

Janet Napolitano
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Robert B. Pinkert, O.D.
President

Christina M. Sorenson, O.D.
Vice President



Arizona State Board of Optometry
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FINAL MINUTES FOR REGULAR SESSION MEETING: AUGUST 18, 2006

Board Members

Robert B. Pinkert, O.D., President
Christina M. Sorenson, O.D., Vice-President
Caroline Griego, O.D.
Robert J. Maynard, O.D.
Curtis R. Winkler, M.D.
Melissa Bengtson, Public Member

Staff:

Margaret Whelan, Executive Director
Paula Hollins, Licensing Administrator

Legal Counsel:

Melissa Cornelius, Assistant Attorney General

A. CALL TO ORDER:

Dr. Pinkert called the meeting to order at 9:02 a.m.

B. ROLL CALL:

Board Members Present: Robert B. Pinkert, O.D., President
Christina M. Sorenson, O.D., Vice President
Robert J. Maynard, O.D.
Caroline Griego, O.D.
Curtis Winkler, M.D.
Melissa Bengtson, Public Member

Legal Counsel Present: Melissa Cornelius, Assistant Attorney General
(arrived at 9:20 a.m.)

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

C. PRESIDENT'S REPORT:

Dr. Pinkert welcomed Ms. Bengtson to the Board.

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

1. E.C. vs. Philip Stein, O.D. IR#200620

Dr. Pinkert summarized the case and recommended the Board dismiss the case due to lack of violation of the optometry practice act.

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

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengston, Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	6	X	X	X	X	X	X
NO	0						
ABSTAIN	0						
ABSENT	0						

VOTE: Motion passes 6-0.

E.C. vs. Mark Sommer, O.D.

Dr. Pinkert summarized the case and recommended the Board dismiss the case due to lack of violation of the optometry practice act.

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

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengston, Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	6	X	X	X	X	X	X
NO	0						
ABSTAIN	0						
ABSENT	0						

VOTE: Motion passes 6-0.

E.C. vs. Jennifer Medina-El Habiby, O.D.

Dr. Pinkert summarized the case and recommended the Board dismiss the case due to lack of violation of the optometry practice act.

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

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengston Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	6	X	X	X	X	X	X
NO	0						
ABSTAIN	0						
ABSENT	0						

VOTE: Motion passes 6-0.

2. R.G. vs. Paul Holland, O.D. IR#200621

Dr. Pinkert summarized the case and recommended the Board dismiss the case due to lack of violation of the optometry practice act.

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

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengston Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	5	X	X	X	X		X
NO	1					X	
ABSTAIN	0						
ABSENT	0						

VOTE: Motion passes 5-1.

3. B.W. vs. Jeffrey Gallen, O.D. IR#200622

Dr. Griego summarized the case and recommended the Board issue a Letter of Concern regarding Dr. Gallen's obligation to provide a copy of medical records to patients at their request in a timely fashion.

MOTION: Dr. Winkler moved to issue a Letter of Concern regarding Dr. Gallen's obligation to provide a copy of medical records to patients at their request in a timely fashion. Dr. Maynard seconded the motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengston Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	6	X	X	X	X	X	X
NO	0						

ABSTAIN	0						
ABSENT	0						

VOTE: Motion passes 6-0.

4. K.R. vs. Jatinder Bansal, O.D. IR#200623

Dr. Pinkert summarized the case and recommended the Board dismiss the case due to lack of violation of the optometry practice act.

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

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengston Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	6	X	X	X	X	X	X
NO	0						
ABSTAIN	0						
ABSENT	0						

VOTE: Motion passes 6-0.

5. L.R. vs. George Ordynsky, O.D. IR#200624

Dr. Sorenson summarized the case and recommended the Board dismiss the case due to lack of violation of the optometry practice act.

MOTION: Dr. Maynard moved to dismiss the case due to lack of violation of the optometric practice act. Dr. Sorenson seconded the motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengston Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	6	X	X	X	X	X	X
NO	0						
ABSTAIN	0						
ABSENT	0						

VOTE: Motion passes 6-0.

6. B.D. vs. Priscilla Lee, O.D. IR#200626

Dr. Sorenson summarized the case and recommended the Board dismiss the case due to lack of violation of the optometry practice act and refer case to the Arizona Board of Dispensing Opticians.

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

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengston Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	6	X	X	X	X	X	X
NO	0						
ABSTAIN	0						
ABSENT	0						

VOTE: Motion passes 6-0.

7. V.E. vs. Jeffrey Gallen, O.D. IR#200701

Dr. Maynard summarized the case and recommended the Board issue a Letter of Concern for release of patient records.

MOTION: Dr. Sorenson moved to dismiss the case due to lack of violation of the optometric practice act and issue a letter of concern regarding his obligation to provide a copy of medical records to patients at their request. Dr. Maynard seconded the motion.

AMENDED MOTION: Dr. Sorenson moved to issue a letter of concern for illegible and incomplete records. Dr. Griego seconded the motion.

	Vote	Caroline Griego, O.D.	Robert Maynard, O.D.	Melissa Bengston Public Member	Curtis Winkler, M.D.	Robert Pinkert, O.D.	Christina Sorenson, O.D.
YES	6	X	X	X	X	X	X
NO	0						
ABSTAIN	0						
ABSENT	0						

VOTE: Motion passes 6-0.

E. EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE REGARDING PRIOR BOARD ACTIONS:

Board went into executive session at 10:33 a.m.
 Board reconvened regular session at 10:39 a.m.

F. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING REGULAR LICENSE APPLICATIONS:

8. Hannoun, Selma

9. Himes, Randall
10. Kanter, Paul
11. Kelsey, Easton
12. Lum, Deana
13. Ng, Nolan
14. Pal, Shalu
15. Salamanca, Angelica
16. Simpson, Gregory
17. Thomas, Abby
18. Toor, Shailja
19. Williams, April
20. Wine, Jeffrey

MOTION: Dr. Sorenson moved to remove items 10, 11, 13, 15, and 17 from the block vote. Dr. Griego seconded the motion.

VOTE: The motion passed 6-0.

MOTION: Dr. Sorenson moved to approve items 8, 12, 14, 16, 18, 19, 20 for licensure. Dr. Griego seconded the motion.

VOTE: The motion passed 6-0.

MOTION: Dr. Sorenson moved to approve items 9, 15 and 17 for licensure. Dr. Maynard seconded the motion.

VOTE: The motion passed 6-0

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

21. Chaar, Miguel
22. Clark, Robert
23. Murphy, James
24. Nord, Gay
25. Patel, Pramesh
26. Schanes, David

MOTION: Dr. Maynard moved to approve item 10 for licensure by endorsement. Dr. Sorenson seconded the motion.

VOTE: The motion passed 6-0.

MOTION: Dr. Sorenson moved to approve item 11 for licensure by endorsement. Dr. Maynard seconded the motion.

VOTE: The motion passed 6-0.

MOTION: Dr. Maynard moved to table item 13 to the next regularly scheduled meeting for further review as a regular applicant. Dr. Sorenson seconded the motion.

VOTE: The motion passed 6-0.

MOTION: Dr. Maynard moved to table deny item 21 for licensure by endorsement. No second. Dr. Maynard withdraws the motion.

SECOND MOTION: Dr. Sorenson moved to table item 21 to reapply as a Regular applicant after obtaining Part I of the NBEO. Dr. Griego seconded the motion.

VOTE: The motion passed 6-0.

MOTION: Dr. Sorenson moved to approve item 22 for licensure. Dr. Maynard seconded the motion.

VOTE: The motion passed 6-0.

MOTION: Dr. Maynard moved to approve item 23 for licensure. Dr. Pinkert seconded the motion.

VOTE: The motion passed 6-0.

MOTION: Dr. Sorenson moved to approve item 24 for licensure. Dr. Maynard seconded the motion.

VOTE: The motion passed 6-0.

MOTION: Dr. Maynard moved to table item 25 to the next regularly scheduled meeting to review application as a Regular applicant. Dr. Pinkert seconded the motion.

VOTE: The motion passed 6-0.

MOTION: Dr. Griego moved to table item 26 to obtain current license status as state license verification submitted shows expired. Dr. Sorenson seconded the motion.

VOTE: The motion passed 6-0.

H. REVIEW, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF CONTINUING EDUCATION AS PROVIDED BY A.R.S. §32-1704 (D) and A.A.C. R4-21-208.

Fiscal Year 2006/2007

	Continuing Education	Date	No. of hours requested
a.	Gulf Coast Summer Conference	July 28-29, 2006	8 Regular
b.	Retinal Diseases	June 28, 2006	2 Regular
c.	2006 FOA Convention	July 13-16, 2006	20 Regular 6 PM
d.	Glaucoma & Cornea Update	September 12, 2006	2 Regular

MOTION: Dr. Sorenson moved to accept items a thru d. Dr. Maynard seconded the motion.

VOTE: The motion passed 5-1. Dr. Winkler voted nay.

I. REVIEW, DISCUSSION AND POSSIBLE VOTE ON USE OF LANGUAGE “THERAPEUTIC OPTOMETRY/OPTOMETRIST”

27. Discussion on use of term “Therapeutic Optometrist” in the practice of Optometry

The Board discussed the use of the term Therapeutic Optometrist and determined that it does not violate current statutes.

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

28. June 29, 2006 Regular Session Minutes

MOTION: Dr. Sorenson moved to approve tab 28 as written. Dr. Griego seconded the motion.

VOTE: The motion passed 6-0.

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

Dr. Pinkert tabled item k until next regularly scheduled meeting.

L. EXECUTIVE DIRECTOR’S REPORT:

- 29. 2006 ARBO Conference
- 30. Administrative updates
- 31. Board representative for Licensing Workshop

Ms. Whelan reported on tabs 29 thru 31 inclusive.

M. CALL TO PUBLIC: **Dr. Pinkert**

Dr. Pinkert made a call to the public at 10:53 a.m. No one was present to address the Board.

Dr. Pinkert moved to adjourn the meeting. Dr. Maynard seconded the motion.

Meeting adjourned at 10:54 a.m.

END OF MINUTES:

Margaret Whelan, Executive Director

Date