinsky, Michael
12. Richards Roy, Shelley
13. Skahan, Dennis

MOTION: Dr. Peller moved to approve items 11-13 for licensure. Dr. Lamb seconded the motion.

VOTE: Motion passed 6-0.

H. REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING COMPLIANCE, REVISION OR TERMINATION OF PROBATIONARY ORDER:

14. Jarred Perkins, O.D.

Ms. Whelan informed the Board that it appears the report submitted by Dr. Perkins is indicative that he has substantially complied with the terms of the Order.

MOTION: Dr. Peller moved to terminate the Probationary Order due to successful completion of its terms. Mr. Evanoff seconded the motion.

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

I. REVIEW, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF TESTING CENTER FOR PROCTORING OF JURISPRUDENCE EXAM PURSUANT TO A.A.C. R4-21-203(C):

15. University of the Incarnate Word, San Antonio, TX
16. University of Pittsburgh, Pittsburgh, PA

MOTION: Dr. Peller moved to approve items 15 and 16 for testing centers for proctoring of Jurisprudence exam. Dr. Lamb seconded the motion.

VOTE: Motion passed 6-0.

J. 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.	From Studies to Clinical Use: Diabetic Macular Edema Data and Case Review- Associated Retina Consultants	2/8/18	1 Regular
b.	Case studies with review of ancillary imaging modalities of non-infectious posterior uveitis- Associated Retina Consultants	3/23/18	1 Regular

MOTION: Dr. Lamb moved to approve items a and b for continuing education. Dr. Mach seconded the motion.

VOTE: Motion passed 6-0.

K. REVIEW, DISCUSSION AND POSSIBLE ACTION TO THE MOTION FOR ITEM E.7. OF THE JANUARY 20, 2017 BOARD MEETING MINUTES:

17. Guramritpal Dhott, O.D.

Ms. Baskin informed the Board that Dr. Dhott properly disclosed criminal conduct on his renewal application however, he should have disclosed it within the 10-day time frame of the charge pursuant to A.R.S. §32-3208. In the original motion, the term “arrested” was used when in fact the doctor was charged with an act and not arrested. Under the statute, it requires that a charge be disclosed; not an actual arrest. Since there was no arrest in this case, it would be appropriate to amend the minutes to properly refer to a charge.

MOTION: Dr. Husz moved to amend the January 20, 2017 minutes to change the verbiage from “arrested” to “charged” pursuant to A.R.S. §32-3208. Dr. Mach seconded the motion.

VOTE: Motion passed 6-0.

L. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF BOARD MEETING MINUTES:

- 18. June 23, 2017 Regular Session Minutes
- 19. July 21, 2017 Regular Session Minutes
- 20. August 18, 2017 Regular Session Minutes

MOTION: Dr. Lamb moved to approve items 18, 19, and 20 as submitted. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

M. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF SIGNATURES ON A LICENSE:

Ms. Whelan advised that currently (and historically), this Board has utilized all Board Member signatures on its wall license for practice. She asked the Board if they would be amenable to changing it to either just the Board President or have both the Board President and Vice President signatures on the license. The changes are due to the upcoming changes in the eLicensing program.

MOTION: Dr. Lamb moved to approve the signatures the licenses to reflect the Board President and the Vice President only. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

N. EXECUTIVE DIRECTOR'S REPORT:

21. Move update
22. Budget update
23. eLicensing update
24. Accounting audit requirement
25. Legislation-HB2062, HB2129, HB2197, HB2238, SB1001, SB1031, SB1184, SB1273
26. Future agenda items
27. Future Board meeting dates

Move update:

The Board offices were successfully moved into the 1740 W. Adams building on January 5, 2018. All files, furniture, computers, etc. made it safely and securely to the new building. Staff is settled in and office is functioning at 100%.

Budget update:

58.33% of FY elapsed with Board's spending at 50.26%; beginning cash balance of \$254,192 and an ending cash balance of \$265,142.

eLicensing update:

Ms. Whelan reported that to date, the eLicensing project has been an incredible amount of work as the programming and mapping has been done by the agency. It is still expected to roll out March 5, 2018 but because the company doing the program is behind, they may split the 13 agencies into two groups to roll out some later. The company who is contracted with the State has asked the agencies for all of its letters, certificates, notices, etc. as they are migrating our databases over to the new system. Ms. Whelan informed the Board that all current licensees will need to get on to the system and create an account; the Board will be sending out individual electronic security tokens to each licensee in order to get on to the system.

Accounting audit requirement:

An internal audit of the Agency's accounting processes is now required. It is an online audit on the GAO website; required 4 times per year. Even though CSB does our finances, we are still required to do this.

Legislation:

There were 1035 bills dropped as of January 30, 2018. Ms. Whelan reported on the status of each bill listed on the agenda, recommending that the Board and the public check the Arizona Legislative website at www.azleg.gov for the most up to date information on these (and any other) bills.

Future agenda items:

None requested.

Future Board meeting dates:

Future Board meeting dates are April 13, 2018 and June 8, 2018.

O. CALL TO PUBLIC:

Dr. Chrisagis made a call to the public at 9:50 a.m.

No one addressed the Board.

P. MOTION TO ADJOURN:

Dr. Peller moved to adjourn the meeting at 9:51 a.m. Dr. Mach seconded the motion.

The meeting was adjourned at 9:51 a.m.

END OF MINUTES:

Margaret Whelan, Executive Director

Date