



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

January 28, 2016

REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD JANUARY 28, 2016

The regularly scheduled meeting of the Ohio Optical Dispensers Board (Board) began on Thursday, January 28, 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.; Paul R. King; Susan Robus; Rebecca M. Kuhns; Jeffrey Hutchison, D.O.

Absent: Thomas Barracato

STAFF MEMBERS IN ATTENDANCE:

Present: Nancy L. Manns, Executive Director; William Lehman, Investigator; J. T. Wakley, Assistant Attorney General; Alex Armitage, 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 JANUARY 28, 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 JEFFREY HUTCHISON, D.O. THAT THE REGULAR AGENDA FOR THE JANUARY 28, 2016 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED.

President's Report

President Rohlf welcomed the guests in the gallery. President Rohlf also welcomed the Board's new Assistant Attorney General, Alex Armitage.

Approval of Minutes

IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY REBECCA M. KUHN THAT THE MINUTES OF THE NOVEMBER 5, 2015 BOARD MEETING BE APPROVED AS WRITTEN. PAUL R. KING ABSTAINED. MOTION ADOPTED.

Executive Director’s Report

Director Manns informed the Board that 3,209 License renewal notices were mailed in October. Of that total 3,021 Opticians and 8 Ocularists successfully renewed their license as of January 28, 2016. Fifty-nine of those paid a late fee of \$79. At the time of the current Board meeting, 31 additional licensees have paid the renewal fee but remain “incomplete” due to continuing education and/or late fees not being paid. 302 Cease and Desist from Practice letters were mailed to those individuals who had not renewed.

Director Manns informed the Board that a copy of the planned schedule for implementation of eLicensing 3.0 for the Board was in their respective Board member packet. Ms. Manns went on to say that there have presently been mixed reviews from other licensing Boards who are currently using the new system. Apparently the system works beautifully in “testing” mode, but is not working well in production. It is hoped that all those problems will be taken care of before the ODB implements the system sometime in 2017.

Director Manns also informed the Board that the testing results from the ABO/NCLE November, 2015 exam had been received by the Board. Twenty four (24) Ohio test takers failed the ABO, thirty six (36) passed for a 60% pass rate for Ohio. The national pass rate was 56%. The results of the NCLE exam for individuals from Ohio were 5 Failed, 1 Passed for a pass rate of 17%. The national pass rate for the NCLE was 52%.

Director Manns informed the Board that they should have received a report of the biennial audit performed by the State Auditor of Ohio office. Board members present had no questions concerning the report.

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. The last activity on this Bill was on September 30, 2015 when it was referred to the Senate Ways and Means committee.

Director Manns further informed the Board that the Board office was notified by Jennifer Sommer, Director, Health & Wellness Practice Compliance, Wal-Mart, that the Bedford Ohio Wal-Mart would be closing on Thursday, January 28, 2016. According to the Board’s records, there are five apprentices and five licensees working at that store. It was requested that Ms. Sommer remind those employees that the Board requires notification of change of work addresses within 30 days of that change; and that the licensed opticians are required to notify the Board of removal of apprentices who will no longer be apprenticing under their respective licenses.

Director Manns informed the Board that a copy of the Auditor of State Fraud hotline policy was in their Board meeting packets and requested that each Board member please read over the document, sign the acknowledgement form and turn the signature form in to Board staff before leaving the Board meeting.

Director Manns informed the Board that Investigator Lehman's last day as investigator of the Optical Dispensers Board would be Thursday, March 31, 2016. Director Manns has been working with the Human Resources Department of Central Service Agency to post the position. This posting was to be posted within the next two weeks. Ms. Manns went on to say that similar investigator position postings have been yielding approximately 300 or more applicants. Ms. Manns said she planned to have only a short gap, if any, between the time investigator Lehman leaves and a new investigator starts at the Board office.

Special Orders:

Review and Approval of Policy: Supervising Disciplinary Member:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE AS WRITTEN THE POLICY "SUPERVISING DISCIPLINARY MEMBER" AS PRESENTED. MOTION ADOPTED.

Review and Approval of Policy: Processing Ohio Bureau of Criminal Identification and Investigation (BCII) and Federal Bureau of Investigation FBI Reports:

After discussion,

IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE AS WRITTEN THE POLICY "PROCESSING OHIO BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION (BCII) AND FEDERAL BUREAU OF INVESTIGATION (FBI) REPORTS." MOTION ADOPTED.

Review and Approval of Policy: Processing Initial Licensure Application And Issuance of License:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY PAUL R. KING THAT THE BOARD APPROVE AS AMENDED THE POLICY "PROCESSING INITIAL LICENSURE APPLICATION AND ISSUANCE OF LICENSE." MOTION ADOPTED.

