



## **OHIO OPTICAL DISPENSERS BOARD**

77 SOUTH HIGH ST. 16<sup>TH</sup> FLOOR  
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### **MINUTES OF MEETING**

**August 20, 2015**

#### **REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD AUGUST 20, 2015**

The regularly scheduled meeting of the Ohio Optical Dispensers Board (Board) began on Thursday, August 20, 2015 at 9:02 A.M. at 77 South High Street, 31<sup>ST</sup> Floor, Columbus, Ohio. President Jeffrey R. Rohlf called the meeting to order in open session.

#### **BOARD MEMBERS IN ATTENDANCE:**

Present: President, Jeffrey R. Rohlf; Vice President, Brian J Miller; Treasurer, Timothy Fries, O.D.; Paul R. King; Thomas Barracato; Susan Robus; Rebecca M. Kuhns; Jeffrey Hutchison, D.O.

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

Present: Nancy L. Manns, Executive Director; William Lehman, Investigator; J. T. Wakley, Assistant Attorney General; Wilma Simmons, Administrative Professional.

#### **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 ROBUS THAT THE CONSENT AGENDA FOR THE AUGUST 20, 2015 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 TIMOTHY FRIES, O.D. AND SECONDED BY REBECCA M. KUHN THAT THE REGULAR AGENDA FOR THE AUGUST 20, 2015 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

##### **President's Report**

President Rohlf welcomed the guests in the gallery, and informed the Board and visitors that the Board would be going into Executive Session to discuss proprietary matters related to licensure exam at the conclusion of the regular business of the Board.

##### **Approval of Minutes**

IT WAS MOVED BY PAUL R. KING AND SECONDED BY BRIAN J MILLER THAT THE MINUTES OF THE JUNE 4, 2015 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 that the Board staff had been reviewing the on-line renewal forms and revising the renewal forms to reflect changes made in HB64 related to continuing education requirements for spectacle licensed opticians. All spectacle licensees will be required to complete the two hour Spectacle Contact Dispensing (SCD) course this year. Next year only those renewing for the first time will be required to take the only the 2-hour SCD course; those not renewing for the first time will be required to take the 4 hours of spectacle continuing education and 2 hours of any approved contact lens dispensing hours.

Director Manns informed the Board that assessments and development of the new e-Licensing3 system for three different licensure types have been completed. Sanitarium Registration, Occupational Therapy, Physical Therapy, and Athletic Trainers Board and the Medical Board have been involved in the initial development of the system. Those who are currently using the new system report that it is functioning with three license types quite well. The schedule for the next round of Boards to go on the system had not yet been posted.

Director Manns informed the Board that the biennial audit performed by the State Auditor of Ohio office had been concluded. Final findings were expected to be shared with the staff of the Board sometime in July, 2015. However, at the time of the current Board meeting a final review date had not yet been determined.

Issuance of Licenses: Director Manns reported the following statistics:

<b>Application</b>	<b>REC'D TO COMPLETE/# DAYS</b>	<b>COMPLETE TO APPROVED/ #DAYS</b>	<b>REC'D TO APPROVED/DAYS</b>
<b>Average</b>	<b>11.26</b>	<b>1.32</b>	<b>12.53</b>

Director Manns informed the Board that HB 213 is the piece of legislation that was introduced by Rep. Brinkman to require all Boards who currently do annual renewals to go to biennial renewals. There has been no activity on this piece of legislation since June 23, 2015 when sponsor testimony was given by Rep. Brinkman before the House Commerce and Labor Committee.

Director Manns also informed the Board that the Riffe Building is currently going through construction to initiate an updated security system which will require the use of special ID badges. All employees, including Board Members, will be required to come to the Riffe to have new pictures taken and a new ID card made. The new cards will activate turnstiles/gates at each of the elevator banks to allow entry to the elevators. Director Manns informed guests attending the Board meeting that all visitors will have to produce a government-issued ID card, such as a driver’s license from which a temporary “visitor’s pass” will be created for visitors to access certain areas of the building.

