

**Janice K. Brewer**  
Governor

**Caroline Griego, O.D.**  
President

**Stacey J. Meier, 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 SESSION MEETING: MAY 21, 2010**

### **Board Members**

Caroline Griego, O.D., President  
Stacey J. Meier, O.D., Vice-President  
Brian Mach, O.D.  
Donald Jarnagin, O.D.  
Curtis R. Winkler, M.D.  
Rick Krug, Public Member

### **Staff:**

Margaret Whelan, Executive Director  
Paula Hollins, Licensing Administrator

### **Legal Counsel:**

Keely Verstegen, Assistant Attorney General

**A. CALL TO ORDER: Dr. Griego**

Dr. Griego called the meeting to order at 9:00a.m.

**B. ROLL CALL: Ms. Hollins**

Board Members Present: Caroline Griego, O.D., President  
Stacey J. Meier, O.D., Vice President  
Brian Mach, O.D.  
Donald Jarnagin, O.D.  
Rick Krug, Public Member

Board Members Absent: Curtis Winkler, M.D.

Legal Counsel Present: Keely Verstegen, Assistant Attorney General-Telephonically

Staff Present: Margaret Whelan, Executive Director  
Paula Hollins, Licensing Administrator

**C. PRESIDENT'S REPORT: Dr. Griego**

On May 10, 2010, I had the honor of observing and participating in the accreditation process for the Midwestern School of Optometry.

I would also like staff to get with the Arizona Optometric Assoc. to do a brief list of past and present complaints, if any, regarding mishandling of pharmaceutical agents.

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

1. ASBOO vs. Renata Majda, O.D. IR#200834

Allegation: Criminal charges, which may include felonies, for fraud, theft and forgery.

Dr. Griego summarized the case and recommended the Board move to Informal Interview for possible disciplinary action.

**MOTION:** Dr. Griego moved to send complaint to Informal Interview. Dr. Mach seconded the motion.

**VOTE:** Motion passed 5-0.

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

2. Chow, Brian
3. Chung, Boram
4. Wadhams, Karen

**MOTION:** Dr. Griego moved to approve item 2 for licensure contingent upon receipt of negative FBI/DPS reports. Mr. Krug seconded the motion.

**VOTE:** Motion passed 5-0.

**MOTION:** Dr. Griego moved to approve items 3 and 4 for licensure. Mr. Krug seconded the motion.

**VOTE:** Motion passed 5-0.

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

5. Gosnell, Chad
6. Nehmad, Leon
7. Robison, Samuel
8. Zipf, Gregory

**MOTION:** Dr. Griego moved to approve items 5 thru 8 for licensure. Dr. Mach seconded the motion.

**VOTE:** Motion passed 5-0.

**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 2010**

	<b>Continuing Education</b>	<b>Date</b>	<b>No. of hours requested</b>
a.	Saudi Ophthalmological Society	February 28- March 3, 2010	29 Regular
b.	2010 Glaucoma & Cataract Update	June 15, 2010	2 Regular
c.	New Clinical Perspectives	March 20, 2010	5.5 Regular
d.	Tempe Pres. Church medical mission to Haiti		Undetermined

**MOTION:** Dr. Jarnagin moved to approve items a and c as submitted. Dr. Mach seconded the motion.

**VOTE:** Motion passed 5-0.

**MOTION:** Dr. Jarnagin moved to approve item b as submitted. Mr. Krug seconded the motion.

**VOTE:** Motion passed 5-0.

**MOTION:** Mr. Krug moved to deny item d as it does not meet the criteria for continuing education under the rules. Dr. Mach seconded the motion.

**VOTE:** Motion passed 5-0.

**H. REVIEW, DISCUSSION AND POSSIBLE VOTE ON APPROVAL OF CORRESPONDENCE CE HOURS:**

9. Written request from Tanya Polec, O.D. to obtain an in-person attended CE course as correspondence credits instead

**MOTION:** Dr. Jarnagin moved to deny item 9 as the course was not offered as a correspondence course and therefore does not meet the requirements for correspondence CE. Dr. Meier seconded the motion.

**VOTE:** Motion passed 5-0.

**I. REQUEST FOR AN EXTENSION OF TIME TO COMPLETE CONTINUING EDUCATION PURSUANT TO A.A.C. R4-21-212.**

10. Letter from Brian Kern, O.D. requesting use of 8 hours of CE obtained outside timeframe for completion for the purpose of license renewal

**MOTION:** Dr. Meier moved to approve item 10 as submitted with the understanding that Dr. Kern will not be able to use those eight hours for a future renewal period. Mr. Krug seconded the motion.

**VOTE:** Motion passed 5-0.

**J. REVIEW, DISCUSSION, AND POSSIBLE ACTION TO OPEN A COMPLAINT:**

11. Letter from Juliann Kandra, O.D.

**MOTION:** Dr. Jarnagin moved to open a formal complaint. Dr. Mach seconded the motion.

**VOTE:** Motion passed 5-0.

12. Letter from Robert Esposito, O.D.

**MOTION:** Dr. Jarnagin moved to open a formal complaint. Dr. Mach seconded the motion.

**VOTE:** Motion passed 5-0.

**K. REVIEW, DISCUSSION, AND POSSIBLE VOTE REGARDING NEED FOR BOARD POLICY OR STATUTE FOR ONLINE EYEGLASS DISPENSERS:**

The Board discussed the need for a policy or statute and determined that language could be added to A.R.S. §32-1774 specifically for online eyeglass dispensers. The Board directed staff to come up with language for proposed change/amendment to said statute. The Board also discussed that instead of adding to or amending A.R.S. §32-1774, it may also implement a new statute addressing the dispensing of online eyeglasses only.

**L. REVIEW, DISCUSSION AND POSSIBLE VOTE ON NBEO LIST OF POTENTIAL EXAMINERS FROM ARIZONA:**

13. List dated February 18, 2010 from National Board of Examiners in Optometry (NBEO)

**MOTION:** Dr. Griego moved to approve item 13. Dr. Meier seconded the motion.

**VOTE:** The motion passed 5-0.

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

14. March 19, 2010 Regular Session Minutes

**MOTION:** Dr. Jarnagin moved to approve item 14 as written. Mr. Krug seconded the motion.

**VOTE:** The motion passed 5-0.

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

- 15. Budget/Furloughs
- 16. Legislation
- 17. Future agenda items

Ms. Whelan reported on the upcoming furlough dates when all State offices will be closed pursuant to Laws 2010, Seventh Special Session, Chapter 3, which implements a statewide government furlough program.. Two Board meeting dates are affected by the closures (August 20 and September 17) but

arrangements will be made to move the meeting dates if needed. The furlough dates are posted on the optometry board website at [www.optometry.az.gov](http://www.optometry.az.gov). Ms. Whelan informed the Board that some of the current statutes need to be cleaned up, as they may be archaic or invalid due to changes in other statutes. She will provide specific statutes along with proposed language at a future board meeting.

No future agenda items were requested at this time.

**O. CALL TO PUBLIC:**

Dr. Griego made a call to the public at 10:09 a.m.

No one addressed the Board.

Board went into Executive Session at 10:10 a.m.  
Board reconvened Regular Session at 10:12 a.m.

No further issues were discussed.

Dr. Griego moved to adjourn the meeting at 10:1 a.m. Dr. Mach seconded the motion.

Meeting adjourned at 10:14 a.m.

**END OF MINUTES:**

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Margaret Whelan, Executive Director

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Date