



OHIO OPTICAL DISPENSERS BOARD

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

WWW.OPTICAL.OHIO.GOV

Email: odb@odb.ohio.gov

MINUTES OF MEETING

April 7, 2016

REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD APRIL 7, 2016

The regularly scheduled meeting of the Ohio Optical Dispensers Board (Board) began on Thursday, April 7, 2016 at 9:40 A.M. at 77 South High Street, 31ST 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.; Thomas Barracato; Paul R. King; Susan Robus; Rebecca M. Kuhns

Absent: Jeffrey Hutchison, D.O.

STAFF MEMBERS IN ATTENDANCE:

Present: Nancy L. Manns, Executive Director; Eric Spence, Investigator; Alex Armitage, Assistant Attorney General; Wilma Simmons, Administrative Professional 4.

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 7, 2016 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED.

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

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY SUSAN ROBUS THAT THE REGULAR AGENDA FOR THE APRIL 7, 2016 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED.

President's Report

President Rohlf welcomed the guests in the gallery, and advised the Board that elections for Board officers would be held during the current meeting. President Rohlf then thanked the Board members for their support during his presidency over the past year. President Rohlf also welcomed the Board's new Investigator Eric Spence.

Approval of Minutes

IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY REBECCA M. KUHNS THAT THE MINUTES OF THE JANUARY 28, 2016 BOARD MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED.

Executive Director’s Report

Director Manns informed the Board that 3,209 License renewal notices were mailed in October. Of that total 3,056 Opticians and 8 Ocularist paid to renew their license and 107 paid a late fee. 302 Cease and Desist letters were mailed to those individual who had not renewed. 124 Licenses did not renew and are now lapsed.

Director Manns also informed the Board that the testing results from the ABO/NCLE February, 2016 exams were in. The results of the ABO exam from individuals from Ohio were:

14 Failed, 16 passed for a 53% pass rate.

The results of the NCLE exam form individuals from Ohio were:

5 failed, 5 passed for a 50% pass rate.

Issuance of Licenses: Director Manns reported the following statistics:

Application	REC'D TO COMPLETE/# DAYS	COMPLETE TO APPROVED/ #DAYS	REC'D TO APPROVED/DAYS
Average	12.34	1.17	13.48

Director Manns informed the Board that HB 213 legislation that was introduced by Rep. Brinkman (Cincinnati) would require all Boards who currently do annual renewals to go to biennial renewals. The Bill has had three hearings with the last one being held November 17, 2015.

Director Manns informed the Board that SB216 introduced by Senator Burke would exempt the first \$500 of prescription eye glasses, contact lenses and other optical aids sold by Licensed Dispensers from sales and use tax should the legislation pass. On February 10, 2016 the Ohio State Medical Association testified in opposition to the Bill as it relates to Advanced practice Nurses that is also included in HB 216. There had been no other action.

Director Manns informed the Board that she provided testimony before the Sunset Review Committee on Tuesday, February 23, 2016. A copy of her testimony as well as the testimony of Mark Glasper had been included in each Board member’s packet. Ms. Manns went on to say that there were no questions from the members of the Committee following her testimony. The Committee cancelled the March 8, 2016 meeting and there were no meetings scheduled for Boards and Commissions testimonies until Tuesday, April 12, 2016 when the Barber Board will testify. There have been no announcements or other communications on the activities of the Commission.

Director Manns informed the Board that the annual Ethics Training was coming was to be completed by each Board member June and stated that information would be provided to all Board members prior to the June, 2016 Board meeting of the different ways to meet the requirement. The on-line training program will be available again this year.

Director Manns informed the Board that each member’s 2015 Financial Disclosure Statements were due by the deadline of Monday, May 16, 2016.

Special Orders:

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

After discussion,

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY REBECCA M. KUHN THAT THE BOARD APPROVE AS WRITTEN THE POLICY “PUBLIC PARTICIPATION AT BOARD MEETINGS” AS PRESENTED. MOTION ADOPTED.

Review and Approval of Policy: Board Meeting Format:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE AS WRITTEN THE POLICY “BOARD MEETING FORMAT.” MOTION ADOPTED.