**Special Orders:**

**Review and Approval of Policy: Approval of Continuing Education for Licensure Renewal:**

After discussion,

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY THOMAS BARRACATO THAT THE BOARD APPROVE AS WRITTEN THE POLICY “APPROVAL OF CONTINUING EDUCATION FOR LICENSURE RENEWAL” AS PRESENTED. MOTION FAILED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

After further discussion,

It was the consensus of the Board to table the approval of the Approval of Continuing Education for Licensure Renewal Policy until the November Board meeting; and, that all Board members should submit any recommendations for changes to this policy to Director Manns by the 1<sup>st</sup> of October, 2015.

**Review and Approval of Policy: Granting of Extensions/Waivers for Proof of Continuing Education:**

After discussion,

IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE AS AMENDED THE POLICY “GRANTING OF EXTENSIONS/WAIVERS FOR PROOF OF CONTINUING EDUCATION.” MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

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

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY PAUL R. KING THAT THE BOARD APPROVE AS AMENDED THE POLICY “TRAVEL AUTHORIZATION/EXPENSE REPORTS-BOARD MEMBER.” MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

**Review and Approval of Annual Report:**

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY SUSAN ROBUS THAT THE BOARD APPROVE AS PRESENTED THE ANNUAL REPORT FOR FISCAL YEAR 2015. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

**Approval of Financial Report**

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY PAUL R. KING THAT THE FINANCIAL REPORT FOR CURRENT FY 2016 BE ACCEPTED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

**Continuing Education:**

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

IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE THE TWO HOUR SPECTACLE CONTACT DISPENSING COURSE (SCD) DEVELOPED BY CEDO OFFERED AT INDEPENDENCE, BLUE ASH AND DUBLIN, OHIO IN THE FALL OF 2015. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PAUL R. KING OPPOSED.

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY REBECCA M. KUHNS THAT THE BOARD APPROVE THE SPECTACLE CONTACT DISPENSING ON-LINE COURSE OFFERED BY QUANTUM OPTICAL FOR 2 SCD HOURS AS PRESENTED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY SUSAN ROBUS THAT THE BOARD APPROVE AS PRESENTED THE SPECTACLE CONTACT DISPENSING ON-LINE COURSE OFFERED BY OPTICAL TRAINING FOR 2 SCD HOURS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

**Ratification of Licenses:**

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY REBECCA M. KUHN THAT THE BOARD RATIFY FOR LICENSURE THE APPLICANTS LISTED ON ADDENDUM 1.0. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PAUL R. KING ABSTAINED ON THE VOTE FOR APPLICANT ERIC THOMAS.

**AAG Report**

AAG J. T. Wakley informed the Board that there are no pending hearings or pending actions related to the Board.

**Discipline:**

After review of the Consent Agreement for Case #2014-ODB-02025 by Board members, IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY SUSAN ROBUS THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2014-ODB-02025. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT ROHLF ABSTAINED. (See Addendum 2.0)

**New Business:**

Director Manns informed the Board that under Section 10.2 of the agenda, information concerning the Sunset Review Committee was provided which is specifically related to the Optical Dispensers Board as well as others affected by Section 701.83 ORC of HB 64 of the State Budget Bill. The Sunset Review committee is comprised of 9 members as follows; 3 from the Senate 3 from the House and 3 appointed by the Governor. As of August 17<sup>th</sup> the following have been appointed to the Sunset Review Committee:

Senate: Sen. Kris Jordan, District 19, Knox County, Sen. Chris Widener, District 10, Clark and Madison Counties and Sen. Capri Cafaro, District 32, Ashtabula and Trumbull counties

House of Rep.: Rep. Ron Amstutz, District 1, Wayne County, Rep. Tim Brown, District 3, Wood County and Rep. Nicholas Celebrezze, District 15, Portions of Cuyahoga County

Governor's Office: no appointments at this time.

Recommendations of the Committee are to be made to the General Assembly by June 1, 2016.

**Other Issues/Discussion:**

Board member King reminded the Board that a vote of the Board for limiting on-line continuing education and for the requirements of a practicum exam for licensure in Ohio were voted on and passed and requested information about what steps have been taken to move in this direction. President Rohlf stated that there were two presentations to be given during Executive Session at this Board meeting regarding the current practicum exams available.

