



OHIO OPTICAL DISPENSERS BOARD

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1.4

MINUTES OF MEETING **FEBRUARY 21-22, 2007**

REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD **FEBRUARY 21-22, 2007**

The regularly scheduled meeting of the Ohio Optical Dispensers Board (Board) began on Wednesday, February 21, 2007, at 7:05 P.M. at 77 South High Street, East B Conference Room, 31ST Floor, Columbus. President Denise Capretta called the meeting to order in open session.

BOARD MEMBERS IN ATTENDANCE:

Denise M. Capretta, President; A. Joseph Bitonte, Vice President; Robert Clegg, Treasurer; Susan C. Benes, M.D.; Dr. Todd Clark; James DeDario; Michael W. Hall; Brian J Miller.
Absent: Oscar J. Watson

STAFF MEMBERS IN ATTENDANCE:

Nancy L. Manns, Executive Director; William Lehman, Investigator; P. R. Casey, Assistant Attorney General; Wilma Simmons, Executive Secretary

ADMINISTRATIVE MATTERS

Ordering of the Agenda

The President and Executive Director reviewed the agenda prior to the meeting.

IT WAS MOVED BY MICHAEL HALL AND SECONDED BY JOE BITONTE THAT THE AGENDA FOR THE FEBRUARY 21-22, 2007 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

President's Report

President Capretta welcomed guests attending the meeting. The Board members introduced themselves to the guests.

President Capretta announced that the Board needed to discuss letters which had been received in the Board office from licensees requesting either a refund of late fees or a waiver for the late fees for the 2007 renewal of their license.

Amiee Lotz, License number SC5530, requested that the Board waive the late fee for renewal of her 2007 license.

After discussion,

IT WAS MOVED BY BRIAN MILLER AND SECONDED BY JOE BITONTE THAT THE BOARD DENY THE REFUND OF THE LATE FEE FOR RENEWAL OF THE 2007 LICENSE OF AMIEE LOTZ SC5530.

Dan Yates, License number S4336, requested that the Board refund the late fee for renewal of his 2007 license.

After discussion,

IT WAS MOVED BY MICHAEL HALL AND SECONDED BY BOB CLEGG THAT THE BOARD DENY THE REFUND OF \$75 LATE FEE FOR THE 2007 LICENSE RENEWAL OF DAN YATES S4336.

Glenda Smith, License number S6956, has requested that the Board waive the late fee for renewal of her 2007 license.

After discussion,

IT WAS MOVED BY JAMES DEDARIO AND SECONDED BY JOE BITONTE THAT THE BOARD DENY THE WAIVER OF THE \$75 LATE FEE FOR THE RENEWAL OF THE 2007 LICENSE OF GLENDA SMITH S6956

Approval of Minutes

IT WAS MOVED BY JOE BITONTE AND SECONDED BY JAMES DEDARIO THAT THE MINUTES OF THE DECEMBER 13-14, 2006 BOARD MEETING BE APPROVED AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Executive Director's Report

Executive Director Manns discussed the renewal process and reviewed with the Board the number of licenses renewed and mailed and the fact that we are still getting renewals in.

Executive Director Manns informed the Board that she and P. R. Casey, AAG met with Representative Wagoner (R-Toledo) to discuss his sponsorship of legislation to revise the definition of "optical aid" as currently found in Section 4725.40 ORC. Ms. Manns advised the Board that Rep. Wagoner was very receptive to working on this, but had requested that AAG, P.R. Casey run this by newly-elected Attorney General Mark Dann to make sure that

AG Dann would support such legislation. Ms. Manns told the Board that Mr. Casey would be providing additional information during his report later in the agenda.

Executive Director Manns discussed with the Board the status of the legislation that would provide the authority for individual regulatory Boards to require criminal records checks prior to licensure. The specific language that was inserted into the law for the Optical Dispensers Board was provided as a handout to the Board members. Ms. Manns went on to say that this legislation is expected to be introduced by Representative Tony Core (R-Rushsylvania) sometime this spring.

Executive Director Manns informed the Board that she and Brian Miller continue to work on the Ocularist Exam to ensure that the exam will determine the competency of the practitioner. Ms. Manns informed the Board that a letter had been sent to the applicant informing him that the exam will be given sometime in late spring.

Executive Director Manns reviewed with the Board the Executive Order (EO) 2007-01S, "Establishing New Ethics Requirements" as promulgated by Governor Strickland's office. Ms. Manns informed the Board that this EO establishes parameters for accepting gifts, Ethics training and compliance, and increasing access to government decisions, including Board decisions.

Executive Director Manns informed the Board that the information for completion of the Ethics Commission Financial Disclosure Statement had been sent to the individual Board members. Ms. Manns reminded the Board members that the Statement is due in the Ethics office no later than April 15, 2007. Ms. Manns also reminded the Board members that the Board would pay a significant fine for each day that a Board member failed to file the statement.

