



## **OHIO OPTICAL DISPENSERS BOARD**

77 SOUTH HIGH ST. 16<sup>TH</sup> FLOOR  
COLUMBUS, OHIO 43215-6108  
(614) 466-9709 FAX (614) 995-5392

[WWW.OPTICAL.OHIO.GOV](http://WWW.OPTICAL.OHIO.GOV)

Email: [odb@odb.ohio.gov](mailto:odb@odb.ohio.gov)

### **MINUTES OF MEETING**

**JUNE 18, 2009**

### **REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD JUNE 18, 2009**

The regularly scheduled meeting of the Ohio Optical Dispensers Board (Board) began on Thursday, June 18, 2009 at 9:05 A.M. at 77 South High Street, West B & C, 31<sup>st</sup> Floor, Columbus. President Michael Hall called the meeting to order in open session.

#### **BOARD MEMBERS IN ATTENDANCE;**

Present: Michael W. Hall, President; Susan Bender, Vice President; Brian J Miller, Treasurer; Susan C. Benes, M.D; A. Joseph Bitonte; James DeDario; James Fortune, Sr.; Timothy Fries, O.D; Oscar J. Watson.

#### **STAFF MEMBERS IN ATTENDANCE:**

Present: Nancy L. Manns, Executive Director; William Lehman, Investigator; Melissa Wilburn, Assistant Attorney General; Wilma Simmons, Executive Secretary

#### **ADMINISTRATIVE MATTERS**

##### **Ordering of the Agenda**

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

IT WAS MOVED BY JOE BITONTE AND SECONDED BY JAMES FORTUNE, SR. THAT THE CONSENT AGENDA FOR THE JUNE 18, 2009 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

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

IT WAS MOVED BY BRIAN MILLER AND SECONDED BY SUSAN BENDER THAT THE REGULAR AGENDA FOR THE JUNE 18, 2009 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

### **President's Report**

President Hall welcomed the guests attending the meeting. President Hall encouraged Board members and visitors to contact their state legislators regarding the cuts to the Board's budget; to reinforce with the legislators that the Board does not receive funds from the General Revue Fund; and, that all money for the Board's budget comes from licensure fees.

### **Approval of Minutes**

IT WAS MOVED BY OSCAR WATSON AND SECONDED BY JOE BITONTE THAT THE MINUTES OF THE APRIL 16, 2009 BOARD MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

### **Executive Director's Report**

Director Manns informed the Board that her personal goals and steps toward achieving those goals were documented and part of the Board's mailing packet.

Director Manns informed the Board that approximately 1,100 renewals were mailed out for apprentice registrations and that 342 had renewed by June 8, 2009.

Director Manns commended Board members for their efforts and support in the process of contacting the state Senators and Representatives concerning the budget cuts have been very helpful. OAO also sent out an e-mail alert to members and a copy of that e-mail alert was included in the Board packet. The Senate version of the Budget Bill is not in agreement with the House version of the budget bill, the Bill will go to Conference Committee made up of members from both the House and Senate. Once the members of this committee are announced, Board members will once again need to start a phone, letter and e-mail campaign to reinstate the Board's budget to the original appropriation. Time will be of the essence since there needs to be a passed version of the Budget Bill by June 30<sup>th</sup>. Ms. Manns went on to say that if the Budget Bill goes through as it was in either the Senate version or the House version, several changes will have to be made which may include reducing the number of Board meetings, reducing or eliminating investigations, reducing all reimbursement for travel. Even with these changes, the funds from either version may not be adequate and may require going to the controlling Board for additional money for operating costs.

Director Manns reminded the Board that House Bill 648, also known as "Joe-the-plumber" bill, was signed into legislation by the Governor on December 31, 2008. As previously discussed, this bill required documentation of every access to licensees' records on a computerized data base that contained confidential personal information sensitive information, such as the social security number by the person accessing the information. A

solution was reached with the architects of e-licensing to partially mask the social security number so that only the last four digits will be shown on the credential view screen and the contact screen. This essentially makes that information no longer confidential and will not require logging. The full social security number can still be obtained for confirmation of identity on the "Update" screen. However, when the data is updated, changed or new data is added, the computer system will automatically log the name of the person adding/changing the data so this will not require the written documentation. This process will eliminate almost all of the time consuming logging process. The logging requirement does not apply to paper files.

Director Manns informed the Board that the audit of the Boards financial and licensure processes has been completed. The final exit interview is expected to occur sometime in July. Each Board member should get either an e-mail or regular mail notification of the findings.

Director Manns informed the Board that there have been more discussions about the rearranging of several offices on the 16<sup>th</sup> floor of the Riffe building, including ODB. An e-mail was once again sent to the State Architects stating the Board's decision to not move the office. There has been no response to this e-mail. It was the consensus of the Board that the Board's position remains to not move the Board office.

Director Manns informed the Board that the consolidation of back office functions to Central Service Agency has also been affected by the budget cuts. Finalization of the consolidations plans will be reassessed after the final version of the Budget has been released.