Review and Approval of Policy: Performance Evaluations:

After discussion,

IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY REBECCA M. KUHNS THAT THE BOARD APPROVE AS WRITTEN THE POLICY “PERFORMANCE EVALUATIONS.” MOTION ADOPTED.

Board member Paul R. King requested that the policy for the performance evaluation of the Executive Director be emailed to all the Board members for review.

Review and Approval of Policy: Customer Service Standards:

After discussion,

IT WAS MOVED BY THOMAS BARRACATO AND SECONDED BY REBECCA M. KUHNS THAT THE BOARD APPROVE AS AMENDED THE POLICY “CUSTOMER SERVICE STANDARDS.” MOTION ADOPTED.

Approval of Financial Report

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY SUSAN ROBUS THAT THE FINANCIAL REPORT FOR CURRENT FY 2016 BE ACCEPTED AS WRITTEN. MOTION ADOPTED.

New Business:

Election of Officers:

President Rohlf informed the Board that they should have previously received a copy of a blank ballot for individual nomination of candidates for the positions of President, Vice-President and Treasurer of the Optical Dispensers Board. President Rohlf 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:

Brian Miller – Do you accept your nomination? Answer: Yes

Rebecca Kuhns – Do you accept your nomination? Answer: Yes

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

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

Nomination for Vice-President:

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

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

Tom Barracato – Do you accept your nomination? Answer: No

Paul King – Do you accept your nomination: Answer: Yes

Nomination for Treasurer:

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

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

Brian J Miller– Do you accept your nomination? Answer: Yes

Rebecca Kuhns– Do you accept your nomination? Answer: Yes

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

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE NOMINATIONS FOR PRESIDENT, VICE-PRESIDENT AND TREASURER BE CLOSED. MOTION ADOPTED BY A UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

President Rohlf informed the Board members 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.

Secretary Simmons stated that she would call each Board member that was present and would then request that the Board member 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 Brian Miller

President: Brian Miller
Vice President: Susan Robus
Treasurer: Jeff Rohlf

Board Member Thomas Barracato

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

Board Member Susan Robus

President: Brian Miller
Vice President: Susan Robus
Treasurer: Rebecca Kuhns

Board Member Rebecca Kuhn

President: Brian Miller
Vice President: Susan Robus
Treasurer: Jeff Rohlf

Board Member Jeffrey Rohlf

President: Brian Miller
Vice President: Susan Robus
Treasurer: Rebecca Kuhns

Board Member Timothy Fries, OD

President: Brian Miller
Vice President: Susan Robus
Treasurer: Jeff Rohlf

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Board Member Paul King

President: Tom Barracato
Vice President: Paul King
Treasurer: Susan Robus

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

President: Brian J Miller

Vice President: Susan Robus

Treasurer: Jeffrey R. Rohlf

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

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD ACCEPT THE SLATE OF OFFICERS AS ELECTED. MOTION ADOPTED

Board Governance/Planning

Sunset Review Committee Information

The Sunset Review Committee and the impact any decision made by the Committee would have on the Board's future processes was discussed. Ms. Manns stated that she would keep the Board members apprised of any decisions and or discussions on the topic. .

Follow-up discussion: ABO-NCLE and NCSORB Practicum Demonstrations

At 11:09 a.m. Board member Thomas Barracato recused himself from the Board meeting and left the room during the discussion of the practicum due to a conflict of interest and to avoid an appearance of impropriety.

A discussion was then conducted by the remaining Board members related to the ABO-NCLE and NCSORB respective practicum demonstrations that were provided at the August 20, 2015 and January 28, 2016 Board meetings. The summary comparison reports put together by Director Manns and reviewed at the August meeting were also discussed. Because of a lack of a quorum of voting members, the matter was postponed until the June 16, 2016 Board meeting.

Continuing Education Requests for Approval:

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

IT WAS MOVED BY THOMAS BARRACATO AND SECONDED BY BRIAN J MILLER THAT THE BOARD APPROVE AS PRESENTED THE CONTINUING EDUCATION PROGRAM PRESENTED BY PREVENT BLINDESS TITLED "CONNECTING THE DOTS" TO BE PRESENTED IN CLEVELAND, OHIO ON APRIL 20, 2016 FOR 4 HOURS OF SPECTACLE. MOTION ADOPTED.

