



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

1.4

MINUTES OF MEETING

January 26, 2017

REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD JANUARY 26, 2017

The regularly scheduled meeting of the Ohio Optical Dispensers Board (Board) began on Thursday, January 26, 2017 at 9:05 A.M. at 77 South High Street, 31st Floor, Columbus, Ohio. President Brian J Miller called the meeting to order in open session.

BOARD MEMBERS IN ATTENDANCE:

Present: President, Brian J Miller; Treasurer, Jeffrey R. Rohlf; Timothy Fries, O.D.; Thomas Barracato; Marcia Emerson; Jeffrey Hutchison, D.O.; Rebecca M. Kuhns; Sue Pohler

Absent: Vice President, Susan Robus

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 TIMOTHY FRIES, O.D. AND SECONDED BY REBECCA M. KUHNNS THAT THE CONSENT AGENDA FOR THE JANUARY 26, 2017 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 26, 2017 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED.

President's Report:

President Miller welcomed the guests in the gallery and informed the Board that this would be a busy meeting. President Miller also welcomed the two new Board members, Marcia Emerson and Sue Pohler and requested that they each introduce themselves. For the benefit of the two new Board members, President Miller explained the agenda and motion table, and, explained that the Board employs Roberts Rules of Orders to conduct the Board meetings.

Approval of Minutes:

IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY REBECCA M. KUHNNS THAT THE MINUTES OF THE NOVEMBER 10, 2016 BOARD MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED.

Executive Director’s Report:

Director Manns informed the Board that licensure renewals were mailed to all eligible licensees the early part of October. Investigator Spence is reviewing each renewal to determine compliance with the continuing education requirements. Investigator Spence estimated that about 13% of all renewals received had incorrectly completed the Continuing Education section. Licensees were listing “course codes” instead of “course titles” despite the fact that the form specified to not use course codes. Approximately 3,176 licensure renewals were mailed and a total of 3,010 had renewed at the time of the current Board meeting. Ninety-eight percent (98%) of eligible licenses renewed on line.

Director Manns went on to inform the Board that the budget process for FY ‘18/’19 has been completed and submitted.

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 | 15.78 | 3.28 | 19.06 |

Director Manns informed the Board that the complete to approved days increased by 3.5% over the last month due to the fact that a number of people submitted an application in December; but asked that the license not be issued until after the first of the year to avoid being required to immediately renew.

Director Manns informed the Board that she participated in a discussion on updating the Rule Summary and Fiscal Analysis (RSFA) document that is required for every rule filed with JCARR. The other participants were Department on Aging, Public Safety and the Department of Rehab and Corrections, all very large agencies. The meeting was held on Wednesday, November 16th in the JCARR offices. The RSFA contains information that helps determine if the agency had exceeded its rule making authority and if the rule had a fiscal impact on school districts, or county, township, city or village local governments.

Director Manns also informed the Board that the staff of the Board has been engaged with members of Sales Force, the vender for the implementation of the new system for all licensure functions. The new system will require **all** transactions to be done on line, including initial applications for apprentice registration and initial licensure applications. The Board will be in release 4 out of 5 releases. Other occupational licensing Boards have been using the new system and for the most part it seems to be doing well for those Boards, but, not without some major problems. The new system will be introducing a completely different work flow process with the goal to make everything a paperless work environment.

Director Manns informed the Board that the membership for NCSORB has been processed.

Director Manns further informed the Board that she was notified on January 10, 2017 that Hocking College’s Opticianry Program faculty member, Scott Carroll, resigned his position as of January 9, 2017. Director Manns went on to say that at that time there were no first year students enrolled, but there were several second year students. On January 19, 2017 Director Manns was informed by the Director of the program that all courses were covered and classes were resuming.

Special Orders:

Review and Approval of Policy: Board Members Qualifications, Duties, Responsibilities, Terms:

After discussion,

IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY REBECCA M. KUHN THAT THE BOARD APPROVE AS WRITTEN THE POLICY "BOARD MEMBERS QUALIFICATIONS, DUTIES, RESPONSIBILITIES, TERMS" AS PRESENTED. MOTION ADOPTED.

Review and Approval of Policy: Conference Attendance:

After discussion,

IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE AS WRITTEN THE POLICY "CONFERENCE ATTENDANCE." MOTION ADOPTED.

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

After discussion,

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY JEFFREY HUTCHISON, D.O. THAT THE BOARD APPROVE AS WRITTEN THE POLICY "TRAVEL AUTHORIZATION/EXPENSE REPORTS-BOARD MEMBER". MOTION ADOPTED.

