



OHIO OPTICAL DISPENSERS BOARD

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

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Email: odb@odb.ohio.gov

MINUTES OF MEETING **APRIL 19, 2012**

REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD APRIL 19, 2012

The regularly scheduled meeting of the Ohio Optical Dispensers Board (Board) began on Thursday, April 19, 2012 at 9:15 A.M. at 77 South High Street, 31st Floor, Columbus, Ohio. 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; Jeffrey R. Rohlf; James Ashenhurst; Timothy Fries, O.D.; Dr. Jeffrey Hutchison, D.O.; James Fortune, Sr.

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 TIMOTHY FRIES, O.D. THAT THE CONSENT AGENDA FOR THE APRIL 19, 2012 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 BENDER THAT THE REGULAR AGENDA FOR THE APRIL 19, 2012 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 JAMES ASHENHURST AND SECONDED BY JEFFREY R. ROHLF THAT THE MINUTES OF THE FEBRUARY 16, 2012 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 that Dr. Jeffrey Hutchison had been appointed to fill the position vacated by Dr. Benes. Director Manns further stated that Susan Bender had agreed to mentor Dr. Hutchison his first year on the Board. Ms. Manns went on to say that there had been no word from the Governor's office regarding the re-appointment of Mr. Fortune, Susan Bender or Dr. Fries.

Director Manns informed the Board that at the direction of the Board, the Board will be going through a review of Sections 4725.40-4725.59 of the Revised Code law during the coming year to assess the need for changes to sections of law in order to reflect current and safe practice of opticians, apprentices and ocularists in the state of Ohio. A meeting with members of the Board, OAO and other interested parties was held on Wednesday, April 18th and would be discussed under the Board Governance/Planning section of the current meeting.

Director Manns informed the Board that she had been working with AAG Melissa Wilburn on revising the contract the Board has had with ABO/NCLE for providing the national qualifying certification exam for Ohio applicants. The contract had been completed and signed by representatives of ABO/NCLE and the President Barracato.

Director Manns informed the Board that 3,308 license renewal forms were mailed and that a total of 3,211 renewed, 104 licensees did not renew. These numbers reflect a 97% renewal rate. Of that total 3,220 renewed online (97%); 88 renewed using the traditional paper method. A total of 109 paid the \$75.00 late fee.

Director Manns informed the Board that now that the licensure renewal period has ended, Investigator Lehman was in the process of initiating the audit of continuing education as reported on the on-line renewal forms for compliance with the reported continuing education for the on-line renewal. This year a random audit of approximately 35% of those renewing on-line will be completed.

Director Manns informed the Board that information regarding on-line renewal of apprentice registrations will be mailed approximately May 1, 2012 and requested all that were working with apprentices guide them through the process.

Director Manns informed the Board that the financial audit of the Board that begun in July, 2011 had been completed. A copy of the report has been e-mailed directly from the auditor's office to each Board member, and a hard copy was in the Board members' binders.

Special Orders:

Review and Approval of Policy: Public Participation at Board Meetings:

After discussion,

IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN BENDER THAT THE BOARD RE-AFFIRM WITH AMENDMENTS THE POLICY "PUBLIC PARTICIPATION AT BOARD MEETINGS". MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Approval of Financial Report

After discussion,

IT WAS MOVED BY JAMES ASHENHURST AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE FINANCIAL REPORT FOR CURRENT FY 2012 BE ACCEPTED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Board Governance/Planning:

As discussed at the February Board meeting after review of 4.1 ODB Law Review 2012 it was the consensus of the Board to prioritize and group the “Points for Discussion” as follows:

Board Meeting	Topic(s) for Potential Law Changes
April	Renewal process, fees, and continuing education
June	Scope of Practice
August	Composition of Board and Board Duties
October	Disciplinary Procedures
December	Pre-licensure education, Licensure Processes

President Barracato advised the Board that a preliminary meeting to discuss the process and topics for the law changes was held on Wednesday, April 18th. In attendance at this meeting were representatives in person and via phone conference call from Wal-Mart, OAO, Luxottica and the Board officers.

After discussion the following changes were recommended:

1. Change Chapter Number of Law to 4726
2. Make the law gender neutral
3. Initial licensure fee, renewal fees and late fee remain the same.
4. No cut off date to get initial license in December.
5. Further discuss giving the Board authority by rule to cover items in the law.
6. Go through entire law and then find a sponsor for the bill to make changes.