IT WAS MOVED BY THOMAS BARRACATO AND SECONDED BY SUSAN ROBUS THAT THE BOARD APPROVE AS PRESENTED THE CONTINUING EDUCATION PROGRAM PRESENTED BY OPTICAL TRAINING TITLED "THE CONTACT LENS DISPENSARY" TO BE PRESENTED ON LINE FOR THE CALENDAR 2016 FOR 2 HOURS OF SPECTACLE/ CONTACT LENS DISPENSING (SCD). MOTION ADOPTED.

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IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY SUSAN ROBUS THAT THE BOARD APPROVE AS PRESENTED THE CONTINUING EDUCATION PROGRAM PRESENTED BY OHIO OPTOMETRIC ASSOCIATION TITLED "PRACTICE MANAGEMENT INSTITUTE" TO BE PRESENTED IN COLUMBUS, OHIO ON MAY 4, 2016 FOR 4 HOURS OF MANAGEMENT. MOTION ADOPTED.

Request for Extension of Grace Period:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD NOT GRANT THE REQUEST FOR AN EXTENSION OF THE GRACE PERIOD FOR COMPLETION OF ALL REQUIREMENTS OF CONTINUING EDUCATION FOR THE 2016 LICENSURE RENEWAL FOR SAID LICENSEE WB. MOTION ADOPTED.

Ratification of Licenses:

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY SUSAN ROBUS THAT THE BOARD RATIFY FOR LICENSURE THE APPLICANTS LISTED ON ADDENDUM 1.0. MOTION ADOPTED.

AAG Report

AAG Alex Armitage informed the Board that there were no current pending hearings or pending actions related to the Board.

Investigator Eric Spence introduced himself to the Board and provided a re-cap of his previous work experiences including six years as a security supervisor in the U.S. Air Force.

New Business:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE COURSE MATERIAL FROM THE AMERICAN CAREER COLLEGE FOR ONE YEAR CREDIT TOWARDS APPRENTICESHIP FOR SAID APPLICANT. MOTION ADOPTED.

Discipline:

After review of the Consent Agreement for Case #2016-ODB-01004 by Board members,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY THOMAS BARRACATO THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2016-ODB-01004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT ROHLF ABSTAINED. (See Addendum 2.0)

After review of the Consent Agreement for Case #2016-ODB-01005 by Board members,

IT WAS MOVED THOMAS BARRACATO AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2016-ODB-01005. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT ROHLF ABSTAINED. (See Addendum 2.0)

After review of the Consent Agreement for Case #2016-ODB-01007 by Board members, IT WAS MOVED BY PAUL R. KING AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2016-ODB-01007. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT ROHLF ABSTAINED. (See Addendum 2.0)

After review of the Consent Agreement for Case #2016-ODB-01008 by Board members, IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY BRIAN J MILLER THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2016-ODB-01008. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT ROHLF ABSTAINED. (See Addendum 2.0)

After review of the Consent Agreement for Case #2016-ODB-02009 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 #2016-ODB-01009. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT ROHLF ABSTAINED. (See Addendum 2.0)

After review of the Consent Agreement for Case #2016-ODB-02010 by Board members, IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY THOMAS BARRACATO THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2016-ODB-02010. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT ROHLF ABSTAINED. (See Addendum 2.0)

After review of the Consent Agreement for Case #2016-ODB-03013 by Board members, IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN ROBUS THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2016-ODB-03013. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT ROHLF ABSTAINED. (See Addendum 2.0)

Other Issues/Discussion:

Report from Sub-Committee Reviewing Continuing Education

Chairman Barracato reported to the Board that the Sub-Committee on Continuing Education met prior to the regularly scheduled Board meeting. During this meeting, the minutes from the prior sub-committee meeting were adopted and the suggested survey questions were reviewed. It was decided that there would be at least 9 questions on the survey and these would be finalized and sent to the Board staff. Once done, the sub-committee decided that the Board staff would move forward to getting this survey to the licensees by emailing those we have current email addresses on, posting it on the webpage and mailing to those without emails. It was further decided that the director investigate Survey Monkey as a possible use to send the survey and to have the staff investigate an approximate number of the people the survey would have to be mailed to. Further discussion by the Board prompted a straw vote as to whether to send the survey.