Executive Director Manns informed the Board that the Office of Budget and Management (OBM) had requested additional narrative information for the section on Turnaround Ohio Initiatives and Agency Priorities. Ms. Manns shared with the Board her response to the governor's request:

Turnaround Ohio Initiatives

The Optical Dispensers Board (Board) will enhance its operations to ensure a high level of transparency, responsiveness, and accountability to licensees, employers and consumers.

The Board will implement standards to ensure the provision of safe and ethical dispensing of optical aids to Ohio citizens.

Agency Priorities

Revise statutory definition of "optical aid" to clearly define the Board's authority to prohibit the illegal dispensing/sales of contact lenses.

Protect the public health through regulation and education while promoting the integrity of the optical dispensing industry.

Collaborate with other state agencies to ensure that policies and regulations adopted by both entities reflect the various state laws contained in both the Board's law and rules.

Implement outreach programs to minority groups to encourage diversity of recruiting into the practice of Opticianry and Ocularistry.

Encourage the development of continuing education programs that increase cultural competence of licensees to ensure that the delivery of Opticianry and Ocularistry services are delivered in a manner that demonstrates respect for different societal/cultural beliefs.

Executive Director Manns reminded Board members of the breakfast reception for the outgoing Board members which would be held Thursday, February 22, 2007 starting at 8:15 A.M.

Executive Director Manns went over the process for elections of officers for 2007-2008. Nomination forms were distributed to the Board members to use for the nomination of their individual candidate of choice for the position of President, Vice-President and Treasurer of the Board.. These nomination forms were then collected so that ballots could be prepared for the election of officers at the Thursday, February 22, 2007 Board meeting.

Approval of Financial Report

After discussion,

IT WAS MOVED BY SUSAN C. BENES, M.D. AND SECONDED BY MICHAEL HALL THAT THE FINANCIAL REPORT FOR CURRENT FY 2007 BE ACCEPTED AS PRESENTED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

As part of the budget discussion at the December Board Meeting, Dr. Benes requested that Director Manns conduct a survey of other licensing boards to determine what percentage of their individual budgets is related to board member expenses and bring that report to the February, 2007 meeting. Director Manns handed out a report which she had prepared and this report was discussed in great detail. Director Manns advised the Board that there will be a 73% increase for fringe benefits for Board members and staff next year.

Director Manns and Treasurer Robert Clegg provided a brief informational session on the previous use of encumbered monies from the FY 06 budget for use in the FY 07 budget year. The encumbered monies had been set aside for:

- 1) The purchase of a lap top computer as recommended by the Emergency Management Agency in anticipation of the pandemic flu;
- 2.) Remodel of the office space to be in compliance with recommendations from the Department of Public Safety, Homeland Security;
- 3.) Office supplies in preparation for licensure renewal; and,
- 4.) Travel expenses for Investigator Lehman.

Ms. Manns asked for input on how the Board members would like to have information presented to them concerning any future encumbrances. The Board, by consensus, agreed that the current method of including this information on the budget report, verbal reports and communication with the Board appointed treasurer was sufficient.

A.A.G. Report

P. R. Casey, AAG, reported to the Board concerning the two cases involving illegal sales/dispensing of contact lenses that were in appellate court.

Star Beauty, Toledo:

Mr. Casey reminded the Board that the Board won this case at the common pleas level, but the attorney representing Star Beauty had appealed that decision in Lucas County. Mr. Casey informed the Board that he is waiting for the oral arguments in the case to be scheduled.

Two Cousins, Cleveland:

Mr. Casey reminded the Board that the Board also won this case in the Cuyahoga County courts, but again, the attorney for Two Cousins had filed an appeal. Mr. Case informed the Board that the attorney had filed the appeal too late and had, in fact, missed the deadline to file an appeal and the appeal was dismissed.

P. R. Casey, AAG, provided information to the Board about the meeting with Representative Wagoner in January concerning support of legislation to revise the definition of "optical aid.". Representative Wagoner requested that Mr. Casey run this proposed language by newly elected AG Mark Dann to make sure that AG Dann would support such action. Mr. Casey stated he has made a formal request for AG Dann to consider this issue.

Practice Issues/Questions

Director Manns and P. R. Casey, AAG went over a handout in regards to licensure issues to clarify how the Board interprets the law concerning acceptable apprenticeship learning experiences for meeting the education/apprenticeship requirements for licensure.

Based on Section 4725.48(B) Ohio Revised Code (ORC), which states in part:

No person shall be eligible to apply for a license under this division, unless...has received an equivalent education and has successfully completed either of the following:

- (1) Two years of supervised experience under a licensed dispensing optician, optometrist, or physician engaged in the practice of ophthalmology, up to one year of which may be continuous experience of not less than thirty hours a week in an optical laboratory;...

and, Rule 4726-5-01 Ohio Administrative Code (OAC) which states in part:
(A) Persons desiring a license to engage in optical dispensing shall file an application with the board, on forms approved by the board, establishing the following information:..