Ratification of Licenses:

IT WAS MOVED BY PAUL R. KING AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD RATIFY 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 ABO/NCLE contract has been finalized and signed.

AAG Wilburn also informed the Board that she will be attending a two hour training on when and what types of deliberations may occur during an executive session; and that she will be bringing that information to the Board at the June Board meeting.

Discipline:

After review of the Consent Agreement for Case #1201016 by Board members, IT WAS MOVED BY SUSAN BENDER AND SECONDED BY JAMES ASHENHURST THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #1201016. MOTION ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. (See Addendum 2.0)

After review of the Consent Agreement for Case #1203025 by Board members, IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY SUSAN BENDER THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #1203025. MOTION ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. (See Addendum 2.0)

After review of the Consent Agreement for Case #1203026 by Board members, IT WAS MOVED BY JAMES ASHENHURST AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #1203026. MOTION ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. (See Addendum 2.0)

After review of the Consent Agreement for Case #1203032 by Board members, IT WAS MOVED BY JAMES ASHENHURST AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #1203032. MOTION ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. (See Addendum 2.0)

After review of the Consent Agreement for Case #1203029 by Board members, IT WAS MOVED BY SUSAN BENDER AND SECONDED BY PAUL R. KING THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #1203029. MOTION ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. (See Addendum 2.0)

New Business

Treasurer Miller inquired as to the status of the Board becoming a member of The National Commission of State Opticianry Regulatory Boards (NCSORB). Director Manns stated that since NCSORB was not a state vendor, additional information was required of NCSORB to be able to establish NCSORB as a state-approved vendor in order to be eligible for payment of membership dues. To date this information had not been provided by NCSORB. It was the consensus of the Board that if this information was not received within a reasonable period of time, that the Board wait to start the membership for the next annual renewal term.

Board member Rohlf requested clarification of the Board's process for ratification of licensure. After discussion, Mr. Rohlf requested that he be sent the Board's approved policy for the ratification of licenses. Director Manns agreed to do so.

Hearing no other issues for discussion, President Barracato adjourned the regularly scheduled meeting at 11:45 a.m. April 19, 2012.

Optical Dispensers Board
April 19, 2012

ATTESTED:

PRESIDENT, THOMAS BARRACATO

EXECUTIVE DIRECTOR, NANCY MANNIS

Future Board Meeting Dates:

June 21, 2012

August 16, 2012

October 18, 2012

December 6, 2012

ADDENDUM 1.0

ODB - First Issued

Report Parameters

Board = ODB
 Credential status = ACTIVE
 Credential prefix = C, S, SC
 From 02/17/2012 to 04/18/2012

Report generated on 4/18/2012 at 11:38:31 AM

Type	Number	Name	Add Line 1	City	State	Zip	description
S	13048	ALONSO DANNY	1632 Red Robin Road	Columbus	OH	43229	ACTIVE
SC	5389	ANSELL CHRISTY	153 3rd Street NW Apt 1	Barberton	OH	44203	ACTIVE
S	13358	ANTUS-CARLSON DEBORAH	2156 East 40th Street	Lorain	OH	44055	ACTIVE
S	13257	BUSSIERE LINDA M.	339 North Buchanan Street	Fremont	OH	43420	ACTIVE
S	13306	EWEN JAMES	7438 Timber Drive Apt 3	Cincinnati	OH	45241	ACTIVE
S	11916	FILIPESCU CAMELIA	15003 Triskett Road Apt Down	Cleveland	OH	44111	ACTIVE
S	13423	FORTUNA BRENDA	999 East Turtlecreek Union Road	Lebanon	OH	45036	ACTIVE
SC	9908	GILPIN SAMUEL	2701 Courtney Place	Lewis Center	OH	43035	ACTIVE
SC	7214	HARDING, JR. ROBERT	5026 Flynnhaven Court	Columbus	OH	43221	ACTIVE
S	11836	MOFFETT JARED	537 South 5th Street Apt A	Columbus	OH	43206	ACTIVE
S	12746	MORTON JESSICA	5040 Willnet Drive	Cincinnati	OH	45238	ACTIVE
SC	11010	OSBORNE SCOTT	8320 Parkford Street NW	Massillon	OH	44646	ACTIVE
S	11859	OZINGA CARRIE	664 Broadway Avenue #203	Bedford	OH	44146	ACTIVE
S	10553	PARSONS GREG	65 West 8th Avenue Apt M	Columbus	OH	43201	ACTIVE
SC	10401	REAVES BREANNA	1381 Worthington Ridge Blvd	Worthington	OH	43085	ACTIVE
S	10808	ROSEY LYNNETTE	1157 Anderson Ferry Road	Cincinnati	OH	45238	ACTIVE
S	11720	VELAZQUEZ DAWN	3714 Oxford Drive	Lorain	OH	44053	ACTIVE
SC	13046	WARNER MINDY	4625 Township Rd 186 SW	Junction City	OH	43748	ACTIVE
S	13033	WOLFE ROBIN	236 East Main Street	Amanda	OH	43102	ACTIVE
S	11436	WOOD, II SCOTT	141 Vista Drive	Hamilton	OH	45011	ACTIVE
S	11809	ZAIDINSKI RYAN	37446 Grove Avenue Apt 204	Willoughby	OH	44094	ACTIVE