Straw Vote on Sending Survey:

Yes Votes – Dr. Fries, Susan Robus, Jeff Rohlf and Tom Barracato

No Votes – Paul King

Abstentions: Brian Miller

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After further discussion by the Board it was decided to take a straw vote as to whether to limit the number of online continuing education hours:

Yes Votes – Tom Barracato, Paul King

No Votes – Susan Robus, Brian Miller, Jeff Rohlf and Dr. Fries

HEARING NO OTHER DISCUSSION, IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE APRIL 7, 2016 MEETING OF THE OPTICAL DISPENSERS BOARD BE ADJOURNED. MOTION ADOPTED.

President Rohlf adjourned the regularly scheduled meeting at 12:40 P.M. April 7, 2016.

ATTESTED:

PRESIDENT, JEFFREY R. ROHLF

EXECUTIVE DIRECTOR, NANCY MANNS

Future Board Meeting Dates:

June 16, 2016

August 25, 2016

November 10, 2016

ADDENDUM 1.0

ODB - First Issued

Report Parameters

Board = ODB
 Credential status = ACTIVE
 Credential prefix = C, O, S, SC
 From 01/29/2016 to 04/06/2016

Report generated on 4/6/2016 at 9:50:35 AM

Type	Number	Name	Add Line 1	City	State	Zip	Orig Issue	Expiration Date	description
S	12026	WILSON VIRGINIA	3160 Elgin Road	Fairlaw n	OH	44333	20160208	20161231	ACTIVE
S	12485	KARLSTADT MARGARET	184 E 7th Avenue	Columbus	OH	43201	20160314	20161231	ACTIVE
S	13424	BENSON BRITTANY	219 Fieldpoint Rd	Heath	OH	43056	20160218	20161231	ACTIVE
S	13724	GAMBINO CHRISTINA	531 Hazen Brook Place	Reynoldsburg	OH	43068	20160314	20161231	ACTIVE
S	13988	LEHMANN ALEXIS	6817 Cloister Ct	Toledo	OH	43617	20160303	20161231	ACTIVE
S	14028	BUCZKO RAQUEL	49 Pineview Dr.	Oregon	OH	43616	20160328	20161231	ACTIVE
S	14047	SCHOTTELKOTTE HALIE	1227 Jackson St Apt 210	Cincinnati	OH	45202	20160314	20161231	ACTIVE
S	14051	COFFEE SHANNON	1804 Gless Ave	Akron	OH	44301	20160404	20161231	ACTIVE
S	14486	WILSON RAMONA	2452 Featherston Ct	Miamisburg	OH	45342	20160208	20161231	ACTIVE
S	14525	JOHNSON TARYN	2040 Tennyson Ave NE Apt 5	Massillon	OH	44646	20160219	20161231	ACTIVE
S	14547	BLAIR HANNAH	825 Gasche St	Wooster	OH	44691	20160404	20161231	ACTIVE
S	14667	BAXTER DEREK	1460 Burnley Sq N	Columbus	OH	43229	20160223	20161231	ACTIVE
S	14670	LOWE SAMANTHA	517 Clark Lane	Frankfort	OH	45628	20160225	20161231	ACTIVE
S	14685	KACZMAREK JESSICA	2234 Royal Palm Ave	Defiance	OH	43512	20160401	20161231	ACTIVE
S	14742	LEMMEL RICKY	26629 Lemmel Ln	West Harrison	IN	47060	20160208	20161231	ACTIVE
S	14829	KIBBEY STEPHEN	44 W Orchard Springs Dr	Dayton	OH	45415	20160210	20161231	ACTIVE
S	14847	HARRIS LISA	803 Weatherstone Rd	Holland	OH	43528	20160212	20161231	ACTIVE
S	15048	WOODALL WILLIAM	7690 Old Foxe Ct	Columbus	OH	43235	20160314	20161231	ACTIVE
S	15504	MCQUILLEN AMANDA	764 County Road 165	Ashley	OH	43003	20160404	20161231	ACTIVE
S	15522	WATROL JENNIFER	5260 Springdale Ave	Toledo	OH	43613	20160208	20161231	ACTIVE
S	16022	PRINCE VICTORIA	428 Summerwind Lane	Lewis Center	OH	43035	20160204	20161231	ACTIVE
S	16029	WENNING JASON	330 Lockville Rd	Pickerington	OH	43147	20160208	20161231	ACTIVE
S	16114	BACHE BECKY	925 Race Street	Dover	OH	44622	20160323	20161231	ACTIVE
S	16127	MORA BRENDA	709 Morning Dew Lane	Maineville	OH	45039	20160329	20161231	ACTIVE
S	16137	DOTY AUDREY	18275 Jericho Road	Dalton	OH	44618	20160404	20161231	ACTIVE
SC	10941	STONE KAYLA	2984 Denniston St	McDonald	OH	44437	20160203	20161231	ACTIVE
SC	13431	HIRE TRACEY	16497 Nottingham Drive	Wapakoneta	OH	45895	20160328	20161231	ACTIVE
SC	14670	LOWE SAMANTHA	517 Clark Lane	Frankfort	OH	45628	20160401	20161231	ACTIVE
SC	14901	BOLEY LYNDSAY	1236 Sheridan Dr Apt E	Lancaster	OH	43130	20160216	20161231	ACTIVE
SC	16138	REINKING MARCI	1326 SW 28th Street	Cape Coral	FL	33914	20160405	20161231	ACTIVE