- (4) The Applicant has attained either of the following:...
 - (b) Two years of supervised experience of at least 1000 hours per year in optical dispensing as a registered apprentice under the direct supervision of a licensed optician, or as an employee of an optometrist, or physician engaged in the practice of ophthalmology. Not more than one year of such experience may be continuous, supervised optical laboratory experience of not less than thirty hours per week...

Q. Can the Board accept hours of lab experience when the experience is completed in a non-licensure state where the supervisor of the apprentice is not licensed as a dispensing optician nor is the apprentice registered?

If the supervisor is ABO certified?

A. No.

Q. Can the Board accept hours of lab experience when completed in Ohio and not supervised by a licensed optician?

A. No

Q. Can the Board accept any supervised lab experience towards licensure requirements for a contact lens license?

A. Yes, but only one year of laboratory experience and only if supervised by a licensed optician.

Q. Can the Board accept lab experience for licensure if the apprentice is not registered with the Board?

A. No.

Approval of Licenses

After review of licensure applications by Board members,
IT WAS MOVED BY JOE BITONTE AND SECONDED BY JAMES DEDARIO THAT
THE BOARD APPROVE FOR LICENSURE THE APPLICANTS LISTED ON
ADDENDUM 1.0. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD
MEMBERS.

IT WAS MOVED BY SUSAN BENES, M.D. AND SECONDED BY JAMES DEDARIO
THAT THE BOARD ADJOURN FOR THE DAY. MOTION ADOPTED BY
UNANIMOUS VOTE OF THE BOARD MEMBERS.

The meeting was adjourned at 9:35 P.M. until Thursday, February 22, 2007.

On Thursday, February 22, 2007 at 9:10 A.M. the second day of the meeting of the Board
began at 77 South High Street, East B Conference Room, 31st Floor, Columbus. President
Denise Capretta called the meeting to order in open session.

BOARD MEMBERS IN ATTENDANCE:

Denise M. Capretta, President; A. Joseph Bitonte ,Vice President; Robert Clegg, Treasurer;
Susan C. Benes, M.D.; Dr. Todd Clark; James DeDario; Michael Hall; Brian J Miller.
Absent: Oscar J. Watson.

STAFF MEMBERS IN ATTENDANCE:

Nancy L. Manns, Executive Director; William Lehman, Investigator; Wilma Simmons,
Executive Secretary

On behalf of the Board members, Director Manns thanked Robert Clegg, Todd Clark, OD,
and Denise Capretta for their years of service to the Ohio Optical Dispensers Board and
acknowledged their contributions to the activities of the Board. Ms. Manns presented each
with a certificate of service.

Strategic Planning

Vice President Joe Bitonte and Board member Jim DeDario provided a verbal report to the
Board about a joint meeting between Tom Barracato, Opticians Association of Ohio (OAO)
board member, OAO Executive Director Mark Bennett, Executive Director Manns, AAG P.R.
Casey and Board members Bitonte and DeDario that was held on Wednesday, February 21,
2007. The meeting was held to discuss OAO-suggested revisions to the law regulating the
practice of Opticianry. Mr. Bitonte and Mr. DeDario agreed that the meeting was a
productive exchange of information. At the end of this combined meeting, it was determined
that Director Manns and Director Bennett formulate a draft set of concepts related to

education/apprenticeship and fiscal matters to be discussed at future meetings of the association and the Board members. The Board members also reported that the members of the Association agreed to meet with Board members on the afternoon of the Wednesday Board meeting. Director Manns and Director Bennett are to establish times for these meetings.

Board Governance/Planning

Director Manns went over the handout which gives a brief explanation of "Governance" and discussed with the Board some suggestions she had for the Board's Governance Goals for 2007. Some of the suggested goals were:

1. Revise the definition of "optical aid";
2. Review laws and rules regulating the practice of Opticianry for possible revisions;
3. Review the Board's Mission Statement;
4. Review/revise/update Policies and Procedures;
5. Focus on the governor's "Turnaround Ohio Initiatives."

Ms. Manns asked the Board to review the information that had been provided for discussion at the April, 2007 Board meeting.

Open Forum

Nina Mar, License number SC4865, presented written and oral information to the Board at the Open Form portion of the Board meeting at 10:00 AM on Thursday, February 22, 2007. Ms. Mar requested a waiver of the \$75.00 late renewal fee.

Ms. Mar provided packets of information to each Board member to review and presented her request that the Board waive the late fee. Ms. Mar was advised by President Capretta that the Board would take her waiver request under consideration and a decision would be made by the Board at a later time. Ms. Mar verbalized understanding and left the meeting.