21 Items Found



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**CONSENT AGREEMENT
BETWEEN
DUSTIN ASH
AND
THE OHIO OPTICAL DISPENSERS BOARD**

This CONSENT AGREEMENT is entered into by and between **DUSTIN ASH**, Opticians, License No. 5700-S and the **OHIO OPTICAL DISPENSERS BOARD** ("Board"), a state agency charged with enforcing Chapter 4725 of the Ohio Revised Code, and all rules promulgated thereunder.

DUSTIN ASH enters into this CONSENT AGREEMENT being fully informed of his rights under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues considered herein.

BASIS FOR ACTION

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

1. The **BOARD** is empowered by Section 4725.53 of the Ohio Revised Code to refuse to grant a license, suspend or revoke a license or impose a fine or order restitution for any of the enumerated violations.
2. The **BOARD** enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4725.51 of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **DUSTIN ASH** failed to obtain his continuing education credits within the immediately preceding one-year period, namely January 1, 2011 to December 31, 2011, for renewal of his optical license for the 2012 renewal period. Continuing education certificates received as part of the renewal for the 2012 licensure period and reviewed by the Board showed that these credits were obtained on March 28, 2012.

APR 05 2012 04:10:20

Dustin Ash
Consent Agreement
Page 2

3. The **BOARD** expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4725 of the Ohio Revised Code or any rules promulgated there under, whether occurring before or after the effective date of this **CONSENT AGREEMENT**.
4. **DUSTIN ASH** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 5700-S
5. **DUSTIN ASH** admits the factual and legal allegations set forth in this Consent Agreement issued by the **BOARD**.

AGREED CONDITIONS

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth and in lieu of any further formal proceedings at this time, **DUSTIN ASH** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

- A. **DUSTIN ASH** shall obtain four (4) additional Spectacle continuing education hours, that will be applied toward his 2013 license renewal. The four (4) additional Spectacle hours cannot be the same as those obtained for his 2012 renewal. The four (4) additional Spectacle hours must be received by the Board at the Ohio Optical Dispensers Board, 77 South High Street, 16th Floor, Columbus, Ohio 43215-6108 not later than 30 days from the ratification by the Board of this consent agreement..
- B. **DUSTIN ASH** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.
- C. **DUSTIN ASH** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

Dustin Ash
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **DUSTIN ASH** as long as he is in compliance with the terms and conditions of this **CONSENT AGREEMENT**.

FAILURE TO COMPLY

If, in the discretion of the Board or its Designate, **MR. ASH** appears to have violated or breached any term or condition of this Agreement, the Board reserves the right to institute formal disciplinary proceedings pursuant to ORC 4725.53 or rules promulgated under OAC 4726 for any and all possible violations or breaches, including but limited to, alleged violations of the laws of Ohio occurring before the effective date of this **CONSENT AGREEMENT**.

Any action initiated by the Board based on alleged violations of this Agreement shall comply with the Administrative Procedure Act, Chapter 119, of the Ohio Revised Code.

ACKNOWLEDGEMENTS/LIABILITY RELEASE

DUSTIN ASH agrees that in the event the Board, in its discretion, does not ratify this **CONSENT AGREEMENT**, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **MR. ASH** agrees that should the **BOARD** reject this **CONSENT AGREEMENT** and if this case proceeds to hearing, he will assert no claim that the **BOARD** was prejudiced by this review and discussion of this **CONSENT AGREEMENT** or of any information relating thereto.