After discussion,

IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN ROBUS THAT THE BOARD FORM A SUB-COMMITTEE TO INVESTIGATE WHETHER TO LIMIT ON-LINE CONTINUING EDUCATION BY GATHERING ADDITIONAL INFORMATION FROM OTHER STATES, STUDYING THE IMPACT THIS WOULD HAVE ON LICENSEES IN THE STATE OF OHIO, REVEIWIN THE ON-LINE COURSE SUBJECT MATTER VERSUS IN CLASS SETTING CLASSES ALONG WITH OTHER TOPICS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Optical Dispensers Board  
August 20, 2015

Board member Barracato volunteered to chair the committee and Board members King and Kuhns volunteered to sit on the committee.

**Executive Session**

IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY REBECCA M. KUHNS THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS PROPRIETARY MATTERS RELATED TO LICENSURE EXAMS.

A ROLL CALL VOTE WAS TAKEN.

YEA VOTES: JEFFREY R. ROHLF, BRIAN J MILLER, THOMAS BARRACATO, PAUL R. KING, TIMOTHY FRIES, O.D., SUSAN ROBUS, REBECCA KUHNS AND JEFFREY HUTCHISON, DO. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

At 11:06 a.m. on Thursday, August 20, 2015, the Board went into executive session to discuss proprietary matters related to licensure exams. All visitors left the room.

At 2:00 p.m. President Rohlf brought the meeting out of Executive Session and reported that the Board had gone into Executive Session to discuss proprietary matters related to licensure exams. President Rohlf also reported to let the records show that Dr. Hutchison and Board member Kuhns left during the latter part of the Executive Session.

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE AUGUST 20, 2015 MEETING OF THE OPTICAL DISPENSERS BOARD BE ADJOURNED. MOTION ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

President Rohlf adjourned the regularly scheduled meeting at 2:01 p.m. August 20, 2015.

**ATTESTED:**

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**PRESIDENT, JEFFREY R. ROHLF**

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**EXECUTIVE DIRECTOR, NANCY MANNIS**

**Future Board Meeting Dates:**

November 5, 2015

**ADDENDUM 1.0**

**ODB - First Issued**

**Report Parameters**

Board = ODB  
Credential status = ACTIVE  
Credential prefix = C, O, S, SC  
From 06/05/2015 to 08/19/2015

