



OHIO OPTICAL DISPENSERS BOARD

77 SOUTH HIGH ST. 16TH FLOOR
COLUMBUS, OHIO 43215-6108
(614) 466-9709 FAX (614) 995-5392
WWW.OPTICAL.OHIO.GOV
Email: odb@odb.ohio.gov

MINUTES OF MEETING **JUNE 16, 2011**

REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD JUNE 16, 2011

The regularly scheduled meeting of the Ohio Optical Dispensers Board (Board) began on Thursday, June 16, 2011 at 9:09 A.M. at 77 South High Street, East B, 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 C. Benes, M.D.; Timothy Fries, O.D.; Jeffrey R. Rohlf; James Fortune, Sr.

Absent: Susan Bender

STAFF MEMBERS IN ATTENDANCE:

Present: Nancy L. Manns, Executive Director; William Lehman, Investigator; Michelle Sutter, 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 PAUL R. KING THAT THE CONSENT AGENDA FOR THE JUNE 16, 2011 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

The President and Executive Director reviewed the regular agenda prior to the meeting. IT WAS MOVED BY PAUL R. KING AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE REGULAR AGENDA FOR THE JUNE 16, 2011 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

President's Report

President Barracato welcomed the guests and asked that they introduce themselves to the Board and other guests. President Barracato introduced and welcomed AAG Sutter.

Approval of Minutes

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY PAUL R. KING THAT THE MINUTES OF THE APRIL 21, 2011 BOARD MEETING BE APPROVED AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Executive Director's Report

Director Manns informed the Board that Jeff Rohlf was appointed to the Board and confirmed by the Senate in early June. Mr. Rohlf participated in his orientation with Director Manns on Thursday, June 9, 2011 and Treasurer Brian Miller has agreed to act as Mr. Rohlf's mentor.

Director Manns stated that the rules as presented at the February, 2011 Board meeting remain in the to be re-filed (TBR) status. After a thorough review of the rules by the Director of the Joint Committee on Agency Rule Review (JCARR), Larry Wolpert, it has been determined that the Board has statutory authority to promulgate rules related to the competent practice of opticians and ocularists; and, that there is no obvious reason for invalidation of the proposed rules by JCARR. Director Manns further stated that she has reached out to the Optometric Association to set a time for a meeting to discuss the changes recommended by Dr. Pierce in his testimony at the February rules hearing.

Director Manns informed the Board that the Board's FY '12-'13 budget has been submitted, and all testimonies given. The State Budget is now in Conference Committee for reconciliation of the House and Senate versions of the Budget Bill which should not impact the Board's request. However, when developing the FY'11 budget, the current budget just ending, Directors were advised by the Office of Budget and Management (OBM) to budget for 26 payrolls in FY'11 and 27 payrolls in FY'12. Directors and Financial Officers are now being told that the Boards will be paying for the 27th payroll in FY'11. Ms. Manns assured the Board members that the Board will have the money to pay for this payroll whether it is in FY'11 or FY'12. Director Manns further informed the Board that she has encumbered \$15,150 from FY'11 into FY'12 for DAS services and supplies.

Director Manns informed the Board that a random audit for compliance with continuing education requirements for the 2011 licensure renewal of individuals selected by a computer process was initiated in early May. Approximately 50% of licenses (1,601) who renewed on-line were sent a notice requesting continuing education certificates to verify the information stated on the on-line renewal form. Individuals were given 10 days within receipt of the notice to return the appropriate information. As of June 14, 2011, 1,243 have complied with the audit request. That represents a 78% compliance at this time. Letters of non-compliance will be mailed to those not meeting the requirements throughout the month of June.

Director Manns informed the Board that she has been working with Jim Gandorf, Executive Director of ABO/NCLE to review the Board's current contract with ABO/NCLE for the administration of the national qualifying exam. The contract had not been reviewed since 2004. The new contract is still currently under review by the attorneys of ABO/NCLE.

