

**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: JULY 16, 2010**

### **Board Members**

Caroline Griego, O.D., President  
Stacey 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 9:03 a.m.

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

Board Members Present: Caroline Griego, O.D., President  
Brian Mach, O.D.  
Curtis Winkler, M.D.  
Rick Krug, Public Member

Board Members Absent: Stacey J. Meier, O.D., Vice President  
Donald Jarnagin, O.D.

Legal Counsel Present: Keely Verstegen, Assistant Attorney General

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

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

Dr. Griego attended ARBO conference in June. Drs. Jarnagin and Sorenson were also in attendance.

**D. INFORMAL INTERVIEW:**

**9:00 a.m.**

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 facts of the case as Dr. Majda was found guilty, by the Superior Court of the State of Arizona, of 16 felony counts including fraud, theft and forgery. Dr. Griego recommended the Board move to Formal Hearing for possible disciplinary action.

Board went into Executive Session at 9:17 a.m.

Board reconvened Regular Session at 9:25 a.m.

**MOTION:** Dr. Griego moved to send complaint to Formal Hearing. Mr. Krug seconded the motion.

**VOTE:** Motion passed 4-0.

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

2. ASBOO vs. Aleta Doroudian, O.D.

IR#200912

Allegation: Doctor is potentially unsafe to practice as she suffers from psychological stresses and failure to disclose an arrest

Dr. Winkler summarized the status of Dr. Doroudian's treatment and her mental health care at this time, recommending to the Board that it receive quarterly status reports from Dr. Doroudian's treating psychiatrist regarding her ability to safely practice the profession of optometry, and whether her monitoring should be continued, increased or decreased.

**MOTION:** Dr. Winkler moved to continue to monitor Dr. Doroudian and require quarterly reports, sent directly to the Board, from her treating psychiatrist. Dr. Mach seconded the motion.

**AMENDED MOTION:** Dr. Winkler moved to continue to monitor Dr. Doroudian and require semi-annual reports, sent directly to the Board, from her treating psychiatrist. Dr. Mach seconded the motion.

**VOTE:** Motion passed 4-0.

3. ASBOO vs. Neil Weinstein, O.D. and Mark Hechtman, O.D.

IR#201017

Allegation: Patient records not secure through software issues regarding passwords and changes to patient records

Mr. Krug summarized the facts of the case stating that there are serious concerns regarding the exam writer program and who has access to it as well as whether staff is making changes to a patient's records after a doctor has signed off on it. There are also concerns with the security of the patient's records as it allows other access to patient information by potentially unauthorized

staff. Al Bernstein, President of Nationwide Vision indicated that they are already working on a solution to this issue.

**MOTION:** Dr. Winkler instructed staff to send a letter to Drs. Weinstein and Hechtman encouraging them to implement new software or password policies to comply with current HIPAA laws. Dr. Winkler moved to dismiss this complaint pending receipt of report results from Nationwide regarding the use of this software. Dr. Mach seconded the motion.

**VOTE:** Motion passed 4-0.

4. Robert Esposito, O.D. vs. Stephen Cohen, O.D. IR#201018

Allegation: Referring patients to unqualified/unlicensed vision therapists

Dr. Griego summarized the facts of the case, stating that Dr. Cohen is referring patients to obtain vision therapy from whomever they choose and that he has no control over where a patient goes for treatment once they leave his office. Dr. Griego recommended the Board dismiss the case due to lack of violation of the optometric practice act.

**MOTION:** Dr. Winkler moved dismiss the case due to lack of violation of the optometric act. Dr. Griego seconded the motion.

**VOTE:** Motion passed 4-0.

5. R.G. vs. Gary Greene, O.D. IR#201019

Allegation: Problem with glasses

Dr. Mach summarized the facts of the case stating he could not find, in the documents submitted by Dr. Greene, substantial medical records on the patient to support or uphold Dr. Greene's facts and findings in the exam of the patient. Dr. Mach recommended the Board table pending further investigation and directed staff to get ten (10) new patient files to review recordkeeping and completeness of files. Complaint tabled for further review at next regular meeting.

