



OHIO OPTICAL DISPENSERS BOARD

77 SOUTH HIGH ST. 16TH FLOOR
COLUMBUS, OHIO 43215-6108
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MINUTES OF MEETING **JUNE 21, 2012**

REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD JUNE 21, 2012

The regularly scheduled meeting of the Ohio Optical Dispensers Board (Board) began on Thursday, June 21, 2012 at 9:09 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.; 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 JAMES FORTUNE, SR. THAT THE CONSENT AGENDA FOR THE JUNE 21, 2012 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR. JEFFREY HUTCHISON, ABSENT FOR VOTE

The President and Executive Director reviewed the regular agenda prior to the meeting. IT WAS MOVED BY SUSAN BENDER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE REGULAR AGENDA FOR THE JUNE 21, 2012 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR. JEFFREY HUTCHISON, ABSENT FOR VOTE

President's Report

President Barracato welcomed guests in the gallery. President Barracato thanked the Board members and staff for the support they had given him over the past year as president of the Board.

Approval of Minutes

IT WAS MOVED BY JAMES ASHENHURST AND SECONDED BY JAMES FORTUNE, SR. THAT THE MINUTES OF THE APRIL 19, 2012 BOARD MEETING BE APPROVED AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR. JEFFREY HUTCHISON, ABSENT FOR VOTE

Executive Director's Report

Director Manns informed the Board members 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 continue the review of Sections 4725.40-4725.59 of the Revised Code 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.

Director Manns informed the Board that the budget remains on target for the current fiscal year and that revenue collections continue to exceed the amount collected last fiscal year. This is due mainly to the increase in the apprentice registration fee. Once again monies have been encumbered in preparation for fiscal year 2013. Ms. Manns reminded the board that encumbered money can only be used to pay expenses that were incurred in the previous fiscal year 2012, but not billed or paid until fiscal year 2013.

Ms. Manns went on to say that the total budgeted allotment for fiscal year 2013 would be \$347,300 which represents a decrease of 2.7% from fiscal year 2012. The decreased amount was due because there would be only 26 pays in FY'13 versus 27 pays in FY'12.

Director Manns informed the Board that the total amount for the financial audit for FY'10 and FY'11 conducted by the State Auditor's office was \$7,470.08 well within the estimated amount.

Director Manns informed the Board that the State was able to negotiate with three MBE/EDGE vendors for a discount in mass purchasing of computers. This change also allowed agencies to replace computers that were less than 5 years old. Because of these changes, Director Manns was able to purchase three new computers and one new monitor for Board staff with available funds from fiscal year 2012. Director Manns also informed the Board that the online renewal of apprentices continues with approximately 50% completion at the time of this report.

Director Manns informed the Board that, to date, 984 continuing education audits had been mailed to licensees who had renewed their 2012 license on-line. Seven hundred and twenty-five (725) had met the requirements of the audit at the time of this report. Ms. Manns reported that out of the 725 respondents, there had only been one discrepancy or failure to produce evidence of completion of continuing education as indicated on the on-line renewal form.

Director Manns also reported that, since the implementation of the new licensure ratification process, the time from completion of a licensure application to the issuance of the licenses has been decreased from 1-2 months, to 6.2 days.

Director Manns informed the Board that the Board was included in two pieces of legislation: HB524 and the companion bill, SB337, also known as the “collateral sanctions bill.” The bill prohibits the Board from precluding individuals from obtaining or renewing a license due to any past criminal history of the individual unless the individual had committed a crime of moral turpitude or a disqualifying offense that was defined in the legislation. It also requires the Board to write rules in accordance with the statute.

Special Orders:

Review and Approval of Policy: Protecting Privacy:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY PAUL R. KING THAT THE BOARD RE-AFFIRM THE POLICY “PROTECTING PRIVACY”. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR. JEFFREY HUTCHISON ABSENT FOR VOTE

Review and Approval of Policy: Incident Response for Access of Confidential or Sensitive Personally Identifiable Information for an Invalid Reason:

After discussion,

IT WAS MOVED BY SUSAN BENDER AND SECONDED BY JAMES FORTUNE, SR. THAT THE BOARD RE-AFFIRM THE POLICY “INCIDENT RESPONSE FOR ACCESS OF CONFIDENTIAL OR SENSITIVE PERSONALLY IDENTIFIABLE INFORMATION FOR AN INVALID REASON”. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR. JEFFREY HUTCHISON ABSENT FOR VOTE