Director Manns informed the Board that she attended a three hour conference sponsored by the Department of Administrative Services (DAS): Workforce Planning: Change Management for Executives. The conference focused on the changes facing state government and how leaders, managers and directors can become effective change agents.

Director Manns informed the Board that she has been working with a few other Boards on the issue of using social networks, specifically "Facebook" as a means of communication with licensees.

Two Directors of boards who are currently using forms of social media have offered to share their processes and policies for the parameters and monitoring of either Face book or Twitter.

Special Orders:

Review and Approval of Policy: Primary Duties of the Office Staff:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY PAUL R. KING THAT THE BOARD RE-AFFIRM THE POLICY "PRIMARY DUTIES OF THE OFFICE STAFF" AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR. S. BENES ABSENT FOR VOTE

Review and Approval of Policy: Conference Attendance:

After discussion,

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY JEFFREY R. ROHLF THAT THE BOARD RE-AFFIRM THE POLICY "CONFERENCE ATTENDANCE" AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR. S. BENES ABSENT FOR VOTE

Review and Approval of Policy: General Standards of Ethical Conduct:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD RE-AFFIRM THE POLICY "GENERAL STANDARDS OF ETHICAL CONDUCT" AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR. S. BENES ABSENT FOR VOTE

Review and Approval of Policy: Copies and Copyrights:

After discussion,

IT WAS MOVED BY PAUL R. KING AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD RE-AFFIRM THE POLICY "COPIES AND COPYRIGHTS" AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR. S. BENES ABSENT FOR VOTE

Review and Approval of Policy: Hearings:

After discussion,

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY JEFFREY R. ROHLF THAT THE BOARD RE-AFFIRM THE POLICY "HEARINGS" AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. Dr. S. BENES ABSENT FOR VOTE

Review and Approval of Policy: Performance Evaluations:

After discussion,

IT WAS MOVED BY PAUL R. KING AND SECONDED BY BRIAN J MILLER THAT THE BOARD RE-AFFIRM THE POLICY "PERFORMANCE EVALUATIONS" AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR.S. BENES ABSENT FOR VOTE

Review and Approval of Policy: Board Member Qualifications, Duties, Responsibilities,

Terms:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY PAUL R. KING THAT THE BOARD RE-AFFIRM THE POLICY "BOARD MEMBER QUALIFICATIONS, DUTIES, RESPONSIBILITIES, TERMS" AS WRITTEN. MOTION ADOPTED BY

UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR.S. BENES ABSENT FOR VOTE

Review and Approval of Policy: Guidelines on State Employee Participation in Political Activity:

After discussion,

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY JEFFREY R. ROHLF THAT THE BOARD RE-AFFIRM THE POLICY "GUIDELINES ON STATE EMPLOYEE PARTICIPATION IN POLITICAL ACTIVITY" AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR. S. BENES ABSENT FOR VOTE

Review and Approval of Proposed Rule: Chapter 4726-19-01, 4626-19-02, 4726-19-03, 4726-19-04, 4726-19-05, 4726-19-06:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE THE FOLLOWING PROPOSED RULES 4726-19-01 THROUGH 4726-19-06 AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Review and Approval of Proposed Rule: 4726-5-01- Application for Initial Licensure as a Dispensing Optician:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY PAUL R. KING THAT THE BOARD APPROVE THE FOLLOWING PROPOSED RULE 4726-5-01 APPLICATION FOR INITIAL LICENSURE AS A DISPENSING OPTICIAN AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Review and Approval of Proposed Rule:4726-5-02- Application for Initial Licensure as an Ocularist:

After discussion,

IT WAS MOVED BY SUSAN C. BENES, M.D. AND SECONDED BY PAUL R. KING THAT THE BOARD APPROVE THE FOLLOWING PROPOSED RULE 4726-5-02 APPLICATION FOR INITIAL LICENSURE AS AN OCULARIST AS WRITTEN. MOTION WITHDRAWN.