Approval of Financial Report

After discussion,

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

Board Governance/Planning

Sunset Review Committee Information

A handout was given to each Board member that described the role of the Legislative Sunset Review Committee; the Boards, including the Optical Dispensers Board, currently on schedule to be reviewed by the Committee; and, that the committee's report may be in the form of a bill prepared for introduction in the Senate or in the House of Representatives. Director Manns will continue to monitor the progress of the committee.

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

A discussion was conducted by Board members related to the ABO-NCLE and NCSORB respective practicum demonstrations that were provided at the August 20, 2015 Board meeting; and, the summary comparison reports put together by Director Manns to be reviewed at the current meeting. After discussion, it was the decision of the Board to bring this subject back to the next Board meeting and vote on it at that time to give Board members longer to review the comparison reports.

NCSORB Membership:

National Commission of State Opticianry Regulatory Boards (NCSORB)

AFTER DISCUSSION, IT WAS MOVED BY PAUL R. KING AND SECONDED BY SUSAN ROBUS THAT THE BOARD APPROVE THE EXPENDITURE OF \$700 FOR RENEWAL OF THE BOARD'S MEMBERSHIP IN THE NATIONAL COMMISSION OF STATE OPTICIANRY REGULATORY BOARDS (NCSORB). MOTION ADOPTED.

Potential Changes to Board Make-Up:

Director Manns discussed an antitrust issue that came about as a result of the U.S. Supreme Court's decision regarding the State Dental Board of North Carolina issuance of Cease and Desist orders to non-dentists who were offering teeth whitening services. As a result of the decision by the U.S. Supreme Court that claimed the NC Dental Board did not have the authority to order Cease and Desist orders to these individuals; was restraining trade; and, because the Board was made up of Dentists, the Board appeared to be "protecting the pockets of Dentists." Since many of the professional licensing Boards in Ohio are composed mostly of licensed individuals of the profession being regulated, there had been preliminary discussions to change the makeup of boards in Ohio by decreasing the number of licensees on the Board and adding additional consumer members.

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 BRIAN J MILLER AND SECONDED BY SUSAN ROBUS THAT THE BOARD APPROVE AS PRESENTED THE CONTINUING EDUCATION PROGRAM "OAO GUIDELINES FOR OHIO LICENSED SPECTACLE DISPENSING OPTICIANS" TO BE PRESENTED AT VARIOUS LOCATIONS IN OHIO IN 2016 FOR 2 HOURS OF SPECTACLE/ CONTACT LENS DISPENSING (SCD). MOTION ADOPTED.

IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY BRIAN J MILLER THAT THE BOARD APPROVE AS PRESENTED THE CONTINUING EDUCATION PROGRAM PRESENTED BY CEDO TITLED "SPECTACLE CONTACT LENS DISPENSING" TO BE PRESENTED AT VARIOUS LOCATIONS IN OHIO IN 2016 FOR 2 HOURS OF SPECTACLE/ CONTACT LENS DISPENSING (SCD). MOTION ADOPTED.

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.

AAG Report

AAG J. T. Wakley informed the Board that there were no current pending hearings or pending actions related to the Board. AAG Wakley introduced Alex Armitage who will be taking over as the new AAG for the Board. AAG Armitage informed the Board that he was originally from Xenia, Ohio and a graduate of the Ohio State University and a graduate of the Akron University School of Law. AAG Armitage previously worked for the Bureau of Criminal Investigation and Identification (BCII).

New Business:

Review and Recommendations regarding foreign-educated applicant

After discussion;

IT WAS MOVED BY JEFFREY HUTCHISON, D.O. AND SECONDED BY PAUL R. KING THAT THE BOARD ACCEPT THE RECOMMEDATION FOR THE EDUCATIONAL QUALIFICATIONS AS ACCEPTABLE FOR LICENSURE AS A SPECITACLE DISPENSING OPTICIAN IN OHIO FOR MH. MOTION ADOPTED.

Other Issues/Discussion:

Report from Sub-Committee Reviewing Continuing Education

In the absence of Chairman Barracato, Rebecca M. Kuhns reported to the Board that the Sub-Committee on Continuing Education met prior to the present regularly scheduled Board meeting. Kuhns stated that the Sub-Committee reviewed questions for a survey; and, that the committee would be setting up the survey for the next Board meeting for additional discussion. The Sub-Committee also went over the packet prepared by the Board staff with the information which was requested at the November Board Meeting.

Introduction

Mr. Keith R. Kerns, Executive Director of the Ohio Optometric Association, introduced himself to the Board and gave a brief background of his experience and expressed his wish to get to know and work with the Board staff and the Board members.

Open Forum:

Licensed Optician Joe Meyer addressed the Board regarding SCD requirements for licensure renewal. Mr. Meyer expressed concern that the Board office did not notify licensees in a timely manner of the new continuing education requirement that all Spectacle licensees were required to complete in order to renew their spectacle license. Mr. Meyer also felt that it was an unfair practice to require licensees to submit their continuing education certificates by mail if they did not list them correctly in the on line renewal system. President Rohlf thanked Mr. Meyer for taking the time to come and address the Board and informed him that if he would submit his concerns in writing the Board would look at his concerns at the next Board meeting.

