

**Douglas A. Ducey**  
Governor

**John Chrisagis, O.D.**  
President

**Marla Husz, O.D.**  
Vice President



**Arizona State Board of Optometry**  
1400 West Washington, Suite 230  
Phoenix, AZ 85007

**Margaret Whelan**  
Executive Director

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**FINAL MINUTES FOR REGULAR MEETING  
JULY 15, 2016 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 9:00 a.m.

**B. ROLL CALL:**

**Ms. Hollins**

Members Present:

John Chrisagis O.D., President  
Marla Husz, O.D., Vice President  
Michael Lamb, O.D.  
Mark Peller, O.D.  
George A. Evanoff, Public Member  
Blake Whiteman, Public Member – arrived at 9:07 a.m.

Members Absent:

Brian Mach, O.D.

Legal Counsel:

Mona Baskin, Assistant Attorney General

Staff Present:

Margaret Whelan, Executive Director  
Paula Hollins, Licensing Administrator

**C. PRESIDENT’S REPORT:**

**Dr. Chrisagis**

Dr. Chrisagis reported that he attended the ARBO conference; some of the “hot topics” for this year are the North Carolina Dental Board antitrust case and its effects on regulation, “super-boards”, and an emphasis on educating board members that they are there to protect the public and not the profession.

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

1. Corona Hoang, O.D. IR#201613

Dr. Husz summarized the case as patient has macular degeneration and wanted bioptic telescope lenses to drive. The patient was fitted and instructed on the use but never completed the training. The patient did not ask for a refund within the timeframe required by the office policy and therefore did not receive one as requested when he realized he could not use the bioptic lenses. Dr. Hoang was present to address the Board; she stated she did two hours of training and that the patient did not indicate he was unhappy with the bioptic lenses. The patient and the patient's son were present to address the Board; the patient’s son stated this was a refund issue and that his father is elderly and may not have understood the refund process or policy of the office.

**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 4-0. Dr. Peller recused. Mr. Whiteman recused.

2. Bradley Smith, O.D. IR#201624

Dr. Chrisagis summarized the case as patient saw the doctor for an annual eye exam. The patient wanted glasses but wasn't happy with them and wanted a refund. Ultimately, Dr. Smith refunded the patient's money for the eyeglasses.

**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.

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

3. Cammenga, Joanna
4. Chee, Krystal
5. Chow, Jessica
6. Grimm, Armanda
7. Klauba, Nicholas
8. Solomon, Stratton

**MOTION:** Dr. Lamb moved to approve items 4,5,6 and 8 for licensure. Dr. Peller seconded the motion.

**VOTE:** Motion passed 6-0.

**MOTION:** Dr. Lamb moved to approve item 3 for licensure contingent upon negative DPS/FBI report. Dr. Peller seconded the motion.

**VOTE:** Motion passed 6-0.

**MOTION:** Mr. Whiteman moved to approve item 7 for licensure. Dr. Husz seconded the motion.

**VOTE:** Motion passed 6-0.

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

9. Wallace, Shaune

**MOTION:** Dr. Husz moved to approve item and 9 for licensure contingent upon negative DPS/FBI report. Dr. Peller seconded the motion.

**VOTE:** Motion passed 6-0.

**G. 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 2017**

	<b>Continuing Education</b>	<b>Date</b>	<b>No. of hours requested</b>
a.	<b>Associated Retina Consultants-Retina Update 2016</b>	8/31/16 10/05/16	3 Regular

**MOTION:** Dr. Husz moved to deny item a. due to lack of detailed course outline as required in rule. Mr. Whiteman seconded the motion.

**VOTE:** Motion passed 5-1. Dr. Lamb voted no.

**H. REQUEST FOR WAIVER OF OR EXTENSION OF TIME TO COMPLETE CONTINUING EDUCATION PURSUANT TO ARS 32-1726(B) AND A.A.C. R4-21-212.**

10. Christina Wong, O.D.

**MOTION:** Dr. Husz moved to allow Dr. Wong to submit 16 hours of correspondence courses to meet the continuing education requirement for the current renewal period. Mr. Whiteman seconded the motion.

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

**I. DISCUSSION, FOR THE PURPOSE OF CLARIFICATION, ON CPR REQUIREMENT FOR APPLICANTS AND FOR LICENSE RENEWAL UNDER A.A.C. R4-21-205.1.**

Dr. Husz feels that applicants should meet the requirements for the CPR certification under the new rule R4-21-205.1; that the courses be from one of the three entities listed as they are subject to the general requirements after licensure. The Board agreed and directed staff to add the requirement to the initial application for clarity. Regarding license renewal, the rule is clear that the courses must be taken from one of the three entities listed in the rule.

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

11. April 15, 2016 Regular Session Minutes
12. June 17, 2016 Regular Session Minutes

**MOTION:** Dr. Husz moved to approve item 11 as submitted. Dr. Peller seconded the motion.

**VOTE:** Motion passed 6-0.

**MOTION:** Dr. Peller moved to approve item 12 as submitted. Mr. Whiteman seconded the motion.

**VOTE:** Motion passed 6-0.

**K. EXECUTIVE DIRECTOR'S REPORT:**

13. Budget update
14. Executive Order 2016-05
15. SB1444- New section; investigative report to licensee upon request; A.R.S. §32-3206
16. Future agenda items
17. Future Board meeting dates

Ms. Whelan reported that as of June 30, 2016, 100% of the fiscal year has elapsed. The Board had a beginning cash balance of \$238,455 with an ending cash balance of \$232,827. The Board's spending was at 86.42% but there are a few more operational expenses to record. The appropriation for FY17 is \$210,100.

Executive Order 2016-05 prohibits state agencies from obtaining their own lobbyist to run legislation and requires immediate termination of any lobbyist contracts the agency may have.

Senate Bill 1444 contains a new section that requires regulatory boards to give an investigative report, if one exists, upon written request pursuant to A.R.S. 32-3206.

No future agenda items were requested. Future board meeting dates are September 16, 2016 and November 18, 2016.

**L. CALL TO PUBLIC:**

Dr. Chrisagis made a call to the public at 10:31 a.m. No one addressed the Board.

**M. MOTION TO ADJOURN:**

Dr. Chrisagis moved to adjourn the meeting at 10:32 a.m. Mr. Evanoff seconded the motion.

The meeting was adjourned at 10:32 a.m.

**END OF MINUTES:**

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Margaret Whelan, Executive Director

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Date