Report generated on 8/19/2015 at 11:55:03 AM

Type	Number	Name	Add Line 1	City	State	Zip	Orig Issue	Expiration Date	description
S	15681	BARRACO RICHARD	1541 S Coy Road	Oregon	OH	43616	20150813	20151231	ACTIVE
SC	15652	BEVERLEY JO	10881 Greentrail Dr S	Boynton Beach	FL	33436	20150730	20151231	ACTIVE
SC	13727	BOLTON BEVERLY	17785 Whitney Rd Apt 210	Strongsville	OH	44136	20150811	20151231	ACTIVE
SC	15594	CANTWELL JOSEPH	3339 Sycamore Tree Lane	Erlanger	KY	41018	20150709	20151231	ACTIVE
S	15691	COGGINS LYDIA	254 Highland Ave	Athens	OH	45701	20150817	20151231	ACTIVE
S	15659	CORRELL SUE	904 Waybridge Rd	Toledo	OH	43612	20150803	20151231	ACTIVE
S	15505	COY ROBERTA	750 Bunty Station Rd	Delaw are	OH	43015	20150716	20151231	ACTIVE
SC	13701	COYLE ALEXIS	100 Saint Patrick Dr	Somerset	OH	43783	20150617	20151231	ACTIVE
S	14163	DITMORE CHRIS	24415 Maple Ridge Rd	North Olmsted	OH	44070	20150713	20151231	ACTIVE
SC	13500	DRYDEN SCHANNAN	3256 Clayton Pike	Manchester	OH	45144	20150807	20151231	ACTIVE
SC	7495	EDWARDS JESSE	939 Ledro St	Cincinnati	OH	45246	20150716	20151231	ACTIVE
S	13794	ELTON CRYSTAL	430 New ell Ave	Akron	OH	44305	20150716	20151231	ACTIVE
S	15243	FUNKHOUSER LISA	48300 Warnock Glencoe Rd	Belmont	OH	43718	20150723	20151231	ACTIVE
S	15611	GALLAGHER JESSICA	250 Grantland Dr	Dry Ridge	KY	41035	20150716	20151231	ACTIVE
S	14532	HALEY ASHLEY	1084 Dover Dr	Medina	OH	44256	20150806	20151231	ACTIVE
S	15377	HILLMAN KATHERINE	2223 Chapel Dr Apt J	Fairborn	OH	45324	20150818	20151231	ACTIVE
SC	15556	HOOFNEL ALYSSA	1847 Eight Mile Rd	Cincinnati	OH	45255	20150617	20151231	ACTIVE
S	14237	HORTON AMY	4851 Teal Lane	Milford	OH	45150	20150803	20151231	ACTIVE
SC	14580	KELBACH ROBERTA	372 Blissfield Dr	Willow ick	OH	44095	20150617	20151231	ACTIVE
SC	13737	KHABBAZA SALWA	444 Anderson Ferry Rd Apt 2	Cincinnati	OH	45238	20150714	20151231	ACTIVE
SC	14254	KUMHER PAMELA	802 Center St East	Warren	OH	44481	20150818	20151231	ACTIVE
SC	14423	LAMONTAGNE ANNA	3883 US Highw ay 42 South	Delaw are	OH	43015	20150701	20151231	ACTIVE
S	14314	LEE SHERRY	607 S Main St Apt 7	Sw anton	OH	43558	20150817	20151231	ACTIVE
S	14435	LEWANDOWSKI JEFFREY	8398 Valleyview Rd	Macedonia	OH	44056	20150618	20151231	ACTIVE
S	14753	LOWRY MISTY	549 Park Blvd	Marion	OH	43302	20150717	20151231	ACTIVE
S	14348	MASON RHONDA	1748 Hiney Rd	Wilmington	OH	45177	20150729	20151231	ACTIVE
S	13880	MCINTYRE JAMES	2140 Chesterland Ave	Lakew ood	OH	44107	20150806	20151231	ACTIVE
S	15077	MILLIKEN AMY	PO Box 15	Petersburg	OH	44454	20150805	20151231	ACTIVE
S	13347	MITCHELL DENA	724 King Street	Lancaster	OH	43130	20150818	20151231	ACTIVE
SC	10080	MOORE KELLY	1943 Stahlheber Rd	Hamilton	OH	45013	20150731	20151231	ACTIVE
S	14125	MUCHMORE ERIK	4236 Long Lake Dr Apt10315	Batavia	OH	45103	20150713	20151231	ACTIVE
S	14240	PAPSTEIN LORELI	1331 Schirmer Ave	Cincinnati	OH	45230	20150804	20151231	ACTIVE
S	13877	POLING STEPHANIE	890 Old Elm Rd	Chillicothe	OH	45601	20150811	20151231	ACTIVE
S	13363	ROHALEY LISA	4748 Farley Drive	Mentor	OH	44060	20150803	20151231	ACTIVE
S	14321	SADLER TERI	30901 Lake Shore Blvd Apt 713	Willow ick	OH	44095	20150707	20151231	ACTIVE
S	14110	SHORTRIDGE DEVI	6339 Lakeview Dr W	Grove City	OH	43123	20150701	20151231	ACTIVE
SC	14413	SORG KELSEY	15275 Laurel Hill Rd	Glenford	OH	43739	20150617	20151231	ACTIVE
SC	14108	STALEY PAUL	15103 Arden Ave	Lakew ood	OH	44107	20150721	20151231	ACTIVE
SC	14571	SYZDYKOV MARINA	1581 E Crossings Pl	Westlake	OH	44145	20150713	20151231	ACTIVE
SC	9632	THOMAS ERIC	3093 Montezuma Drive	Cincinnati	OH	45251	20150708	20151231	ACTIVE
S	13710	TOCZEK JACQUELYN	85 Woodlaw n Ave	Norw alk	OH	44857	20150728	20151231	ACTIVE
SC	13014	WILSON FABIAN	2384 Johnston Rd	Upper Arlington	OH	43220	20150729	20151231	ACTIVE
S	14010	WILSON JAMIE	10414 Mudbrook Rd Apt 5	Huron	OH	44839	20150730	20151231	ACTIVE