HEARING NO OTHER DISCUSSION, IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE JANUARY 28, 2016 MEETING OF THE OPTICAL DISPENSERS BOARD BE ADJOURNED. MOTION ADOPTED.

President Rohlf adjourned the regularly scheduled meeting at 10:45 A.M. January 28, 2016.

ATTESTED:

PRESIDENT, JEFFREY R. ROHLF

EXECUTIVE DIRECTOR, NANCY MANNIS

Future Board Meeting Dates:

April 7, 2016
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 11/06/2015 to 01/26/2016

Report generated on 1/26/2016 at 1:56:42 PM

Type	Number	Name	Add Line 1	City	State	Zip	Orig Issue	Expiration Date	description
S	14439	BLANDA RANEE	1021 10th St NE	Massillon	OH	44646	20160111	20161231	ACTIVE
S	13980	BRYANT MELISSA	1380 Pebble Ct Apt 207	Cincinnati	OH	45255	20160112	20161231	ACTIVE
S	12385	CHRISMAN RUSTY	636 S Miami St Apt 3S	West	OH	45383	20160115	20161231	ACTIVE
S	15958	DENNIS RENEE	520 Wilder Ave	Huron	OH	44839	20160105	20161231	ACTIVE
S	15859	DIEFFENBAUGHER GINA	3844 Fox Trail Dr Apt 5	Amelia	OH	45102	20151109	20161231	ACTIVE
S	13983	DUNN APRIL	87 N Prospect St	Norwalk	OH	44857	20160105	20161231	ACTIVE
S	15878	FREEDERS AUTUMN	1034 Hartshorn St	Alliance	OH	44601	20151117	20161231	ACTIVE
S	14659	GIORDULLO JOSEPH	104 Bank Ave Apt 3	Cincinnati	OH	45217	20160112	20161231	ACTIVE
S	14935	GLISTA JAMIE	29 Aylesboro Ave	Youngstown	OH	44512	20160115	20161231	ACTIVE
S	14993	GROENKE JULIE	9479 Concord Circle	Twinsburg	OH	44087	20151120	20161231	ACTIVE
S	14319	HESSLER TONIE	1111 Heatherstone Way	Milford	OH	45150	20160122	20161231	ACTIVE
S	14377	HUBBARD KARIEN	1161 Morningview Ave	Akron	OH	44305	20160125	20161231	ACTIVE
SC	14435	LEWANDOWSKI JEFFREY	8398 Valleyview Rd	Macedoni	OH	44056	20151117	20161231	ACTIVE
S	15886	LIEBRECHT MICHELLE	916 E 5th St	Ottawa	OH	45875	20151120	20161231	ACTIVE
S	14607	MACIAS CARLOS	13 West Main Street	South	OH	45369	20160106	20161231	ACTIVE
S	13774	MCCALL JORDAN	7139 Striker Rd	Maineville	OH	45040	20160111	20161231	ACTIVE
S	13453	NOBLE MIRANDA	PO Box 72	New	OH	43145	20160111	20161231	ACTIVE
S	15964	PLAUGHER BETHANY	7260 Amherst Road	Waynesfield	OH	45896	20160106	20161231	ACTIVE
SC	15963	REED, III EDGAR	1633 Waynesville Jamestown Rd	Xenia	OH	45385	20160106	20161231	ACTIVE
S	14639	SCHALMO BRITTANY	5876 S Elyria Rd	Shreve	OH	44676	20160125	20161231	ACTIVE
S	13224	SOTHEN MELINDA	629 Glenbrook Dr Apt 15	Newark	OH	43055	20151120	20161231	ACTIVE
S	14496	TEMPLE DAWN	14696 Township Rd 119	Kenton	OH	43326	20160111	20161231	ACTIVE
S	10540	UMSTEAD SARAH	192 Deer Trace Dr	Walton	KY	41094	20151113	20161231	ACTIVE
S	14730	VICKERS KIMBERLY	6106 Firestone Rd	Spencer	OH	44275	20160115	20161231	ACTIVE
SC	11966	VILES GREGGORY	2141 Talbot	Toledo	OH	43613	20151120	20161231	ACTIVE
S	15707	WAKER AMARYLLIS	7326 Marrissey Loop	Galena	OH	43021	20151130	20161231	ACTIVE
SC	15962	WANDOVER PATRICIA	2243 E Gill Rd	Port	OH	43452	20160106	20161231	ACTIVE
S	15497	WULF HOLLY	673 Oakcrest Dr	Wadsworth	OH	44281	20160125	20161231	ACTIVE

28 Items Found