Review and Approval of Policy: Accessing and Logging Confidential Personal Information in a Computer-Based System:

After discussion,

IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN BENDER THAT THE BOARD RE-AFFIRM THE POLICY “ACCESSING AND LOGGING CONFIDENTIAL PERSONAL INFORMATION IN A COMPUTER-BASED SYSTEM”. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR. JEFFREY HUTCHISON ABSENT FOR VOTE

Approval of Financial Report

After discussion,

IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN BENDER THAT THE FINANCIAL REPORT FOR CURRENT FY 2012 BE ACCEPTED AS AMENDED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. DR. JEFFREY HUTCHISON ABSENT FOR VOTE

President Barracato asked that the record reflect that Dr. Hutchison was now 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

Optical Dispensers Board
June 21, 2012

APPROVED HOURS AS LISTED BELOW CONTINGENT UPON RE-APPLICATION WITH APPROPRIATE DOCUMENTATION. MOTION ADOPTED BY THE UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Opticians Association of Ohio – Fairborn, OH – October 14, 2012 and Columbus, OH – November 18, 2012:

3 Spectacle Hours
1 Management Hour

AAG Report:

AAG Wilburn reported that other states were passing similar legislation similar to the collateral sanctions bills, HB 524 and SB 337 in Ohio. Ms. Wilburn also reported that some states were eliminating licensure of certain professions as well.

Board Governance/Planning:

In keeping with the agenda as established at the February, 2012 Board meeting, the Board began its review of the scope of practice of Opticians and Ocularists in Ohio.

After discussion the following changes were recommended:

Add “current and valid” and to add “qualified” to certain sections of the law to read:

“(1) Interpreting, but not altering, a current, valid prescription of an optometrist or a qualified physician or for the purpose of dispensing optical aids by...”

This language would be changed in every section that addresses interpretation of a prescription.

It was also recommended that the word “Duplicating” be changed to “Neutralizing” so as to read:

“Neutralizing spectacle lenses accurately as to power without a prescription.”

Another recommendation was to insert the word “Replace” for the term “Duplicating” currently used in the law.

The language used in the Ocularist definitions and scope of practice portions of the law should also reflect these changes.

Ratification of Licenses:

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY JEFFREY R. ROHLF THAT THE BOARD RATIFY FOR LICENSURE THE APPLICANTS LISTED ON ADDENDUM 1.0. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Discipline:

After review of the Consent Agreement for Case #1203030 by Board members, IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #1203030. MOTION ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. (See Addendum 2.0)

After review of the Consent Agreement for Case #1204033 by Board members,
IT WAS MOVED BY SUSAN BENDER AND SECONDED BY PAUL R. KING THAT
THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #1204033. MOTION
ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. (See
Addendum 2.0)

After review of the Consent Agreement for Case #1203031 by Board members,
IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN BENDER THAT
THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #1203031. MOTION
ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT. (See
Addendum 2.0)

Election of Officers:

President Barracato informed the Board that they should have received a copy of the ballot for the nomination of candidates for the positions of President, Vice-President and Treasurer of the Optical Dispensers Board. President Barracato then announced the nominations as follows and requested that each individual named respond as to whether they were willing to accept the nomination:

Nomination for President:

James Ashenhurst – Do you accept your nomination? Answer: No

Tim Fries – Do you accept your nomination? Answer: Yes

Paul King - Do you accept your nomination? Answer: Yes

Nomination for Vice-President:

Tom Barracato - Do you accept your nomination? Answer: Yes

Susan Bender - Do you accept your nomination? Answer: Yes

Paul King - Do you accept your nomination? Answer: No

Jeff Rohlf - Do you accept your nomination? Answer: Yes

Nomination for Treasurer:

Tom Barracato - Do you accept your nomination? Answer: Yes

Paul King - Do you accept your nomination? Answer: Yes

Jeff Rohlf - Do you accept your nomination? Answer: Yes

President Barracato then asked if there were any other nominations from the floor. Hearing none, President Barracato requested a motion to close the nominations.

IT WAS MOVED BY JAMES ASHENHURST AND SECONDED BY JAMES FORTUNE,
SR. THAT THE NOMINATIONS FOR PRESIDENT, VICE-PRESIDENT AND
TREASURER BE CLOSED. MOTION ADOPTED BY A UNANIMOUS VOTE OF THE
BOARD MEMBERS PRESENT.

President Barracato informed the Board that voting, in accordance with Open Meetings Act, would take place by roll call vote. Board members were instructed that when Secretary Simmons called the Board Member's name, the Board member was to say the office and the name of the person they were voting for. Each member would be asked to vote for all offices at one time.