Approval of requests for CE waivers

After review of material and discussion,

IT WAS MOVED BY DR. TODD CLARK AND SECONDED BY BRIAN MILLER THAT THE BOARD GRANT THE REQUEST FOR WAIVER OF CONTINUING EDUCATION FOR THE 2007 LICENSURE RENEWAL OF PAUL AMATORE LICENSE #S2274 FOR REASONS OF ILLNESS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

IT WAS MOVED BY BRIAN MILLER AND SECONDED BY MICHAEL HALL THAT THE BOARD NOT GRANT THE REQUEST FOR AN EXTENSION PERIOD FOR COMPLETION OF CONTINUING EDUCATION FOR THE CONTACT LENS LICENSE FOR THE 2007 LICENSURE RENEWAL OF RONALD WELKER LICENSE #SC4091. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

IT WAS MOVED BY JOE BITONTE AND SECONDED BY JAMES DEDARIO THAT THE BOARD NOT GRANT THE REQUEST FOR AN EXTENSION PERIOD FOR COMPLETION OF CONTINUING EDUCATION FOR THE 2007 LICENSURE RENEWAL OF LAURA COLOMBARO LICENSE #S4827.

After discussion;

IT WAS MOVED BY MICHAEL HALL AND SECONDED BY BOB CLEGG THAT THE MOTION TO NOT GRANT THE REQUEST FOR AN EXTENSION PERIOD FOR COMPLETION OF CONTINUING EDUCATION FOR THE 2007 LICENSURE RENEWAL OF LAURA COLOMBARO LICENSE #S4827 BE RESCINDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

After discussion it was the consensus of the Board that a letter be sent to Ms. Colombaro, License #S4827, informing her that the request for an extension could not be acted upon by the Board since she had not applied to renew her license. It was further decided that the letter include the fact that Ms. Colombaro has until March 31st to renew her license by submitting a completed application, completing the required continuing education hours and submitting proof of such and paying the renewal fee of \$97.50 plus the late fee of \$75.00 for a total of \$172.50 in the form of a certified check or money order.

Director Manns provided information to the Board regarding the request by Martyn Duffy for review of course work he is currently completing in England to determine if the course work is substantially similar to required course work for licensure in Ohio. After review of the materials previously provided to the Board members at the December Board meeting it was the decision of the Board at that time to table the decision of this matter until further discussion at the February Board meeting.

After discussion;

IT WAS MOVED BY MICHAEL HALL AND SECONDED BY DR. TODD CLARK THAT THE DECISION ON THIS MATTER BE TABLED UNTIL SUCH TIME AS MR. DUFFY HAS SUBMITTED AN APPLICATION AND PROOF OF COMPLETION OF THE COURSE MATERIAL HE HAD PREVIOUSLY SUBMITTED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Election of Officers

Executive Director Manns advised the Board that she had completed voting ballots based upon the previous night's nominations.

After discussion,

IT WAS MOVED BY JAMES DEDARIO AND SECONDED BY SUSAN BENES, M.D. THAT THE BOARD ACCEPT THE PANEL OF NOMINATIONS FOR THE ELECTION OF OFFICERS FOR THE OPTICAL DISPENSERS BOARD FOR THE PERIOD OF MARCH 23, 2007 THROUGH MARCH 22, 2008. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Ballots were distributed to the Board members and then a short break was taken to tally the vote.

After a report of the tally of the election ballots,

IT WAS MOVED BY JAMES DEDARIO AND SECONDED BY SUSAN BENES, M.D. THAT THE BOARD ACCEPT THE RESULT OF THE ELECTION AND APPOINT JOE BITONTE PRESIDENT, BRIAN MILLER VICE PRESIDENT AND MICHAEL HALL TREASURER. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

The Board discussed the request by Nina Mar, License number SC4865, that the Board waive the \$75 late fee for renewal of her 2007 license.

After discussion,

IT WAS MOVED BY BRIAN MILLER AND SECONDED BY JAMES DEDARIO THAT THE BOARD DENY THE REQUEST FOR AWAIVER OF THE LATE FEE FOR THE RENEWAL OF THE 2007 LICENSE OF NINA MAR SC4865. MOTION CARRIED. DENISE CAPRETTA ABSTAINED, SUSAN BENES, M.D. OPPOSED.

Continuing Education

After review of submitted applications by Board members and discussion,

IT WAS MOVED BY MICHAEL HALL AND SECONDED BY JOE BITONTE THAT THE BOARD APPROVE THE CONTINUING EDUCATION PROGRAMS WITH THE APPROVED HOURS AS LISTED BELOW WITH THE EXCEPTION OF ESSILOR/TRANSITIONS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS. BRIAN MILLER ABSTAINED FROM THE VOTE FOR THE AMERICAN SOCIETY OF OCULARISTS AND MICHAEL HALL ABSTAINED FROM THE VOTE FOR ESSILOR/TRANSITIONS

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Quantum Optical – Calendar Year 2007 – Internet:

33 Spectacle Hours
21 Contact Lens Hours
13 Management Hours
2 Ocularist Hours

Cherry Optical – Dearborn, MI – April 14, 2007:

14 Spectacle Hours
4 Contact Lens Hours
9 Management Hours
2 Spectacle/Contact Lens Hours

Contact Lens Society of America – Calendar Year 2007 – Internet:

1 Spectacle Hour
61 Contact Lens Hours
3 Management Hours
2 Spectacle/Contact Lens Hours
3 Contact Lens/Ocularist Hours
1 Contact Lens/Ocularist Hour with Infectious Control

Opticians Association of Ohio – Cleveland, OH – March 10-11, 2007:

2 Spectacle/Contact Lens Hours
4 Contact Lens Hours
1 Management Hour

Opticians Association of Ohio – Perrysburg, OH – March 18, 2007:

3 Spectacle Hours
3 Spectacle/Contact Lens Hours
1 Management Hour
1 Spectacle/Contact Lens/Ocularist Hour

Opticians Association of Ohio – Fairborn, OH – April 22, 2007:

3 Spectacle Hours
1 Management Hour

Opticians Association of Ohio – Columbus, OH – April 29, 2007:

3 Spectacle Hours
4 Contact Lens Hours
1 Management Hour

Transition Optical – Cincinnati, OH – March 28, 2007:

1 Management Hour

American Society of Ocularists – Honolulu, HI – May 5-10, 2007:

9 Ocularist Hours
1 Management Hour

Cuyahoga Community College – Parma, OH – May 20, 2007:

4 Spectacle Hours

After discussion;

IT WAS MOVED BY JAMES DEDARIO AND SECONDED BY ROBERT CLEGG THAT THE BOARD DENY THE CONTINUING EDUCATION PROGRAM, ESSILOR/TRANSITIONS, STRONGSVILLE, OH OFFERED ON FEBRUARY 7, 2007 DUE TO THE FACT THAT IT WAS NOT SUBMITTED WITHIN 60 DAYS PRIOR TO THE SCHEDULED DATE OF THE PROGRAM AS REQUIRED BY RULE. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS. DENISE CAPRETTA ABSTAINED.

Special Orders

Director Manns presented for discussion a draft policy for Approval of Continuing Education.

After discussion,

IT WAS MOVED BY MICHAEL HALL AND SECONDED BY JAMES DEDARIO THAT THE BOARD APPROVE THE POLICY FOR APPROVAL OF CONTINUING EDUCATION AND APPROVAL NOTIFICATION LETTER WITH THE RECOMMENDED CHANGES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Investigator's Report

Investigator Lehman presented the Investigator's Report to the Board;
IT WAS MOVED BY MICHAEL HALL AND SECONDED BY JAMES DEDARIO THAT
THE BOARD ACCEPT THE INVESTIGATOR'S REPORT. MOTION ADOPTED BY
UNANIMOUS VOTE OF THE BOARD MEMBERS.

Investigator Lehman also informed the Board that he has been in contact with Carol Heppe, Director of the Cincinnati FDA office and Steve Kilkor, Investigator in the Cleveland area for the FDA seeking their assistance in stopping the sale of contact lenses to retail stores in Ohio. They have requested that we obtain the name of the supplier and then let them know and they would then investigate and take action against them.

Disciplinary Actions

After discussion,
IT WAS MOVED BY BRIAN MILLER AND SECONDED BY MICHAEL HALL
THAT THE BOARD ACCEPT AND RATIFY THE CONSENT AGREEMENT FOR CASE
#0711018. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Other Issues

Report on NCSORB Meeting from Brian Miller

Brian Miller thanked the Board for the opportunity to attend the NCSORB meeting and discussed the various events in great detail. A copy of Mr. Miller's report is attached as Addendum 2.0.

Other Issues – Continued

Director Manns provided a sample of the database being developed for tracking continuing education programs that are submitted and approved by the Board. Board staff will begin using this data base on a trial basis to track programs that were submitted for approval at the February, 2007 Board meeting.

Director Manns requested that the Board reconsider an action taken at a previous Board meeting that would require that all individuals who reported that they had continued to practice as a licensed dispensing optician for 30 days or less after expiration of their license be sent an official letter of reprimand; that all individuals who reported that they had continued to practice as a licensed dispensing optician for 31 days or more after expiration of their license be required to enter into a consent agreement and pay a fine of \$250. Ms. Manns requested that the disciplinary policy go into effect with the 2008 renewal in order to provide adequate time to inform and educate licensees about this policy.

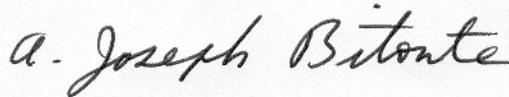
After discussion,
IT WAS MOVED BY BRIAN MILLER AND SECONDED BY JAMES DEDARIO THAT THE BOARD DELAY IMPLEMENTATION OF THE DISCIPLINE POLICY FOR LICENSEES WHO CONTINUE TO WORK AFTER EXPIRATION OF THEIR LICENSE UNTIL THE RENEWAL OF LICENSEES FOR 2008 IN ORDER TO PROVIDE INFORMATION AND EDUCATION TO LICENSEES AND EMPLOYERS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Selection of Mentors for New Board Members

Director Manns reminded the Board that the Governor would be appointing three new Board members to fill the vacancies of one optician, one public member and one Optometrist and asked for volunteers to be mentors to the three new Board members. After discussion it was agreed that Susan Benes, M.D. will be the mentor for the new Optometrist, Brian Miller for the Optician and Michael Hall for the public member. The Board agreed by consensus.