MR. ASH acknowledges that he has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

MR. ASH waives all of his rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

DUSTIN ASH
Consent Agreement
Page 4

EFFECTIVE DATE

It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the **BOARD** prior to signature by the President / Supervising Disciplinary Member and shall become effective upon the last date of signature below.

**THE OHIO OPTICAL DISPENSERS
BOARD**


DUSTIN ASH

4-4-12
DATE


THOMAS BARRACATO
President
Supervising Disciplinary Member

4-19-12
DATE


MELISSA L. WILBURN, Esq
Assistant Attorney General
Attorney for Ohio Optical Dispensers Board

April 19, 2012
DATE

APR 06 2012 @ 10:21



OHIO OPTICAL DISPENSERS BOARD

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APR 19 2012 09:03:00

**CONSENT AGREEMENT
BETWEEN
SHARON CARR
AND
THE OHIO OPTICAL DISPENSERS BOARD**

This CONSENT AGREEMENT is entered into by and between **SHARON CARR**, Opticians, License No. 11616-SC and the **OHIO OPTICAL DISPENSERS BOARD** ("Board"), a state agency charged with enforcing Chapter 4725 of the Ohio Revised Code, and all rules promulgated thereunder.

SHARON CARR enters into this CONSENT AGREEMENT being fully informed of her rights under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues considered herein.

BASIS FOR ACTION

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

1. The **BOARD** is empowered by Section 4725.53 of the Ohio Revised Code to refuse to grant a license, suspend or revoke a license or impose a fine or order restitution for any of the enumerated violations.
2. The **BOARD** enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4725.51 of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **SHARON CARR** failed to obtain her continuing education credits within the immediately preceding one-year period, namely January 1, 2011 to December 31, 2011, for renewal of her optical license for the 2012 renewal period. Continuing education certificates received as part of the renewal for the 2012 licensure period and reviewed by the Board showed that these credits were obtained on February 18th and 21st, 2012.

Sharon Carr
Consent Agreement
Page 2

3. The **BOARD** expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4725 of the Ohio Revised Code or any rules promulgated there under, whether occurring before or after the effective date of this **CONSENT AGREEMENT**.
4. **SHARON CARR** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 11616-SC
5. **SHARON CARR** admits the factual and legal allegations set forth in this Consent Agreement issued by the **BOARD**.

AGREED CONDITIONS

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth and in lieu of any further formal proceedings at this time, **SHARON CARR** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

- A. **SHARON CARR** shall obtain four (4) additional Spectacle and eight (8) Contact Lens continuing education hours, that will be applied toward her 2013 license renewal. The four (4) additional Spectacle and 8 additional Contact Lens hours cannot be the same as those obtained for her 2012 renewal. The four (4) additional Spectacle and eight (8) Contact Lens hours must be received by the Board at the Ohio Optical Dispensers Board, 77 South High Street, 16th Floor, Columbus, Ohio 43215-6108 not later than 30 days from the ratification by the Board of this consent agreement..
- B. **SHARON CARR** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.
- C. **SHARON CARR** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

Sharon Carr
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **SHARON CARR** as long as she is in compliance with the terms and conditions of this **CONSENT AGREEMENT**.

FAILURE TO COMPLY

If, in the discretion of the Board or its Designate, **MS. CARR** appears to have violated or breached any term or condition of this Agreement, the Board reserves the right to institute formal disciplinary proceedings pursuant to ORC 4725.53 or rules promulgated under OAC 4726 for any and all possible violations or breaches, including but limited to, alleged violations of the laws of Ohio occurring before the effective date of this **CONSENT AGREEMENT**.

Any action initiated by the Board based on alleged violations of this Agreement shall comply with the Administrative Procedure Act, Chapter 119, of the Ohio Revised Code.

ACKNOWLEDGEMENTS/LIABILITY RELEASE

SHARON CARR agrees that in the event the Board, in its discretion, does not ratify this **CONSENT AGREEMENT**, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **MS. CARR** agrees that should the **BOARD** reject this **CONSENT AGREEMENT** and if this case proceeds to hearing, she will assert no claim that the **BOARD** was prejudiced by this review and discussion of this **CONSENT AGREEMENT** or of any information relating thereto.