30 Items Found

ADDENDUM 2.0

**CONSENT AGREEMENT
BETWEEN
LISA A. WING
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2016-ODB-01004

This CONSENT AGREEMENT is entered into by and between **LISA WING**, Opticians, License No. 11321-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.

LISA WING 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) **LISA WING** failed to obtain her continuing education credits within the immediately preceding one-year period, namely January 1, 2015 to December 31, 2015, for renewal of her optical license for the 2016 renewal period. Continuing education certificates received as part of the renewal for the 2016 licensure period and reviewed by the Board showed that these credits were obtained on January 3, 2016.

Lisa Wing
Consent Agreement
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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. **LISA WING** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 11321-S

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

A. **LISA WING** shall obtain four (4) additional Spectacle continuing education hours, and two (2) Spectacle Contact Lens Dispensing (SCD) hours that will be applied toward her 2017 license renewal. The four (4) additional Spectacle hours and two (2) Spectacle Contact Lens Dispensing (SCD) hours cannot be the same as those obtained for her 2016 renewal. The four (4) additional Spectacle hours and two (2) Spectacle Contact Lens Dispensing 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. **LISA WING** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.

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

Lisa Wing
Consent Agreement
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D. The **BOARD** agrees not to institute formal proceedings against **LISA WING** 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. WING** 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

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

Lisa Wing
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.

**THE OHIO OPTICAL DISPENSERS
BOARD**

LISA WING

JEFFREY R. ROHLF
President
Supervising Disciplinary Member

DATE

DATE

**CONSENT AGREEMENT
BETWEEN
TERESA M. BEARD
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2016-ODB-01005

This CONSENT AGREEMENT is entered into by and between **TERESA BEARD**, Opticians, License No. 5642-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.

TERESA BEARD 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) **TERESA BEARD** failed to obtain her continuing education credits within the immediately preceding one-year period, namely January 1, 2015 to December 31, 2015, for renewal of her optical license for the 2016 renewal period. Continuing education certificates received as part of the renewal for the 2016 licensure period and reviewed by the Board showed that these credits were obtained on 1/11/2016 & 1/20/16

Teresa Beard
Consent Agreement
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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. **TERESA BEARD** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 5642-S

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

A. **TERESA BEARD** shall obtain four (4) additional Spectacle continuing education hours and two (2) additional Spectacle Contact Lens Dispensing (SCD) hours that will be applied toward her 2017 license renewal. The four (4) additional Spectacle and two (2) Spectacle Contact Lens Dispensing (SCD) hours cannot be the same as those obtained for her 2016 renewal. The four (4) additional Spectacle and two (2) Spectacle Contact Lens Dispensing (SCD) 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. **TERESA BEARD** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.

