



OHIO OPTICAL DISPENSERS BOARD

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MINUTES OF MEETING **DECEMBER 8, 2011**

REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD **DECEMBER 8, 2011**

The regularly scheduled meeting of the Ohio Optical Dispensers Board (Board) began on Thursday, December 8, 2011 at 9:05 A.M. at 77 South High Street, West B & C, 31st Floor, Columbus. President Thomas Barracato called the meeting to order in open session.

BOARD MEMBERS IN ATTENDANCE:

Present: Thomas Barracato, President; Paul R. King, Vice President, Brian J Miller, Treasurer; Susan Bender; Timothy Fries, O.D.; Susan C. Benes, M.D.; Jeffrey R. Rohlf; James Fortune, Sr.; James Ashenhurst

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 BRIAN J MILLER AND SECONDED BY SUSAN BENDER THAT THE CONSENT AGENDA FOR THE DECEMBER 8, 2011 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

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

IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN C. BENES, M.D. THAT THE REGULAR AGENDA FOR THE DECEMBER 8, 2011 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

President's Report

President Barracato welcomed guests in the gallery.

Approval of Minutes

IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE MINUTES OF THE OCTOBER 20, 2011 BOARD MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Executive Director's Report

Director Manns informed the Board members the appointment for the Ophthalmologist position on the Board had not been made by the time of the current Board meeting.

Director Manns informed the Board that the five year rule review process has been completed with the exception of the last rules to be rescinded. These are the rules found in Chapter 20 that were placed there in a "holding" chapter until the content was incorporated into other rules. The rescissions will be filed this month for a hearing next month. Board members will not need to be present for this hearing.

Director Manns informed the Board that we received good news about the budget. The rent rate per square foot was decreased from \$10.29 to \$6.70 per square footage. This will save the Board approximately \$3,050 per year.

Director Manns informed the Board that she has been working with James Morris, attorney for ABO/NCLE on revising the contract the Board has with ABO/NCLE for providing the national qualifying certification exam for our applicants.

Director Manns informed the Board that she had been working with the Attorney General's office and Prevent Blindness for sending out a Press Release concerning the dangers of purchasing contact lenses without the benefit of professional eye care providers. The Press Release was picked up by the Dayton Daily News, the Columbus Dispatch and NBC 4 Columbus TV station. Director Manns was interviewed by reporters from both newspapers by phone and the NBC4 reporter came with camera to the Board office for an interview. The report was aired on the 6PM and 11PM newscast on Friday, October 28, 2011. The Board office has received many positive comments from the publicity and a few reports of illegal selling/dispensing of contact lenses

Director Manns informed the Board that as of December 2, 2011 only 872 licenses have been renewed. This represents approximately a 27% renewal rate. Of this number 95% have renewed online and the comments have all been very positive.

Special Orders:

Review and Approval of Policy: Travel Authorization/Expense Reports-Board Member:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE THE POLICY "TRAVEL AUTHORIZATION/EXPENSE REPORTS-BOARD MEMBER" AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Review and Approval of Policy: Granting Extensions and Waivers for Proof of Continuing Education for Licensure Renewal:

After discussion,

IT WAS MOVED BY SUSAN BENDER AND SECONDED BY SUSAN C. BENES, M.D. THAT THE BOARD APPROVE THE POLICY "GRANTING EXTENSIONS AND WAIVERS FOR PROOF OF CONTINUING EDUCATION FOR LICENSURE RENEWAL" AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Approval of Financial Report

After discussion,

IT WAS MOVED BY SUSAN BENDER AND SECONDED BY SUSAN C. BENES, M.D. THAT THE FINANCIAL REPORT FOR CURRENT FY 2012 BE ACCEPTED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Continuing Education

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

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY SUSAN BENDER THAT THE BOARD APPROVE THE CONTINUING EDUCATION PROGRAM WITH THE APPROVED HOURS AS LISTED BELOW. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Law & Rules Regulating the Practice of Opticianry & Ocularistry in Ohio – Nancy Manns – Internet and Classroom Presentations – Calendar Year 2012:

- 1 Spectacle/Contact Lens/Ocularist/Management Hour - Online
- 2 Spectacle/Contact Lens/Ocularist/Management Hours - Classroom

Approval of Licenses:

After review of licensure applications by Board members,

IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN BENDER THAT THE BOARD APPROVE FOR LICENSURE THE APPLICANTS LISTED ON ADDENDUM 1.0. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

AAG Report:

AAG Wilburn informed the Board that the U.S. Department of Labor is looking into companies hiring interns to work for free to replace paid employees and that she wanted the Board to be aware of this and look at how it might impact the optical profession.

AAG Wilburn informed the Board that she and Investigator Lehman are working on some businesses allowing non-licensed/non-registered people to dispense eyewear and that they would be making visits and trying to make buys where this is happening.

New Business

Membership in NCSORB:

After discussion,

After review and discussion by Board members,

IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN BENDER THAT THE BOARD APPROVE THE EXPENDITURE OF \$700 FOR MEMBERSHIP IN THE NATIONAL COMMISSION OF STATE OPTICIANRY REGULATORY BOARDS. MOTION WITHDRAWN.

IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN BENDER THAT THE BOARD GIVE THE AUTHORITY TO PRESIDENT BARRACATO TO APPROVE THE EXPENDITURE OF \$700 FOR MEMBERSHIP IN THE NATIONAL COMMISSION OF STATE OPTICIANRY REGULATORY BOARDS BASED UPON ANSWERS TO

ADDITIONAL QUESTIONS REGARDING THE BENEFITS OF MEMBERSHIP/ NCSORB ORGANIZATION, AND INCLUDING FEE REIMBURSEMENT. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Review & Issuance of Initial Licenses:

After discussion,

IT WAS MOVED BY SUSAN BENDER AND SECONDED BY PAUL R. KING THAT THE BOARD APPROVE THE PROPOSED POLICY FOR REVIEW AND ISSUANCE OF INITIAL LICENSURES. MOTION WITHDRAWN.

IT WAS MOVED BY SUSAN BENDER AND SECONDED BY PAUL R. KING THAT THE BOARD APPROVE AS MODIFIED THE PROPOSED POLICY FOR REVIEW AND ISSUANCE OF INITIAL LICENSURES TO AUTHORIZE BOARD STAFF TO REVIEW AND ISSUE INITIAL LICENSES TO QUALIFIED APPLICANTS; AND, THAT THE BOARD WILL RATIFY THOSE LICENSES ISSUED DURING THE PERIOD BETWEEN BOARD MEETINGS AT THE NEXT REGULARLY SCHEDULED BOARD MEETING. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. BRIAN J MILLER OPPOSED.

Susan C. Benes, M.D. requested that AAG Wilburn further discuss the sunshine rule as defined in the Open Meeting Act regarding voting on issues, and, in particular, whether voting of Board members for Board Officer positions must be done in an open meeting; and, to whether a nay or yea vote must be done on every motion. Ms. Wilburn stated that the current indication is that, yes, voting for Board officer positions must be done by verbal votes by Board members in open meetings.

Executive Session

IT WAS MOVED BY JAMES ASHENHURST AND SECONDED BY SUSAN C. BENES, M.D. THAT THE BOARD GO INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSION OF PERSONNEL MATTERS.

A ROLL CALL VOTE WAS TAKEN.

YEA VOTES: SUSAN BENDER, BRIAN J MILLER, JAMES FORTUNE, SR., SUSAN C. BENES, M.D., THOMAS BARRACATO, PAUL R. KING, TIMOTHY FRIES, O.D., JEFF ROHLF AND JAMES ASHENHURST. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

At 11:30 A.M. on Thursday, December 8, 2011, the Board went into executive session to discuss pending personnel matters. All visitors and staff left the room.