IT WAS MOVED BY SUSAN C. BENES, M.D. AND SECONDED BY PAUL R. KING THAT THE BOARD APPROVE THE FOLLOWING PROPOSED RULE 4726-5-02 APPLICATION FOR INITIAL LICENSURE AS AN OCULARIST AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Review and Approval of Proposed Rule: 4726-5-03- Application for Licensure by Reciprocity/Endorsement as a Dispensing Optician:

After discussion,

IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN C. BENES, M.D. THAT THE BOARD APPROVE THE FOLLOWING PROPOSED RULE 4726-5-03 APPLICATION FOR LICENSURE BY RECIPROCITY/ENDORSEMENT AS A DISPENSING OPTICIAN AS WRITTEN. MOTION WITHDRAWN.

IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN C. BENES, M.D. THAT THE BOARD APPROVE THE FOLLOWING PROPOSED RULE 4726-5-03 APPLICATION FOR LICENSURE BY RECIPROCITY/ENDORSEMENT AS A DISPENSING OPTICIAN AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Review and Approval of Proposed Rule: 4726-5-04- Application for Licensure by Reciprocity/Endorsement as an Ocularist:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE THE FOLLOWING PROPOSED RULE 4726-5-04 APPLICATION FOR LICENSURE BY RECIPROCITY/ENDORSEMENT AS AN OCULARIST AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Review and Approval of Proposed Rule: 4726-5-05- Application for Licensure as a Foreign Educated Dispensing Optician:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY PAUL R. KING THAT THE BOARD APPROVE THE FOLLOWING PROPOSED RULE 4726-5-05 APPLICATION FOR LICENSURE AS A FOREIGN EDUCATED DISPENSING OPTICIAN AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Review and Approval of Proposed Rule:4726-17-01- Definitions:

After discussion,

IT WAS MOVED BY SUSAN C. BENES, M.D. AND SECONDED BY PAUL R. KING THAT THE BOARD APPROVE THE FOLLOWING PROPOSED RULE 4726-17-01 DEFINITIONS AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Review and Approval of Proposed Rule:4726-17-02- Approval of a College Level Program of Opticianry:

After discussion,

IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN C. BENES, M.D. THAT THE BOARD APPROVE THE FOLLOWING PROPOSED RULE 4726-17-02 APPROVAL OF A COLLEGE LEVEL PROGRAM OF OPTICIANRY AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Approval of Financial Report

After discussion,

IT WAS MOVED BY SUSAN C. BENES, M.D. AND SECONDED BY JAMES R. FORTUNE, SR. THAT THE FINANCIAL REPORT FOR CURRENT FY 2011 BE ACCEPTED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Goals of the Board

President Barracato requested that the Board re-look at the Board's goals for fiscal year 2012 to re-assess, add new goals and/or re-prioritize the goals already selected. Mr. Barracato also

requested that these forms be returned to Director Manns by July 31, 2011. The new recommendations would then be discussed at the August 18, 2011 Board meeting.

Continuing Education

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

IT WAS MOVED BY JEFFREY ROHLF AND SECONDED BY TIMOTHY FRIES, O.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.

Opticians Association of Ohio – Fairborn, OH – October 16, 2011:

- 4 Spectacle Hours
- 4 Contact Lens Hours

Opticians Association of Ohio – Columbus, OH – October 23, 2011:

- 4 Spectacle Hours
- 4 Contact Lens Hours

COSTCO – Orlando, FL – October 11-13, 2011:

- 6 Spectacle Hours
- 4 Contact Lens Hours

Opticians Association of Ohio – Fairfield, OH – October 2, 2011:

- 1 Spectacle/Contact Lens/Ocularist Hour with infectious control
- 1 Contact Lens Hour
- 2 Spectacle/Contact Lens/Ocularist/Management Hours

ABO/NCLE Convention – Cincinnati, OH – September 8-11, 2011:

- 12 Spectacle Hours
- 12 Contact Lens Hours
- 1 Spectacle/Contact Lens Hour
- 4 Management Hours

Opticians Association of Ohio – Twinsburg, OH – November 13, 2011:

- 4 Spectacle Hours
- 4 Contact Lens Hours

ABO/NCLE Convention – Cincinnati, OH – September 8-11, 2011:

- 10 Spectacle Hours
- 17 Contact Lens Hours
- 3 Management Hours

C.E.D.O. – Zanesville, OH – August 13, 2011:

- 4 Spectacle Hours

C.E.D.O. – Dublin, OH – August 14, 2011:

- 4 Spectacle Hours

C.E.D.O. – Perrysburg, OH – September 24, 2011:

- 4 Spectacle Hours

C.E.D.O. – Independence, OH – September 25, 2011:

- 4 Spectacle Hours

President Barracato put forward a recommendation that the Board consider accepting continuing education which has been approved by ABO/NCLE, NEBO, the American Society of Ocularists, or other Board-approved nationally recognized credentialing bodies as continuing education that would meet the requirements for renewal. After discussion, by consensus the Board agreed that Director Manns develop a policy and procedure for acceptance of continuing education approved by the above groups and bring it back to the Board at the August Board meeting for approval.

Approval of Licenses:

After review of licensure applications by Board members,
IT WAS MOVED BY PAUL R. KING 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.

New Business:

Ethics Training for Board Members and Staff

After discussion,
IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY SUSAN C. BENES, M.D.
THAT THE BOARD ACCEPT THE PROPOSAL THAT DIRECTOR MANN'S PROVIDE
ETHICS TRAINING TO BOARD MEMBERS AND STAFF AT EACH BOARD MEETING
UNTIL SUCH TIME AS ALL REQUIREMENTS HAVE BEEN MET IN ACCORDANCE
WITH EXECUTIVE ORDER 2011-03K. MOTION ADOPTED BY UNANIMOUS VOTE
OF THE BOARD MEMBERS PRESENT.

FAQ for Web Page – Release of Information

After discussion,
IT WAS MOVED BY PAUL R. KING AND SECONDED BY TIMOTHY FRIES, O.D.
THAT THE BOARD APPROVE AS WRITTEN THE FAQ, "RELEASE OF
INFORMATION" TO BE PLACED ON THE BOARD'S WEB PAGE AS AN FAQ.
MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Hearing no other issues for discussion, President Barracato adjourned the meeting at 12:10 p.m., June 16, 2011.

ATTESTED:



PRESIDENT, THOMAS BARRACATO



EXECUTIVE DIRECTOR, NANCY MANN'S

Future Board Meeting Dates:

August 18, 2011

October 20, 2011

December 8, 2011

ODB - Pending Applicants - Spectacle

Report Parameters

Board = ODB
 Credential prefix = S

Report generated on 6/13/2011 at 3:19:37 PM

name	address1	address2	city	statecode	zipcode
Dolores R. Felgemaker	7769 Willowcove Court		Dublin	OH	43016
Zar Ni Htoo	1701 East Thornton Drive		Bloomington	IN	47401
Bethany L. Huston	781 Peregrine Place		Amherst	OH	44001
John H. Komon, Jr.	2494 North 4th Street		Columbus	OH	43202
Kevin Kretch	27020 Cedar Road Apt 108		Beachwood	OH	44122
Todd P. Mitchell	661 Tori Circle		Wooster	OH	44691
Natalie F. Smollen	11140 Snow Road		Parma	OH	44130
Rhonda J. Swallie	PO Box 55		Warnock	OH	43967
Troy D. Wine	6909 Lynnfield Ct Apt 127		Cincinnati	OH	45243

ODB - Pending Applicants - Spectacle/Contact Lens

Report Parameters

Board = ODB
 Credential prefix = SC

Report generated on 6/13/2011 at 3:22:16 PM

name	address1	address2	city	statecode	zipcode
Chelsea L. Bond	5940 Pine Hill Drive		New Lexington	OH	43764
Betty J. Roy	1045 Wedgewood Drive		Independence	KY	41051
Sara Audrey VanSickle	5346 State Route 204		Glenford	OH	43739