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

Teresa Beard
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **TERESA BEARD** 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. BEARD** 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

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

Teresa Beard
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**

TERESA BEARD

JEFFREY ROHLF
President
Supervising Disciplinary Member

DATE

DATE

**CONSENT AGREEMENT
BETWEEN
BRITTANY L. BENSON
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2016-ODB-01007

This CONSENT AGREEMENT is entered into by and between **BRITTANY BENSON**, 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.

BRITTANY BENSON 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.

This Consent Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Consent Agreement.

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 4725.52 of the Ohio Revised Code and Ohio Administrative Code 4726-7-04(E) **MS. BENSON** admits that from November 1, 2015 to January 19, 2016 she worked as an apprentice optician without having a direct supervisor.

Brittany Benson
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. **BRITTANY BENSON** 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, **BRITTANY BENSON** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

EMPLOYMENT CONDITIONS

1. **MS. BENSON** agrees that during her first year of licensure as a Dispensing Optician she shall be on probation for that year from the date she is issued her license and is employed as a licensed optician.
2. Prior to accepting employment as a Dispensing Optician, each time with every employer, **MS. BENSON** during the probation period shall notify the Board.
3. **MS. BENSON** shall have her employer(s), submit written reports regarding her job performance on a monthly basis determined by the Board. **MS. BENSON** shall have her employer(s) send documentation to the Board, along with the first employers report, of receipt of a copy of this Consent Agreement, including the date it was received.

Brittany Benson
Consent Agreement
Page 3

4. **MS. BENSON** shall report to the Board, in writing, any violation of this Consent Agreement within thirty days of the occurrence of the violation.
5. **MS. BENSON** shall verify that the reports and documentation required by this Consent Agreement are received in the Board office
6. Additionally, **MS BENSON** must contact the Executive Director of the Board, Nancy Manns, and arrange to have a 2-hour class on “You and The Law” within 30 days of the ratification of this Consent Agreement. **MS BENSON** shall not be permitted to supervise an apprentice for one (1) year from the date this consent agreement is ratified.

FAILURE TO COMPLY

If, in the discretion of the Board or its Designate, **MS. BENSON** 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

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

Brittany Benson
Consent Agreement
Page 4

This Consent Agreement shall be considered a public record as that term is used in Section 149.43, ORC. The information contained herein may be reported to appropriate organization, data banks and governmental bodies.

This Consent Agreement is not an adjudication order within the meaning of Section 119.01(D), ORC. Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedures Act, Chapter 119.

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**

BRITTANY BENSON

JEFFREY ROHLF
President
Supervising Disciplinary Member

DATE

DATE

**CONSENT AGREEMENT
BETWEEN
LARRY TUCK
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2016-ODB-01008

This CONSENT AGREEMENT is entered into by and between **LARRY TUCK**, Opticians, License No. 5205-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.

LARRY TUCK 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 4725.53(7) of the Ohio Revised Code and Ohio Administrative Code 4726-3-06(B). **LARRY TUCK** permitted an unlicensed individual to engage in the practice of dispensing optical aids at Lenscrafters, 2725 S. Hamilton Rd., Columbus, OH for the period of on or about November 7, 2015 through on or about January 19, 2016.

Larry Tuck
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. **LARRY TUCK** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 5205-S.

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

A. **LARRY TUCK** shall pay a fine of two hundred and fifty dollars (\$250.00) pursuant to Section 4725.53(A)(B) of the Ohio Revised Code. The two hundred and fifty dollar (\$250.00) fine in the form of a certified check or money order made payable to the Treasurer State of Ohio, 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. Additionally, **MR TUCK** is not permitted to supervise an apprentice for a 1 year period commencing on the day this consent agreement is ratified. , **MR. TUCK** must contact the Executive Director of the Board, Nancy Manns, within 30 days of ratification of this consent agreement, and arrange to receive a 2-hour class on “You and The Law”.

B. **LARRY TUCK** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD’S** journal and will be maintained in his licensure file.

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

Larry Tuck
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **LARRY TUCK** 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. TUCK** 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

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

Larry Tuck
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**

LARRY TUCK

JEFFREY ROHLF
President
Supervising Disciplinary Member

DATE

DATE

**CONSENT AGREEMENT
BETWEEN
ROBIN WAGGONER
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2016-ODB-02009

This CONSENT AGREEMENT is entered into by and between **ROBIN WAGGONER**, Opticians, License No. 6888-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.