The meeting was adjourned at 12:35 PM, February 22, 2007.

ATTESTED:



PRESIDENT, JOE BITONTE



EXECUTIVE DIRECTOR, NANCY MANNNS

ADDENDUM 1.0

ODB - Pending Applicants Spectacle

Report Parameters

Board = ODB

Credential prefix = S

Report generated on 2/21/2007 at 3:26:54 PM

name	address1	address2	city	statecode	zipcode
Michael E. Alexander	6431 Belair Drive		Andover	OH	44003
Pamela Sue Beckett	6596 Old Springfield Road		S. Charleston	OH	45368
Shamone Bennett	131 North Kimberly Avenue Apt 41		Youngstown	OH	44515
Kyle Blau	100 Ardmore Drive		Middletown	OH	45042
Ramona C. Collins	6633 Dunbar Road		Prospect	OH	43342
Barbara L. Cordray	10587 Township Road 92 NW		Somerset	OH	43783
Christine A. Crawford	7150 Creek Water Drive		Centerville	OH	45459
Barry DeBord, II	7315 Old Delaware Road		Mount Vernon	OH	43050
Roseanne Deemer	11540 Rapp Road		New Middletown	OH	44442
Pearce Eckert	752 North State Street		Westerville	OH	43082
Michelle Jeanne Englehart	612 Cuyahoga Street		Kent	OH	44240
Heather A. Fleming	778 Stoney Brook Oval		Brunswick	OH	44212
Chante J. Gabriel	1250 East 276th Street Unit M		Euclid	OH	44132
Rebecca L. Gaitten	676 Baker Street		Mt. Gilead	OH	43338
Tamara M. Gasser	29955 Phillips Avenue		Wickliffe	OH	44092
Kandace Lynn Gump	44701 Spring Brook Drive		Saint Clairsville	OH	43950
Jeffrey R. Hauff	4160 Christy Bloom Drive		Gahanna	OH	43230
Gail A. Jones	26730 Butternut Ridge Road		North Olmsted	OH	44070
Denise Marie Joyce	15677 Vivian Street		Taylor	MI	48180
Johnny A. King	4428 Broadbush Drive		Trotwood	OH	45426
Michael Brian Lanning	42 Grantwood Drive		West Carrollton	OH	45449
Justin Kirk Loftis	958 Cliffbrook Drive		Columbus	OH	43238
David Lopez	16000 Maple Heights Boulevard Apt 202		Maple Heights	OH	44137
Thurman B. Lowder	723 Merritt Street Apt 1		Barboursville	WV	25504
Patrick C. McGovern	8509 Argee Drive		Mentor	OH	44060
Deborah L. Meese	1369 Autumn Drive		Lancaster	OH	43130
Elizabeth G. Meyer	140 Hanes Road		Aurora	OH	44202
Kayci Monnin	2189 North Waynesville Road		Oregonia	OH	45054
Paul Montgomery	2718 Redfield Place		Cincinnati	OH	45230
Kelly N. Moore	6 Boeing Court		Hamilton	OH	45015
Melissa Sue Moore	85 Royal Mall Drive		Niles	OH	44446
Christina J. Nelson	17129 Woodmere Drive		Chagrin Falls	OH	44023
Jason Otto	3722 Farnsworth House		Columbus	OH	43219
Mariellen Palmer	23829 Westwood Road		Westlake	OH	44145
Stacy I. Poper	PO Box 215		Bradner	OH	43406
Stephen L. Rechnitzer	2576 Lakebridge Lane		Hilliard	OH	43026
Patti Richardson	1325 Laclede Road UP		Toledo	OH	43612
Sharon E. Robinson	4274 Township Road 221		Big Prairie	OH	44611
Robin Ann Rogness	2409 Elizabeth Drive		Stow	OH	44224
Sara Ann Sanderson	6793 South Elyria Road		Shreve	OH	44676
Natalie A. Solze	2240 Augusta Drive		Fremont	OH	43420
Timothy C. Stamper	18025 Royalton Road		Strongsville	OH	44136
Jessica Gwynn Talbot	2825 Kerri Lane		Zanesville	OH	43701

John D. Taylor, Jr.	13789 Cedar Road Apt 203	South Euclid	OH	44118
Lindsey L. Tucker	2109 Firebird Drive	Bellbrook	OH	45305
Bethany L. Vance	PO Box 242	Rio Grande	OH	45674
Abby L. Voris	992 Arborview Court	Fairborn	OH	45324
Paul R. Zillman	4415 Martin Drive	North Olmsted	OH	44116