Director Manns also informed the Board that the Board has been assigned a new AAG. Melissa Wilburn has been re-assigned to another Board. Our new AAG will be Leah O'Carrol. Because of scheduling conflicts, Ms. O'Carrol cannot attend the June meeting; however, Ms. Wilburn will attend the June meeting in Leah's absence.

Director Manns informed the Board that Vice President Bender and she attended a meeting with OAO on May 20, 2009 to discuss the Board's proposed changes to the law and rules regulating the practice of opticianry and Ocularistry in Ohio. Representatives from the Ohio Optometry Association were also present. Members of both associations provided suggestions to the proposed changes.

**Special Orders:**

**Approval of Hearings Policy:**

After discussion,

IT WAS MOVED BY BRIAN MILLER AND SECONDED BY SUSAN BENDER THAT THE BOARD APPROVE THE POLICY, "HEARINGS" POLICY AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

**Approval of Conference Attendance Policy:**

After discussion,

IT WAS MOVED BY SUSAN C. BENES, M.D. AND SECONDED BY JOE BITONTE THAT THE BOARD APPROVE THE POLICY, "CONFERENCE ATTENDANCE" POLICY AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

**Approval of Primary Duties of the Office Staff:**

After discussion,

IT WAS MOVED BY SUSAN BENDER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE THE POLICY, "PRIMARY DUTIES OF THE OFFICE STAFF" POLICY AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

**Approval of General Standards of Ethical Conduct:**

After discussion,

IT WAS MOVED BY SUSAN C. BENES, M.D. AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE THE POLICY, "GENERAL STANDARDS OF ETHICAL CONDUCT" POLICY AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

**Approval of Copies and Copyrights:**

After discussion,

IT WAS MOVED BY SUSAN C. BENES, M.D. AND SECONDED BY BRIAN MILLER THAT THE BOARD APPROVE THE POLICY, "COPIES AND COPYRIGHTS" POLICY AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

**New Business:**

**Continuing Education Approval Process**

President Hall brought forth a proposal to amend a previously approved revision of the policy for the approval of continuing education applications. After discussion by the full Board, the consensus of the Board was that Director Manns write up and bring to the August, 2009 Board meeting a draft of the policy for Approving Continuing Education that would incorporate the recommended changes.

**Open Forum:**

Tom Barracato, President of the Opticians Association of Ohio (OAO), addressed the Board during the Open Forum portion of the Board meeting. Mr. Barracato asked the Board to consider changes to the rules of the Board that would place restrictions on the amount of Ohio

continuing education credits that could be obtained on-line towards the requirements of licensure renewal. Mr. Barracato cited the number of licensure states that currently restrict or prohibit on-line continuing education. Mr. Barracato also stated when questioned that those who restricted the on-line continuing education did allow, however, a wider variety of approval mechanisms for the continuing education and did not restrict licensees to only state board approved continuing education. President Hall thanked Mr. Barracato for the information and that his information would be taken into consideration for future rule revisions

Mark Bennett, Executive Director of the Opticians Association of Ohio informed the Board that he had concerns with the approving of continuing education seminars still being reviewed and approved in the Board Meeting sessions. Director Bennett explained that his concerns were, in part, due to the fact that after the December Board meeting, there was a two month lapse before another Board Meeting and that with the potential budget cuts there could be even less Board meetings. Director Bennett further explained that this could potentially create situations where approval of seminars would still be pending at the time of the registration. Director Bennett informed the Board that the association would like to see a rule change designating one person to review and approve continuing education applications which also include an appeals process in the case of seminars being denied. President Hall thanked Mr. Bennett and told him that his suggestions would be taken into consideration for future changes.

**A.A.G. Report:**

AAG Melissa Wilburn informed the Board that the DeFrances matter has finally been settled and that the case had been dismissed.

**Approval of Financial Report**

After discussion,

IT WAS MOVED BY SUSAN C. BENES, M.D. AND SECONDED BY JAMES FORTUNE, SR. THAT THE FINANCIAL REPORT FOR CURRENT FY 2009 BE ACCEPTED AS SUBMITTED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

**Continuing Education**

After review by Board members of submitted applications for approval of continuing education hours and discussion,

IT WAS MOVED BY JOE BITONTE AND SECONDED BY SUSAN C. BENES, M.D. THAT THE BOARD APPROVE THE CONTINUING EDUCATION PROGRAMS WITH THE APPROVED HOURS AS LISTED BELOW. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