ROBIN WAGGONER 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) **ROBIN WAGGONER** failed to obtain her continuing education credits within the immediately preceding one-year period, namely January 1, 2015 to December 31, 2015, for renewal of her optical license for the 2016 renewal period. Continuing education certificates received as part of the renewal for the 2016 licensure period and reviewed by the Board showed that these credits were obtained on February and March 2016.

Robin Waggoner
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. **ROBIN WAGGONER** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 6888-SC

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

A. Within 30 days from the ratification of this Consent Agreement by the Board **MS. WAGGONER** must complete 20 hours of continuing education as prescribed below:

1. Eight (8) hours of Board approved Contact Lens continuing education to meet the requirements for the 2016 licensure renewal;
2. Four (4) hours of Board approved Spectacle continuing education to be applied to her 2017 renewal; and,
3. an additional eight (8) hours of Board approved Contact Lens continuing education that will also be applied to her 2017 licensure renewal.

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

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

Robin Waggoner
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **ROBIN WAGGONER** 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. WAGGONER** 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

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

Robin Waggoner
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**

ROBIN WAGGONER

JEFFREY ROHLF
President
Supervising Disciplinary Member

DATE

DATE

**CONSENT AGREEMENT
BETWEEN
HOLLY J. ZIMBER
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2016-ODB-02010

This CONSENT AGREEMENT is entered into by and between **HOLLY ZIMBER**, Opticians, License No. 6812-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.

HOLLY ZIMBER 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) **HOLLY ZIMBER** failed to obtain her continuing education credits within the immediately preceding one-year period, namely January 1, 2015 to December 31, 2015, for renewal of her optical license for the 2016 renewal period. Continuing education certificates received as part of the renewal for the 2015 licensure period and reviewed by the Board showed that these credits were obtained on February 1, 2016.

Holly Zimber
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. **HOLLY ZIMBER** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 6812-S

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

A. **HOLLY ZIMBER** shall obtain four (4) additional Spectacle continuing education hours and two (2) Spectacle Contact Lens hours (SCD) that will be applied toward her 2017 license renewal. The four (4) additional Spectacle hours and two (2) additional Spectacle Contact Lens hours (SCD) cannot be the same as those obtained for her 2016 renewal. The four (4) additional Spectacle hours and two (2) Spectacle Contact Lens hours (SCD) 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. **HOLLY ZIMBER** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.

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

Holly Zimmer
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **HOLLY ZIMBER** 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. ZIMBER** 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

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

Holly Zimmer
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**

HOLLY ZIMMER

JEFFREY R. ROHLF
President
Supervising Disciplinary Member

DATE

DATE

**CONSENT AGREEMENT
BETWEEN
TANYA SOLOMON
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2016-ODB-03013

This CONSENT AGREEMENT is entered into by and between **TANYA SOLOMON**, Opticians, License No. 6198-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.

TANYA SOLOMON 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) **TANYA SOLOMON** failed to obtain her Spectacle Contact Lens (SCD) continuing education credits within the immediately preceding one-year period, namely January 1, 2015 to December 31, 2015, for renewal of her optical license for the 2016 renewal period. Continuing education certificates received as part of the renewal for the 2016 licensure period and reviewed by the Board showed that these credits were obtained on March 7, 2016.

Tanya Solomon
Consent Agreement
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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. **TANYA SOLOMON** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 6198-S

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

A. **TANYA SOLOMON** shall obtain two (2) additional Spectacle Contact Lens (SCD) continuing education hours, that will be applied toward her 2017 license renewal. The two (2) additional Spectacle Contact Lens hours (SCD) cannot be the same as those obtained for her 2016 renewal. The two (2) additional Spectacle 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. **TANYA SOLOMON** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.

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

Tanya Solomon
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **TANYA SOLOMON** 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. SOLOMON** 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

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

Tanya Solomon
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.

By signing this document **MS. SOLOMON** acknowledges that she has been informed of her right to an Administrative Hearing under Chapter 119 of the Ohio Revised Code and has waived her right to the Hearing.

**THE OHIO OPTICAL DISPENSERS
BOARD**

TANYA SOLOMON

JEFFREY ROHLF
President
Supervising Disciplinary Member

DATE

DATE