MS. CARR acknowledges that she has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

MS. CARR waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

MAR 13 2012 4:03:00

SHARON CARR
Consent Agreement
Page 4

EFFECTIVE DATE

It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the **BOARD** prior to signature by the President / Supervising Disciplinary Member and shall become effective upon the last date of signature below.

THE OHIO OPTICAL DISPENSERS
BOARD


SHARON CARR

March 12th 2012
DATE


THOMAS BARRACATO
President
Supervising Disciplinary Member

4-19-12
DATE


MELISSA L. WILBURN, Esq
Assistant Attorney General
Attorney for Ohio Optical Dispensers Board

April 19, 2012
DATE



OHIO OPTICAL DISPENSERS BOARD

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**CONSENT AGREEMENT
BETWEEN
BETH ECKHART
AND
THE OHIO OPTICAL DISPENSERS BOARD**

This CONSENT AGREEMENT is entered into by and between **BETH ECKHART**, Opticians, License No. 7080-S and the **OHIO OPTICAL DISPENSERS BOARD** ("Board"), a state agency charged with enforcing Chapter 4725 of the Ohio Revised Code, and all rules promulgated thereunder.

BETH ECKHART enters into this CONSENT AGREEMENT being fully informed of her rights under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues considered herein.

BASIS FOR ACTION

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

1. The **BOARD** is empowered by Section 4725.53 of the Ohio Revised Code to refuse to grant a license, suspend or revoke a license or impose a fine or order restitution for any of the enumerated violations.
2. The **BOARD** enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4725.51 of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **BETH ECKHART** failed to obtain her continuing education credits within the immediately preceding one-year period, namely January 1, 2011 to December 31, 2011, for renewal of her optical license for the 2012 renewal period. Continuing education certificates received as part of the renewal for the 2012 licensure period and reviewed by the Board showed that these credits were obtained on March 21, 2012.

Beth Eckhart
Consent Agreement
Page 2

3. The **BOARD** expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4725 of the Ohio Revised Code or any rules promulgated there under, whether occurring before or after the effective date of this **CONSENT AGREEMENT**.

4. **BETH ECKHART** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 7080-S

5. **BETH ECKHART** admits the factual and legal allegations set forth in this Consent Agreement issued by the **BOARD**.

AGREED CONDITIONS

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth and in lieu of any further formal proceedings at this time, **BETH ECKHART** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

A. **BETH ECKHART** shall obtain four (4) additional Spectacle continuing education hours, that will be applied toward her 2013 license renewal. The four (4) additional Spectacle hours cannot be the same as those obtained for her 2012 renewal. The four (4) additional Spectacle hours must be received by the Board at the Ohio Optical Dispensers Board, 77 South High Street, 16th Floor, Columbus, Ohio 43215-6108 not later than 30 days from the ratification by the Board of this consent agreement..

B. **BETH ECKHART** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.

C. **BETH ECKHART** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

Beth Eckhart
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **BETH ECKHART** as long as she is in compliance with the terms and conditions of this **CONSENT AGREEMENT**.

FAILURE TO COMPLY

If, in the discretion of the Board or its Designate, **MS. ECKHART** appears to have violated or breached any term or condition of this Agreement, the Board reserves the right to institute formal disciplinary proceedings pursuant to ORC 4725.53 or rules promulgated under OAC 4726 for any and all possible violations or breaches, including but limited to, alleged violations of the laws of Ohio occurring before the effective date of this **CONSENT AGREEMENT**.

Any action initiated by the Board based on alleged violations of this Agreement shall comply with the Administrative Procedure Act, Chapter 119, of the Ohio Revised Code.

ACKNOWLEDGEMENTS/LIABILITY RELEASE

BETH ECKHART agrees that in the event the Board, in its discretion, does not ratify this **CONSENT AGREEMENT**, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **MS. ECKHART** agrees that should the **BOARD** reject this **CONSENT AGREEMENT** and if this case proceeds to hearing, she will assert no claim that the **BOARD** was prejudiced by this review and discussion of this **CONSENT AGREEMENT** or of any information relating thereto.

MS. ECKHART acknowledges that she has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

MS. ECKHART waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

APR 10 2012 AM 10:18

Beth Eckhart
Consent Agreement
Page 4

EFFECTIVE DATE

It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the **BOARD** prior to signature by the President / Supervising Disciplinary Member and shall become effective upon the last date of signature below.