Optical Dispensers Board
June 21, 2012

Secretary Simmons stated that she would call Board members alphabetically and would then requested that the Board member would state the name of the individual they were voting for, for each of the offices of President, Vice-President and Treasurer and that their respective votes would then be repeated to ensure accuracy.

Board Member James Ashenhurst

President: Paul King
Vice President: Jeff Rohlf
Treasurer: Tom Barracato

Board Member Tom Barracato

President: Paul King
Vice President: Jeff Rohlf
Treasurer: Tom Barracato

Board Member Susan Bender

President: Tim Fries
Vice President: Jeff Rohlf
Treasurer: Paul King

Board Member James Fortune

President: Paul King
Vice President: Jeff Rohlf
Treasurer: Tom Barracato

Board Member Timothy Fries

President: Paul King
Vice President: Jeff Rohlf
Treasurer: Tom Barracato

Board Member Jeffrey Hutchison

President: Paul King
Vice President: Jeff Rohlf
Treasurer: Tom Barracato

Board Member Paul King

President: Paul King
Vice President: Jeff Rohlf
Treasurer: Tom Barracato

Board Member Brian Miller

President: Paul King
Vice President: Jeff Rohlf
Treasurer: Tom Barracato

Board Member Jeffrey Rohlf

President: Paul King

Vice President: Susan Bender

Treasurer: Tom Barracato

After a brief break to count the votes, it was announced that the voting results were as follows:

President: Paul King

Vice-President: Jeff Rohlf

Treasurer: Tom Barracato

President Barracato requested a motion to accept the slate of officers as elected.

IT WAS MOVED BY JAMES ASHENHURST AND SECONDED BY SUSAN BENDER THAT THE BOARD ACCEPT THE SLATE OF OFFICERS AS ELECTED. MOTION ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

New Business

The National Commission of State Opticianry Regulatory Boards (NCSORB) - Annual Meeting:

After discussion;

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY SUSAN BENDER THAT THE BOARD AUTHORIZE THE DESIGNATED INDIVIDUALS(S) TO ATTEND THE NATIONAL COMMISSION OF STATE OPTICIANRY REGULATORY BOARDS ANNUAL MEETING FROM NOVEMBER 1-4, 2012 IN ARLINGTON, VA AND TO BE FUNDED IN ACCORDANCE WITH STATE TRAVEL/REIMBURSEMENT POLICY. MOTION WITHDRAWN.

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY SUSAN BENDER THAT THE BOARD AUTHORIZE THE BOARD PRESIDENT AND ONE OTHER INDIVIDUAL (MAXIMUM OF 2 PEOPLE) TO ATTEND THE NATIONAL COMMISSION OF STATE OPTICIANRY REGULATORY BOARDS ANNUAL MEETING FROM NOVEMBER 1-4, 2012 IN ARLINGTON, VA AND TO BE FUNDED IN ACCORDANCE WITH STATE TRAVEL/REIMBURSEMENT POLICY. MOTION ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Hearing no other issues for discussion, President Barracato adjourned the regularly scheduled meeting at 11:15 a.m. June 21, 2012.

Optical Dispensers Board
June 21, 2012

ATTESTED:

PRESIDENT, THOMAS BARRACATO

EXECUTIVE DIRECTOR, NANCY MANN

Future Board Meeting Dates:

August 16, 2012
October 18, 2012
December 6, 2012

ODB - First Issued

Report Parameters

Board = ODB
 Credential status = ACTIVE
 Credential prefix = C, S, SC
 From 04/20/2012 to 06/20/2012

Report generated on 6/20/2012 at 12:01:23 PM

Type	Number	Name	Add Line 1	City	State	Zip	description
S	12538	DAWSON SUSAN	34 Wildwood Drive	Fairfield	OH	45014	ACTIVE
S	12830	KEREKES CARI	224 East Central Avenue	Delaware	OH	43015	ACTIVE
S	13483	DEZENZO JOSEPH	5083 Plantation Court	Mason	OH	45040	ACTIVE
S	13500	DRYDEN SCHANNAN	3256 Clayton Pike	Manchester	OH	45144-9447	ACTIVE
S	13502	MORGAN, SR. HAROLD	920 West State Street	Olean	NY	14760	ACTIVE
S	13503	O'REGAN MICHELLE	501 Sand Broad Court	Westerville	OH	43081	ACTIVE
SC	11387	RIDDELL CRYSTAL	551 Mitchell Way Ct	Cincinnati	OH	45238	ACTIVE
SC	11440	WERNER REBECCA	25678 Hummingbird Court	Brookville	IN	47012	ACTIVE
SC	12006	FOX CHRISTINA	303 South Columbus Street	Somerset	OH	43783	ACTIVE
SC	13499	LAMBERT TED	79 Webb Branch Road	Fort Gay	WV	25514	ACTIVE
SC	13512	HUNTER DEMETRIOUS	401 Kenilworth Avenue	Dayton	OH	45405	ACTIVE
SC	7434	RICHARDSON PATTI	2657 117th Street	Toledo	OH	43611	ACTIVE