**COSTCO – Orlando, FL – October 13-15, 2009:**

5 Contact Lens Hours  
1 Spectacle Hour

**Opticians Association of Ohio- Columbus, OH – October 11, 2009:**

4 Spectacle Hours  
4 Contact Lens Hours

**East/West Eye Conference – Cleveland, OH – October 1-3, 2009:**

21 Spectacle Hours  
17 Spectacle/Contact Lens Hours  
15 Contact Lens Hours  
16 Management Hours

**Tennessee Dispensing Opticians – Nashville, TN– June 27-28, 2009:**

4 Spectacle Hours  
8 Contact Lens Hours  
2 Spectacle/Contact Lens Hours

**Tennessee Dispensing Opticians – Knoxville, TN– October 25, 2009:**

4 Contact Lens Hours  
3 Spectacle Hours

**ABO/NCLE – Cincinnati, OH – September 10-13, 2009:**

47 Spectacle Hours  
31 Contact Lens Hours  
5 Spectacle/Contact Lens Hours  
14 Management

**Opticians Association of Ohio- Cleveland, OH – September 20, 2009:**

4 Spectacle Hours  
4 Contact Lens Hours

**Opticians Association of Ohio- Dayton, OH – October 18, 2009:**

4 Spectacle Hours  
4 Contact Lens Hours

**Approval of Licenses**

After review of licensure applications by Board members,  
IT WAS MOVED BY SUSAN BENDER AND SECONDED BY SUSAN C. BENES, M.D.  
THAT THE BOARD APPROVE FOR LICENSURE THE APPLICANTS LISTED ON  
ADDENDUM 1.0. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD  
MEMBERS PRESENT.

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After review of provisional licensure applications by Board members,

IT WAS MOVED BY BRIAN MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE FOR LICENSURE THE APPLICANTS LISTED ON ADDENDUM 1.1 UPON RECEIPT OF THE CRIMINAL RECORDS CHECK INDICATING NO CRIMINAL RECORD. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

**Approval of out-of-state Opticianry Schools:**

Michael Hall informed the Board that he had reviewed a course syllabus from Cebu Doctorsø College, School of Optometry, Cebu City, Philippines and recommended that the Board accept the program as substantially similar to the requirements for the education of opticians in the state of Ohio.

After discussion,

IT WAS MOVED BY SUSAN BENDER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD ACCEPT THE CEBU DOCTORSø COLLEGE, SCHOOL OF OPTOMETRY, CEBU CITY, PHILIPPINES AS A COLLEGE CURRICULUM THAT MEETS THE EDUCATIONAL REQUIREMENTS FOR LICENSURE AS AN OPTICIAN IN OHIO. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Hearing no other discussion on any other topic, President Hall adjourned the meeting at 11:17 AM, June 18, 2009.

**ATTESTED:**

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**PRESIDENT, MICHAL WM. HALL**

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**EXECUTIVE DIRECTOR, NANCY MANNS**

**Future Board Meeting Dates:**

August 20, 2009

October 15, 2009

December 3, 2009

**ODB - Pending Applicants - Spectacle**

**Report Parameters**

Board = ODB  
 Credential prefix = S

Report generated on 6/17/2009 at 9:05:48 AM

name	address1	address2	city	statecode	zipcode
Ashley A. Anslow	2609 Westfield Avenue		Dayton	OH	45420
Jared Bickford	226 Gemini Street		Sidney	OH	45365
Crystal L. Boettcher	1033 Lockman Avenue		Cincinnati	OH	45238
Bryan Matthew Hubert	30 Imbler Drive		Cincinnati	OH	45218
Lorraine M. Irons	1824A Higby Drive		Stow	OH	44224
Karen R. Kable	2862 Honeweir Road		Celina	OH	45822
Heather R. Pierce	4264 Chippewa Trail		Jamestown	OH	45335
Kathryn L. Sanders	1787 Canvasback Lane		Columbus	OH	43215
Shelley Lynne Snyder	5665 Sundial Drive		Galloway	OH	43119
Rhonda S. Thomas	16 Mosher Avenue		Chillicothe	OH	45601
Sheronda Whitner	29 Scott Court		Westerville	OH	43081

**ODB - Pending Applicants - Spectacle/Contact Lens**

**Report Parameters**

Board = ODB  
 Credential prefix = SC

Report generated on 6/17/2009 at 9:23:56 AM

name	address1	address2	city	statecode	zipcode
Jennifer L. Bolyard	139 Huntington Place		Sandusky	OH	44870
Gale A. Dickman	2027 Campbell Street A-3		Sandusky	OH	44870
Erin Marie Iley	4519 Henritze Avenue		Cleveland	OH	44109
Dorothy J. McLeod	4513 Biddulph Avenue		Cleveland	OH	44144
Steven Moore	220 Brown West Drive C203		Rockwood	TN	37854
Alyssa M. Schwartz	74 North Main Street		Thornville	OH	43076

**ODB - Provisional Applicants - Spectacle**

**Report Parameters**

Board = ODB  
Credential prefix = S

Report generated on 6/17/2009 at 9:05:48 AM

<b>name</b>	<b>address1</b>	<b>address2</b>	<b>city</b>	<b>statecode</b>	<b>zipcode</b>
Rebecca A. Werner	25678 Hummingbird Court		Brookville	IN	47012

**ODB – Provisional Applicants - Reciprocity-Spectacle/Contact Lens**

**Report Parameters**

Board = ODB  
Credential prefix = SC

Report generated on 6/17/2009 at 9:04:40 AM

<b>name</b>	<b>address1</b>	<b>address2</b>	<b>city</b>	<b>statecode</b>	<b>zipcode</b>
Vicki L. Burke	2434 Chestnut Terrace		The Villages	FL	32162