43 Items Found

JUL 24 2015 5:12:00

STATE OF OHIO  
OPTICAL DISPENSERS BOARD  
PERMANENT SURRENDER OF LICENSE  
TO PRACTICE OPTICAL DISPENSING  
CASE NO. 2014-ODB-02025

**Do not sign this agreement without reading it. An individual who permanently surrenders a license issued by the Board is forever thereafter ineligible to hold a license to practice or to apply to the Board for reinstatement of the license or issuance of any new license. You are permitted to be accompanied, represented and advised by an attorney, at your own expense, before deciding to sign this voluntary agreement.**

I, Richard J. Waite, am aware of my rights to representation by counsel, the right of being formally charged and having a formal adjudicative hearing, and do hereby freely execute this document and choose to take the actions described herein.

I, Richard J. Waite, do hereby voluntarily, knowingly, and intelligently surrender my license to practice optical dispensing, License #S.C. 13255, to the Ohio Optical Dispensers Board [Board], thereby relinquishing all rights to practice optical dispensing in Ohio.

I understand that as a result of the surrender herein I am no longer permitted to practice optical dispensing in any form or manner in the State of Ohio in the future.

I agree that I shall be ineligible for, and shall not apply for, reinstatement or restoration of license to practice optical dispensing (License #S.C. 13255) or issuance of any other license, certificate or registration pursuant to the authority of the Ohio Optical Dispensers Board, on or after the date of signing this Permanent Surrender of License to Practice optical dispensing. Any such attempted reapplication shall be considered null and void and shall not be processed by the Board.

I hereby authorize the Ohio Optical Dispensers Board to enter upon its Journal an Order permanently revoking my license to practice optical dispensing, License #S.C. 13255, in conjunction with which I expressly waive the provision of Section 4725.53(A), Ohio Revised Code, requiring that a majority of all Board Members vote to revoke said license, and further expressly and forever waive all rights as set forth in Chapter 119., Ohio Revised Code, including but not limited to my right to counsel, right to a hearing, right to present evidence, right to cross-examine witnesses, and right to appeal the Order of the Board revoking my license to practice optical dispensing .

I, Richard J. Waite, hereby release the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

This document shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. I, Richard J. Waite, acknowledge that my social security

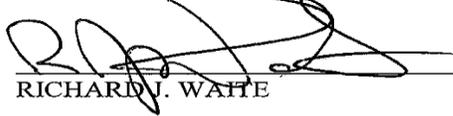
Permanent Surrender of License  
Richard J. Waite  
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number will be used if this information is so reported and agree to provide my social security number to the Board for such purposes.

I stipulate and agree that I am taking the action described herein in lieu of further formal disciplinary proceedings in Case No. 2014-ODB-02025, pursuant to Sections 4725.48, Ohio Revised Code, as set forth in the Notice of Opportunity for Hearing issued by the Board on **February 4, 2015** a copy of which is attached hereto as Exhibit A and fully incorporated herein.

**EFFECTIVE DATE**

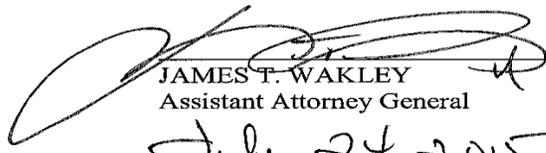
It is expressly understood that this Permanent Surrender of License is subject to ratification by the Board prior to signature by the President and shall become effective upon the last date of signature below.

  
\_\_\_\_\_  
RICHARD J. WAITE

  
\_\_\_\_\_  
JEFFREY R. ROHLF  
President

7/20/2015  
\_\_\_\_\_  
DATE

8/20/2015  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
JAMES T. WAKLEY  
Assistant Attorney General  
July 24, 2015  
\_\_\_\_\_  
DATE