12 Items Found



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**CONSENT AGREEMENT
BETWEEN
HAROLYNN WILLIAMS
AND
THE OHIO OPTICAL DISPENSERS BOARD**

This CONSENT AGREEMENT is entered into by and between **HAROLYNN WILLIAMS**, Opticians, License No. 6708-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.

HAROLYNN WILLIAMS 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) **HAROLYNN WILLIAMS** 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 30, 2012.

Harolynn Williams
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. **HAROLYNN WILLIAMS** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 6708-SC
5. **HAROLYNN WILLIAMS** 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, **HAROLYNN WILLIAMS** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

- A. **HAROLYNN WILLIAMS** 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. **HAROLYNN WILLIAMS** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.
- C. **HAROLYNN WILLIAMS** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

Harolynn Williams
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **HAROLYNN WILLIAMS** 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. WILLIAMS** 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

HAROLYNN WILLIAMS 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. WILLIAMS** 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. WILLIAMS 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.

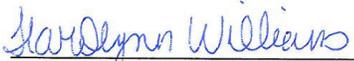
MS. WILLIAMS waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

HAROLYNN WILLIAMS
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**



HAROLYNN WILLIAMS

5-1-2012
DATE



THOMAS BARRACATO
President
Supervising Disciplinary Member

6-21-12
DATE



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

June 21, 2012
DATE



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**CONSENT AGREEMENT
BETWEEN
TABITHA LORTZ
AND
THE OHIO OPTICAL DISPENSERS BOARD**

This CONSENT AGREEMENT is entered into by and between **TABITHA LORTZ**, Opticians, License No. 9616-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.

TABITHA LORTZ 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 4726-7-02(G)(1) of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **TABITHA LORTZ** 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 28, 2012.

**Tabitha Lortz
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. **TABITHA LORTZ** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 9616-S
5. **TABITHA LORTZ** 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, **TABITHA LORTZ** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

- A. **TABITHA LORTZ** 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 less than 30 days from the ratification of this consent agreement.
- B. **TABITHA LORTZ** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.
- C. **TABITHA LORTZ** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

Tabitha Lortz
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **TABITHA LORTZ** 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. LORTZ** 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

TABITHA LORTZ 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. LORTZ** 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. LORTZ 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.

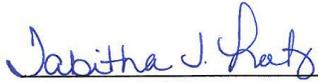
MS. LORTZ waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

APR 30 2012 4:10:14

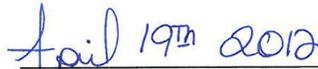
Tabitha Lortz
Consent Agreement
Page 4

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.



TABITHA LORTZ



DATE

**THE OHIO OPTICAL DISPENSERS
BOARD**



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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JENNIFER STRONG 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) **JENNIFER STRONG** 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 29, 2012.

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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. **JENNIFER STRONG** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 5851-S

5. **JENNIFER STRONG** 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, **JENNIFER STRONG** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

A. **JENNIFER STRONG** 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. **JENNIFER STRONG** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.

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

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D. The **BOARD** agrees not to institute formal proceedings against **JENNIFER STRONG** 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. STRONG** 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

JENNIFER STRONG 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. STRONG** 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. STRONG 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.

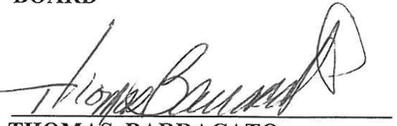
MS. STRONG waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

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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.


JEFFINER STRONG
5/1/2012
DATE

THE OHIO OPTICAL DISPENSERS
BOARD

THOMAS BARRACATO
President
Supervising Disciplinary Member
6-21-2012
DATE


MELISSA L. WILBURN, Esq
Assistant Attorney General
Attorney for Ohio Optical Dispensers Board
June 21, 2012
DATE