At 11:55 AM President Barracato brought the meeting out of Executive Session and reported that the Board had gone into Executive Session to discuss pending personnel matters.

After a short break and hearing no other issues for discussion, President Barracato adjourned the regularly scheduled meeting at 12:15 PM., December 8, 2011.

Following adjournment of the regular meeting, the Board held an Ethics Training session conducted for Board members by Director Manns and was open to any guests who wished to attend.

Those in attendance of the Ethics Training:

BOARD MEMBERS IN ATTENDANCE:

Present: Thomas Barracato, President; Paul R. King, Vice President, Brian J Miller, Treasurer; Susan Bender; Timothy Fries, O.D.; James Fortune, Sr.; James Ashenhurst

NOTE: Jeff Rohlf attended an Ethics Training Conducted by the Governor's office on Monday, November 21, 2011.

STAFF MEMBERS IN ATTENDANCE:

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

GUESTS:

None

ATTESTED:

PRESIDENT, THOMAS BARRACATO

EXECUTIVE DIRECTOR, NANCY MANNs

Future Board Meeting Dates:

February 16, 2012

April 19, 2012

June 21, 2012

August 16, 2012

October 18, 2012

December 6, 2012

ODB - Pending Applicants - Spectacle**Report Parameters**

Board = ODB
 Credential prefix = S

Report generated on 12/6/2011 at 11:18:16 AM

name	address1	address2	city	statecode	zipcode
Linda M. Burkey	239 Idlewood Road		Austintown	OH	44515
Benjamin M. Cochran	398 Werhle Avenue		Newark	OH	43055
Lacee Cripe	5321 Balsam Place Apt 201		Mason	OH	45040
Amy Demjanenko	1340 Dobbins Drive		New Albany	OH	43054
Tiffany D. Downs	7895 Wrightstown Drive		Chesterhill	OH	43728
Justin L. Fuller	102 Holly Avenue		Mingo Junction	OH	43938
Jennifer M. Heredia	1330 Cleveland Avenue NW #3		Canton	OH	44703
Deann M. Hreha	1645 Ferris Road		Columbus	OH	43224
Robert Anthony Litch	623 Matawan Avenue		Campbell	OH	44405
Yochaka C. March	110 Otterbein Avenue		Dayton	OH	45406
Angela Joanne Moore	844 9th Street NE		Massillon	OH	44646
Donna L. Platt	36 Foster Drive		New Middletown	OH	44442
Paul M. Stewart	948-A Greatview Circle		Centerville	OH	45459
Tyler Keegan Trisel	2335 Brookdale Drive		Springfield	OH	45502
Geralynn L. Vaughn	38 Merlin Drive Apt B		Fairfield	OH	45014
Jennifer Wiles	530 Griffith Avenue SW		Massillon	OH	44647
Nicholas J. Williams	4913 Kristie Falls		Columbus	OH	43221
Vicki Kem Willis	723 Adams Street		Piqua	OH	45356
Jennifer L. Wiseman	7349 Sabre Avenue		Reynoldsburg	OH	43068

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

Board = ODB
 Credential prefix = SC

Report generated on 12/6/2011 at 11:30:30 AM

name	address1	address2	city	statecode	zipcode
Tenecia A. Guinea	3235 Meadowbrook Blvd Apt 201		Cleveland Heights	OH	44118
April Claire Haas	2049 Whispering Willow Lane		Amelia	OH	45102
Bryan Matthew Hubert	30 Imbler Drive		Cincinnati	OH	45218
Kristine Katchmazenski	4723 Oakview Court		Liberty Township	OH	45011
Richard M. Wilson	211 Brookside Drive		Brookville	OH	45309

ODB - Pending Applicants - Reciprocity Spectacle/Contact Lens**Report Parameters**

Board = ODB
 Credential prefix = SC

Report generated on 12/6/2011 at 11:17:11 AM

name	address1	address2	city	statecode	zipcode
Diana L. Runyon	300 Lenox Avenue		Mansfield	OH	44906