6. J.S. vs. Kaci Kramer-Oldroyd, O.D. IR#201020

Allegation: Doctor failed or refused to correct problem; treated patient rudely

Dr. Griego summarized the facts of the case and recommended the Board table pending further investigation; instructing staff to obtain medical records for patient J.S. from Dr. Kramer-Oldroyd, for the purpose of determining patient appointment time, treatment history and reason for visit. Complaint tabled for further review at next regular meeting.

**F. REVIEW, DISCUSSION AND POSSIBLE VOTE ON AMENDING THE OPTOMETRIC PRACTICE ACT REGARDING LOW VISION THERAPY DEFINITIONS:**

7. Presentation to Board by Lynne Noon, O.D.

Dr. Noon presented her issues regarding what she considers the parameters vision therapy and vision therapists, as well as her thoughts on if they are engaging in the practice of the profession of optometry. The Board engaged Dr. Noon and took no action at this time.

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

8. Bassett, Glenn
9. Chhim, Sophany
10. Claveria-Ooms, Gillian
11. Frankel, Beth
12. Freeman, Rebecca
13. Gaib, Sara
14. Hirata, Caren
15. Hiscox, Jamie
16. Icely, Michael
17. Kuchera, Francis
18. Lawrence, Kelley
19. Lofgran, Adam
20. McQuivey, Christopher
21. Morgan, Seth
22. Moser, Thomas
23. Neuville, Jessica
24. Ray, Michael
25. Shaw, Grace
26. Slaugh, Russell
27. Tipton, Sarah
28. Tsang, Suzanne
29. Warner, Trenton
30. Yamamoto, Alma

**MOTION:** Dr. Griego moved to approve items 8-18, 20-24, 26, 27, 29, and 30 for licensure. Mr. Krug seconded the motion.

**VOTE:** Motion passed 4-0.

**MOTION:** Dr. Griego moved to approve items 19, 25, and 28 for licensure contingent upon receipt of a negative fingerprint report. Mr. Krug seconded the motion.

**VOTE:** Motion passed 4-0.

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

- 31. Giles, Robert
- 32. Van Houten, Vincent

**MOTION:** Dr. Griego moved to approve items 31 and 32 for licensure. Dr. Mach seconded the motion.

**VOTE:** Motion passed 4-0.

**I. REVIEW, DISCUSSION AND POSSIBLE VOTE ON PHARMACEUTICAL AGENT CERTIFICATE APPLICATIONS:**

- 33. Leonard Muscolino, O.D.

**MOTION:** Dr. Griego moved to approve item 33 for Pharmaceutical Agent Certificate. Dr. Mach seconded the motion.

**VOTE:** Motion passed 4-0.

**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 2011**

	<b>Continuing Education</b>	<b>Date</b>	<b>No. of hours requested</b>
a.	Int'l Vision Expo & Conference West 2010	October 6-9, 2010	172 Regular 27 Practice Mgmt

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

**VOTE:** Motion passed 4-0.

**K. ELECTION OF OFFICERS PURSUANT TO THE PROVISIONS OF A.R.S. §32-1703(A):**

Tabled until the next meeting.

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

- 34. May 21, 2010 Regular Session Minutes
- 35. May 21, 2010 Executive Session Minutes

**MOTION:** Mr. Krug moved to approve items 34 and 35 as written. Dr. Winkler seconded the motion.

**VOTE:** The motion passed 4-0.

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

36. Budget/Furloughs
37. Rules
38. Post Cards for new law going into effect
39. Board meeting materials online
40. Pharmacy issues
41. 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).

Rules package is moving along. Packet should be on the October 5, 2010 GRRC agenda.

Post cards will be sent notifying doctors of change to law effective July 29, 2010.

Board meeting materials will now be available to Board members through an online link sent by the Board office. This method will generate substantial savings in postage and materials and increase security of information.

Ms. Whelan appeared before the pharmacy board to present issues optometrists were experiencing with prescriptions not being filled by the pharmacist. The pharmacy board suggested using NPI numbers on prescriptions if the optometrist does not have a DEA number to ensure proper reimbursement from the insurance company to the pharmacy.

No future agenda items were requested at this time.

**N. CALL TO PUBLIC:**

Dr. Griego made a call to the public at 11:06 a.m. No one addressed the Board.

Dr. Griego moved to adjourn the meeting at 11:07 a.m. Mr. Krug seconded the motion.

Meeting adjourned at 11:07 a.m.

**END OF MINUTES:**

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Margaret Whelan, Executive Director

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Date