ODB - Pending Applicants Contact Lens

Report Parameters

Board = ODB
Credential prefix = C

Report generated on 2/21/2007 at 3:21:54 PM

name	address1	address2	City	statecode	zipcode
Danielle Renee Jaranowski	378 Gem Avenue		Mansfield	OH	44907
Danielle R. Bender	4250 Gallia Street		New Boston	OH	45662

ODB - Pending Applicants Spectacle/Contact Lens

Report Parameters

Board = ODB
Credential prefix = SC

Report generated on 2/21/2007 at 4:08:33 PM

name	address1	address2	city	statecode	zipcode
Tracey E. Bartholomew	2952 North Park Ext.		Warren	OH	44481
Pamela J. Brooks	22 East Durbin Avenue		Bellville	OH	44813
Stacy S. Brown	13201 Claylick Road		Newark	OH	43055
Colene K. Brunton	3744 Mason Road		Canal Winchester	OH	43110
Debra M. Bryant	6235 Sandy Point Road		Elida	OH	45807
Patricia M. Costlow	1040 Mill Park Drive		Marysville	OH	43040
Tracy M. Deak	6601 Fassett Street		Ashtabula	OH	44004
Kathy Dill	2715 Woodland Trail Drive		Columbus	OH	43231
Edward F. Doran, Jr.	PO Box 9887		Cincinnati	OH	45209
Meaghan Eckert	152 North State Street		Westerville	OH	43082
Steven P. Fields	668 East Allen Street		Lancaster	OH	43130
Charity K. Frazier	1130 Edgebrook Drive		New Carlisle	OH	45344- 1554
Monica S. Fritz	324 Hayes Avenue		Hamilton	OH	45015
Glenn R. Fry	1340 Hillcrest Road		Atwater	OH	44201
Gordon C. Gerard	4175 Crosspointe Drive		Columbus	OH	43207
Laurie A. Grivel	6229 Rockland Drive		Dublin	OH	43017- 1732
Benita L. Gibson	122 Mary Lane		Cincinnati	OH	45217
Peter Gulley, Jr.	PO Box 22517		Beachwood	OH	44128
Priscilla Karen Harris	1700 Lowell Drive		Fairborn	OH	45324
Beth Ann Incorvati	4177 Vira Road		Stow	OH	44224- 3638
Kathy Lyn Kanchock	121 Wood Avenue		Niles	OH	44446
Dwight S. Kasler	755 Golfview Road		Youngstown	OH	44512
Heather A. Kruetzman	5129 Scarsdale Drive Apt C		Kettering	OH	45440-

Melissa D. Lavender	10105 County Road 550 Lot 7	Chillicothe	OH	2454
Lisa Marie Leek	104 Westwind Drive NE	Warren	OH	45601
Andrea Gayle Lewis	670 Hickory Hill Court	Streetsboro	OH	44484
Linda M. Leymon	2494 Berk Street	Cuyahoga Falls	OH	44241
Melissa Locker	508 South Franklin	Sidney	OH	44221
Cynthia McNamara	520 Mount Vernon Avenue	Springfield	OH	45365
Kelly L. O'Brien	64 East Substation	Temperance	MI	45503
Lauren B. Paugh	255 Fallis Road	Columbus	OH	48182
Una E. Phillips	2347 Adams Street	Lorain	OH	43214
Brenda L. Pyle	1848 Paisley Street Apt 7	Austintown	OH	44052
Raquel Rivera-Hill	130 Bethel Road	Centerville	OH	44511
Fara L. Roberts	27915 Knickerbocker Road	Bay Village	OH	45458
Darlene K. Rohrer	150 Stauffer Drive	Wadsworth	OH	44140
Kenneth Allen Rutkowski	2202 Tuxedo Avenue	Parma	OH	44281
Deanna L. Scott	2335 Brookdale Drive	Springfield	OH	44134
Brenda Alison Stackhouse	24451 Lakeshore Boulevard Apt 321	Euclid	OH	45502
Gregory L. Stefko	29813 Hilliard Oak Lane	Westlake	OH	44123
Thomas C. Stiger, Jr.	11209 Lake Avenue Apt 2	Cleveland	OH	44145
Georgia Carol Thatcher	4346 County Road 59	Helena	OH	44102
Vanessa L. Vistell	3072 Mogadore Road	Akron	OH	43435
Kimberly A. Wasilko	15639 Oakdale Street	Middlefield	OH	44312
Karie L. White	7493 Oregon Trail	Boardman	OH	44062
Harolynn Williams	325 North Decker Avenue	Dayton	OH	44512
Martha G. Yost	3597 Kingston Drive	Brunswick	OH	45417
				44212

ODB - Pending Applicants Spectacle - Reciprocity

Report Parameters

Board = ODB
Credential prefix = S

Report generated on 2/21/2007 at 3:13:14 PM

name	address1	address2	city	statecode	zipcode
Erin B. Chesebro	613 Clark Avenue		Ashville	OH	43103

