

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
SEPTEMBER 25, 2015 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

Board 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 asked that some of the 12 hours of Board member training required under A.R.S. §32-3218 be completed at the November Board meeting.

D. REVIEW, DISCUSSION AND VOTE ON INVESTIGATIVE REVIEWS/COMPLAINTS:

1. Tara Miller, O.D. IR#201521

Dr. Peller summarized the case as patient came in on March 9, 2015 for a contact lens and eyeglass prescription; however no eyeglass prescription was given at the end of the exam. Due to staffing issues, the contacts were not ordered for one week and the eyeglass prescription was held during that time in order to give both prescriptions to the patient at the same time. Patient wears a gas permeable lens and would have needed to be fitted and wear the lens prior to releasing the final prescription. There appeared to be a misunderstanding regarding release of prescriptions in a timely manner. Dr. Miller attempted on several occasions to remedy the situation; the patient subsequently received both prescriptions shortly after the exam.

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.

2. Monica Diamos, O.D. IR#201602

Dr. Husz summarized the case as patient is partially sighted; Dr. Diamos saw the patient and prescribed bioptic lenses to drive. Patient had visual field restrictions that ultimately did not allow him to drive. The patient felt that Dr. Diamos did not perform enough visual field tests prior to determining if he would be able to drive with the bioptic lenses. The patient was refunded money for bioptic lenses purchased.

MOTION: Dr. Husz 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.

3. Nita Catt, O.D. IR#201604

Dr. Peller summarized the case as patient saw Dr. Catt on January 23, 2015 for both a contact lens and eyeglasses prescription. The patient did not return until five months later to check the fit and complete the contact lens prescription. Dr. Catt was present to address the Board. Dr. Peller asked Dr. Catt about why she didn't finalize the prescription sooner as there had been no change in vision or lens style. Dr. Catt stated she wanted the patient to try a different brand of lens that she thought may be better for the patient as the patient is an "over-wearer" of contact lenses. Dr. Catt did not charge the patient to finalize the contact lens prescription when patient came back five months later.

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 6-0.

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

4. Chhabra, Navrit
5. Coca, Margarita
6. Dana, Amanda
7. Desai, Sonal
8. Freaney, Shenita
9. Maxon, Tyler
10. Miller, Caitlin
11. Ng, Doreen
12. Pham, Sylvie
13. Sheesfarooqui, Ifrah
14. Slepicka, Teresa
15. Trieu, Vivian

MOTION: Dr. Peller moved to approve items 4-15 for licensure. Dr. Husz seconded the motion.

VOTE: Motion passed 6-0.

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

16. Razmandi, Azaden
17. Vanderkleed, Robert

MOTION: Dr. Peller moved to approve items 16-17 for licensure. Dr. Husz 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 2016

| | Continuing Education | Date | No. of hours requested |
|----|---|-------------|-------------------------------|
| a. | Management of Macular Diseases and Uveal Melanoma-Madhavi Kurli, M.D. | 9/17/15 | 1 Regular |
| b. | Accurate Measurement of Intraocular Pressure, Experience with the Hydrus Device & Periorbital Erythema-Arizona Eye Consultants | 9/8/15 | 2 Regular |
| c. | Surgical Approaches to Managing Uncontrolled Glaucoma- BDPEC | 9/17/15 | 1 Regular |
| d. | Current Techniques in Scleral Fixation of Intraocular Lenses- BDPEC | 9/17/15 | 1 Regular |
| e. | Diabetic Retinopathy in Northern AZ BDPEC | 10/1/15 | 1 Regular |
| f. | Ten Recent Developments in Cataract Surgery- BDPEC | 10/1/15 | 1 Regular |
| g. | Proptosis in Adults, Dry Eye Disease & Conjunctival Tumors, New Surgical Devices for Presbyopia- Central Arizona Optometric Society | 10/27/15 | 3 Regular |

| | | | |
|----|--|---------|-----------|
| h. | Lasik Updates- Hodges Eye Care & Surgical Center | 9/29/15 | 2 Regular |
|----|--|---------|-----------|

MOTION: Dr. Husz moved to deny item a. due to an incomplete course outline. Dr. Peller seconded the motion.

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

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

VOTE: Motion passed 4-1. Dr. Lamb recused.

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

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

MOTION: Dr. Husz moved to deny item d. due to incomplete course outline. Mr. Evanoff seconded the motion.

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

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

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

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

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

MOTION: Dr. Lamb moved to accept approve item g. as submitted. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0.

MOTION: Dr. Peller moved to deny item h. due to lack of a course outline. Mr. Evanoff seconded the motion.

VOTE: Motion passed 6-0.

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

18. July 17, 2015 Regular Session Minutes

MOTION: Dr. Husz moved to approve item 18 as written. Dr. Lamb seconded the motion.

VOTE: Motion passed 6-0.

I. REVIEW, DISCUSSION AND POSSIBLE VOTE ON PROPOSED RULES CHANGES FOR SUBMISSION TO THE GOVERNOR’S REGULATORY REVIEW COUNCIL (“GRRC”):

19. Proposed Rules package/oral proceeding comments

The Board had a detailed discussion on the comments from the Oral Proceeding as well as the written comments submitted to the Board regarding this proposed rules package.

The Board discussed the mandate of COPE approval versus the current acceptance of it and determined that it would not mandate COPE approval of CE courses at this time and revert the original rule (R4-21-209) back to the current rule for submission. However, COPE approval will be mandated for all self-instructed media.

MOTION: Mr. Whiteman moved to revert that portion of the rule back to the current rule; remove the mandate in R4-21-209(A)(1) and amend R4-21-209(A)(2).

VOTE: Motion passed 6-0

The Board discussed the issue of certificates of attendance for submission of CE for the purpose of audit for renewal of license and the mandate of the use of OE Tracker. The Board realizes that there may be issues with OE Tracker and that there needs to be another way to get documentation to the Board if the OE Tracker is not working or does not have all the licensee’s courses on it.

MOTION: Dr. Lamb moved to amend R4-21-211(C)(1) to state that if the OE Tracker report is not complete, a licensee may submit other certificates of attendance as proof of attendance at a CE course. Dr. Peller seconded the motion.

VOTE: Motion passed 6-0

The Board discussed the documentation required for CPR and determined that it may accept other documentation in lieu of the CPR certification card if it is not available.

MOTION: Dr. Lamb moved to amend R4-21-205.1(3) to add the language “or other documentation” as proof of CPR certification. Dr. Husz seconded the motion.

VOTE: Motion passed 6-0

J. EXECUTIVE DIRECTOR’S REPORT:

- 20. Budget
- 21. Future agenda items
- 22. Future Board meeting dates

Ms. Whelan reported that FY16 budget is 25% elapsed. The beginning cash balance as of August 31, 2015 is \$219,082 with an ending cash balance of \$220, 930. No future agenda items were requested. Future Board meeting dates are November 20, 2015 and January 15, 2016.

K. CALL TO PUBLIC:

Dr. Chrisagis made a call to the public at 10:49 a.m.

Karen Walker, O.D. was present to address the Board stating that the Board has a very important job to do in protecting the public and is doing it very well. She stated that the Board's discussion of interpupillary distance was important to ensure that the public was protected with this component of the rules possibly being removed. She stated that public protection starts with the practitioners and is supported by the Boards in which they are licensed and that public education is necessary to assist in making the rules work.

L. MOTION TO ADJOURN:

Dr. Peller moved to adjourn the meeting at 10:55 a.m. Mr. Whiteman seconded the motion.

The meeting was adjourned at 10:55 a.m.

END OF MINUTES:

Margaret Whelan, Executive Director

Date