**THE OHIO OPTICAL DISPENSERS
BOARD**



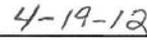
BETH ECKHART



DATE



THOMAS BARRACATO
President
Supervising Disciplinary Member



DATE



MELISSA L. WILBURN, Esq
Assistant Attorney General
Attorney for Ohio Optical Dispensers Board



DATE



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**CONSENT AGREEMENT
BETWEEN
RICHARD PALMER
AND
THE OHIO OPTICAL DISPENSERS BOARD**

This CONSENT AGREEMENT is entered into by and between **RICHARD PALMER**, Opticians, License No. 7309-S and the **OHIO OPTICAL DISPENSERS BOARD** ("Board"), a state agency charged with enforcing Chapter 4725 of the Ohio Revised Code, and all rules promulgated thereunder.

RICHARD PALMER enters into this CONSENT AGREEMENT being fully informed of his rights under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues considered herein.

BASIS FOR ACTION

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

1. The **BOARD** is empowered by Section 4725.53 of the Ohio Revised Code to refuse to grant a license, suspend or revoke a license or impose a fine or order restitution for any of the enumerated violations.
2. The **BOARD** enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4725.51 of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **RICHARD PALMER** failed to obtain his continuing education credits within the immediately preceding one-year period, namely January 1, 2011 to December 31, 2011, for renewal of his optical license for the 2012 renewal period. Continuing education certificates received as part of the renewal for the 2012 licensure period and reviewed by the Board showed that these credits were obtained on February 19, 2012.

Richard Palmer
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3. The **BOARD** expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4725 of the Ohio Revised Code or any rules promulgated there under, whether occurring before or after the effective date of this **CONSENT AGREEMENT**.

4. **RICHARD PALMER** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 7309-S

5. **RICHARD PALMER** admits the factual and legal allegations set forth in this Consent Agreement issued by the **BOARD**.

AGREED CONDITIONS

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth and in lieu of any further formal proceedings at this time, **RICHARD PALMER** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

A. **RICHARD PALMER** shall obtain four (4) additional Spectacle continuing education hours, that will be applied toward his 2013 license renewal. The four (4) additional Spectacle hours cannot be the same as those obtained for his 2012 renewal. The four (4) additional Spectacle hours must be received by the Board at the Ohio Optical Dispensers Board, 77 South High Street, 16th Floor, Columbus, Ohio 43215-6108 not later than 30 days from the ratification by the Board of this consent agreement..

B. **RICHARD PALMER** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in his licensure file.

C. **RICHARD PALMER** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

Richard Palmer
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D. The **BOARD** agrees not to institute formal proceedings against **RICHARD PALMER** as long as he is in compliance with the terms and conditions of this CONSENT AGREEMENT.

FAILURE TO COMPLY

If, in the discretion of the Board or its Designate, **MR. PALMER** appears to have violated or breached any term or condition of this Agreement, the Board reserves the right to institute formal disciplinary proceedings pursuant to ORC 4725.53 or rules promulgated under OAC 4726 for any and all possible violations or breaches, including but limited to, alleged violations of the laws of Ohio occurring before the effective date of this CONSENT AGREEMENT.

Any action initiated by the Board based on alleged violations of this Agreement shall comply with the Administrative Procedure Act, Chapter 119, of the Ohio Revised Code.

ACKNOWLEDGEMENTS/LIABILITY RELEASE

RICHARD PALMER agrees that in the event the Board, in its discretion, does not ratify this CONSENT AGREEMENT, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **MR. PALMER** agrees that should the **BOARD** reject this CONSENT AGREEMENT and if this case proceeds to hearing, he will assert no claim that the **BOARD** was prejudiced by this review and discussion of this CONSENT AGREEMENT or of any information relating thereto.

MR. PALMER acknowledges that he has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

MR. PALMER waives all of his rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

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RICHARD PALMER
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EFFECTIVE DATE

It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the **BOARD** prior to signature by the President / Supervising Disciplinary Member and shall become effective upon the last date of signature below.