ODB - Pending Applicants Spectacle/Contact Lens- Reciprocity

Report Parameters

Board = ODB
Credential prefix = SC

Report generated on 2/21/2007 at 3:17:16 PM

name	address1	address2	city	statecode	zipcode
Julie Lynne Barber	3109 Minerva Lake Road		Columbus	OH	43231
Gayle A. Samad	1804 NE 6th Street		Cape Coral	FL	33909

ADDENDUM 2.0

12.1

Brian J Miller, BCO

2040 Roblnwood Avenue
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Saturday 10 February 2007

The Members of the
Ohio Optical Dispensers Board
77 South High Street, 16th Floor
Columbus, OH 43215

RE: National Committee of State of Opticianry Regulatory Board

Dear OODB Members:

Thank you for the opportunity to attend the National Committee of Opticianry Regulatory Boards annual meeting in St Petersburg, FL.

After some initial confusion regarding meeting times, places, and agendas, the meeting began on Friday January 26, 2007. Of the 23 States that license opticians, only 6 States had representatives in attendance. Currently, Jon Bright of Virginia is the unpaid acting director. The group discussed hiring a management group and entertained a proposal from The Offinger Management Co. Although, Mark Bennett, of The Offinger Management Co. was attending the OAA—Leadership Committee meetings next door, he was not asked to further explain his proposal. It appears the current volunteer management does not want to relinquish any powers. Upon additional discussion, the group agreed to further research the management group issues, and get three proposals.

Each State Representative presented their respective report, indicating law and rule changes, application and renewal fees, number of licensees, as well as other pertinent information. This feature of the meeting was very rewarding; as discussions led into the various ideas that other States have had success and/or failures with. (For example: Florida has taken, dispensing without a license from a misdemeanor to a 'class C' felony, thus almost stopping illegal contact lens sales.)

The regional/national practical exam is still a top priority for this group. The hope is to make it easier for a national reciprocity. The initial cost associated is approximately \$50,350.00. Since only 3 or 4 States have agreed to donate the requested \$2500.00 each, there was much discussion about how to raise this money. At this point the group (Director Manns, and I abstained from this vote.) voted to double the annual voluntary dues to each State. This means \$2 per licensee up to a maximum of \$700.00. Also, the group will be contacting many National Suppliers and Optical Chains for monetary donations.

New Business brought discussions of non-prescription contact lens. Director Mann reported on Ohio's efforts, the new FDA's support, and our on-going court cases. The State of Virginia representative described their perils of having no jurisdiction over 'sales' (only over 'dispensing') of contact lens, therefore cannot do anything about illegal dispensing at gas stations or beauty supply outlets.

Also under New Business, Mike Szczerbiak of the *Commission on Opticianry Accreditation* reports they have currently lost status due to several management issues. Efforts continue to become re-instated as an accreditation authority. The COA does not provide accreditation to any Ohio College programs.

Election of officers followed.

The following is my thoughts on this meeting...

I have some overall concerns with this core group. The underlying premise is good and is an excellent method to share and exchange information with our peers. It appears the lack of a management group leads to problems with communications, as to when and where meetings are to be held and times. The time spent at this function could have been limited (saving Ohio's money), and I believe there may have been more States in attendance with better communication/notification. The acting volunteer director is unsure about IRS filings, bylaws and many other business issues. In an attempt to save money, this core group may be causing additional expenses and confusion. It would be interesting to contact the other States not in attendance to find their reason(s) for not supporting the NCSORB practical exam efforts and why they were not in attendance of this meeting.

It appears that Ohio is one of the few States without a practical exam. The variations in practical exams appear to be wide from State to State. Spending over \$50,000.00 for the initial processes (one that appears Ohio will probably never use), seems to be a huge fruitless effort. With only 3 or 4 States willing to put forth any money, shows a general lack of support. In my opinion, asking National Suppliers and especially Optical Chains for money seems to be a conflict of interest, as these are the same groups we regulate.

Voting a 'dues' increase, with only 6 States (was there a quorum?) in attendance seemed odd. Director Manns, and I were vocal in not supporting the dues increase to support the practical exam and again suggested a management group.

Overall, I will suggest OODB's continued support of this group, even though the 'dues' have doubled, and the core group seems to be pushing a practical exam. Continuation of voluntary membership in NCSORB will give Ohio an opportunity to keep up with what the other States are doing. Unless OODB chooses to begin using a practical exam, the additional requested money to support a national practical exam seems unjustified. I will encourage further research into the other States lack of attendance, lack of support of the national practical exam, and their general comments about NCSORB.

For additional information on the NCSORB group, visit www.optiboard.com, look for the NCSORB forum under the Professional and Educational Organizations heading. OODB members and staff can request free access.

Again thank you, fellow board members, for your vote of confidence in sending me on this fact finding meeting.

Sincerely:

Brian J Miller, BCO
Ohio Licensed Ocularist