**THE OHIO OPTICAL DISPENSERS
BOARD**



RICHARD PALMER



THOMAS BARRACATO
President
Supervising Disciplinary Member

3-10-12

DATE

4-19-12

DATE



MELISSA L. WILBURN, Esq
Assistant Attorney General
Attorney for Ohio Optical Dispensers Board

April 19, 2012

DATE



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

**CONSENT AGREEMENT
BETWEEN
SUSAN SCHINDLER
AND
THE OHIO OPTICAL DISPENSERS BOARD**

This CONSENT AGREEMENT is entered into by and between **SUSAN SCHINDLER**, Opticians, License No. 9623-S and the **OHIO OPTICAL DISPENSERS BOARD** ("Board"), a state agency charged with enforcing Chapter 4725 of the Ohio Revised Code, and all rules promulgated thereunder.

SUSAN SCHINDLER enters into this CONSENT AGREEMENT being fully informed of her rights under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues considered herein.

BASIS FOR ACTION

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

1. The **BOARD** is empowered by Section 4725.53 of the Ohio Revised Code to refuse to grant a license, suspend or revoke a license or impose a fine or order restitution for any of the enumerated violations.
2. The **BOARD** enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4725.51 of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **SUSAN SCHINDLER** failed to obtain her continuing education credits within the immediately preceding one-year period, namely January 1, 2011 to December 31, 2011, for renewal of her optical license for the 2012 renewal period. Continuing education certificates received as part of the renewal for the 2012 licensure period and reviewed by the Board showed that these credits were obtained on January 11th and 13th, 2012.

Susan Schindler
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3. The **BOARD** expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4725 of the Ohio Revised Code or any rules promulgated there under, whether occurring before or after the effective date of this **CONSENT AGREEMENT**.
4. **SUSAN SCHINDLER** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 9623-S.
5. **SUSAN SCHINDLER** admits the factual and legal allegations set forth in this Consent Agreement issued by the **BOARD**.

AGREED CONDITIONS

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth and in lieu of any further formal proceedings at this time, **SUSAN SCHINDLER** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

- A. **SUSAN SCHINDLER** shall obtain four (4) additional Spectacle continuing education hours, that will be applied toward her 2013 license renewal. The four (4) additional Spectacle hours cannot be the same as those obtained for her 2012 renewal. The four (4) additional Spectacle hours must be received by the Board at the Ohio Optical Dispensers Board, 77 South High Street, 16th Floor, Columbus, Ohio 43215-6108 not later than 30 days from the ratification by the Board of this consent agreement.
- B. **SUSAN SCHINDLER** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.
- C. **SUSAN SCHINDLER** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

Susan Schindler
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D. The **BOARD** agrees not to institute formal proceedings against **SUSAN SCHINDLER** as long as she is in compliance with the terms and conditions of this **CONSENT AGREEMENT**.

FAILURE TO COMPLY

If, in the discretion of the Board or its Designate, **MS. SHINDLER** appears to have violated or breached any term or condition of this Agreement, the Board reserves the right to institute formal disciplinary proceedings pursuant to ORC 4725.53 or rules promulgated under OAC 4726 for any and all possible violations or breaches, including but limited to, alleged violations of the laws of Ohio occurring before the effective date of this **CONSENT AGREEMENT**.

Any action initiated by the Board based on alleged violations of this Agreement shall comply with the Administrative Procedure Act, Chapter 119, of the Ohio Revised Code.

ACKNOWLEDGEMENTS/LIABILITY RELEASE

SUSAN SCHINDLER agrees that in the event the Board, in its discretion, does not ratify this **CONSENT AGREEMENT**, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **MS. SCHINDLER** agrees that should the **BOARD** reject this **CONSENT AGREEMENT** and if this case proceeds to hearing, she will assert no claim that the **BOARD** was prejudiced by this review and discussion of this **CONSENT AGREEMENT** or of any information relating thereto.

MS. SHINDLER acknowledges that she has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

MS. SCHINDLER waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

Susan Schindler
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EFFECTIVE DATE

It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the **BOARD** prior to signature by the President / Supervising Disciplinary Member and shall become effective upon the last date of signature below.

**THE OHIO OPTICAL DISPENSERS
BOARD**

Susan Schindler
SUSAN SHINDLER

Thomas Barracato
THOMAS BARRACATO
President
Supervising Disciplinary Member

3-29-12
DATE

4-19-12
DATE

Melissa L. Wilburn
MELISSA L. WILBURN, Esq
Assistant Attorney General
Attorney for Ohio Optical Dispensers Board

April 19, 2012
DATE