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

After discussion,

IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY REBECCA M. KUHN THAT THE BOARD APPROVE AS WRITTEN THE POLICY "GRANTING OF EXTENSIONS/WAIVERS FOR PROOF OF CONTINUING EDUCATION". MOTION ADOPTED.

Review and Approval of Policy: Copies and Copyrights:

After discussion,

IT WAS MOVED BY REBECCA M. KUHN AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE AS WRITTEN THE POLICY "COPIES AND COPYRIGHTS." MOTION ADOPTED.

New Business:

President Miller informed Board Members that there were visitors from Hocking College in the gallery and asked these guests to introduce themselves. The guests were Dr. Bonnie Smith, Dean, School of Health and Safety Allied Health, Betty Young, President Hocking College and Myriah Davis, Vice President, Academic and Student Affairs. Director Manns explained to the Board that there were currently two Board approved schools in Ohio namely Hocking College and Cuyahoga Community College. Director Manns further explained that she had received a call from Scott Carroll who headed up the opticianry program for Hocking stating that he was resigning from his position which left the school in non-compliance with Rules. Director Manns, therefore had requested that someone from the college attend the current meeting. Betty Young, President of Hocking College explained that everything was "back in order" for the program. President Young went on to say that the school had recently improved their opticianry lab and it appeared that there was a renewed energy of the staff to make the program even better. Board member Barracato expressed his appreciation for them coming to the Board meeting.

Approval of Financial Report:

After discussion,

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY REBECCA M. KUHNS THAT THE FINANCIAL REPORT FOR CURRENT FY 2017 BE ACCEPTED AS WRITTEN. MOTION ADOPTED.

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 REBECCA M. KUHNS THAT THE BOARD APPROVE AS PRESENTED THE CONTINUING EDUCATION PROGRAM PRESENTED BY OPTICAL TRAINING INSTITUTE TITLED "SOFT CONTACT LENS AND PATIENT EDUCATION" TO BE PRESENTED ON LINE FOR 2 HOURS OF SPECTACLE/CONTACT LENS DISPENSING (SCD) OR 2 CONTACT LENS HOURS FOR A PERIOD OF OR UNTIL DECEMBER 31, 2018. MOTION ADOPTED.

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY REBECCA M. KUHNS THAT THE BOARD APPROVE AS PRESENTED THE CONTINUING EDUCATION PROGRAM PRESENTED BY THE OPTICIANS ASSOCIATION OF OHIO TITLED "SCD GUIDELINES FOR OHIO LICENSED SPECTACLE DISPENSING OPTICIANS" TO BE PRESENTED ON FEBRUARY 5, 2017 IN INDEPENDENCE, OH FOR 2 HOURS OF SPECTACLE/CONTACT LENS DISPENSING (SCD). MOTION ADOPTED BY A MAJORITY VOTE OF BOARD MEMBERS PRESENT. JEFFREY R. ROHLF ABSTAINED.

IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE AS PRESENTED THE CONTINUING EDUCATION PROGRAM PRESENTED BY THE OPTICIANS ASSOCIATION OF OHIO TITLED "CONTACT LENS PEARLS FOR THE DISPENSING OPTICIAN" TO BE PRESENTED ON FEBRUARY 25, 2017 IN FAIRFIELD, OH FOR 2 HOURS OF SPECTACLE/CONTACT LENS DISPENSING (SCD). MOTION ADOPTED

IT WAS MOVED BY THOMAS BARRACATO AND SECONDED BY REBECCA M. KUHNS THAT THE BOARD APPROVE AS PRESENTED THE CONTINUING EDUCATION PROGRAM PRESENTED BY THE OPTICIANS ASSOCIATION OF OHIO TITLED "SCD GUIDELINES FOR CONTACT LENS DISPENSING WHEN TO REFER" TO BE PRESENTED ON MARCH 12, 2017 IN PERRYSBURG, OH FOR 2 HOURS OF SPECTACLE/CONTACT LENS DISPENSING (SCD) OR 2 HOURS OF CONTACT LENS. MOTION ADOPTED

Approval of Requests for CE Waivers/Extensions:

After discussion,

IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY THOMAS BARRACATO THAT THE BOARD GRANT THE WAIVER OF THE LATE FEE FOR J.H.'S 2017 LICENSURE RENEWAL. MOTION ADOPTED.

AAG Report:

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

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.

Discipline:

After review of the Consent Agreement for Case #2017-ODB-01001 by Board members, IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY REBECCA M. KUHN THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2017-ODB-01001. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT MILLER ABSTAINED. (See Addendum 2.0)

After review of the Consent Agreement for Case #2017-ODB-01002 by Board members, IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY THOMAS BARRACATO THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2017-ODB-01002. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT MILLER ABSTAINED. (See Addendum 2.0)

After review of the Consent Agreement for Case #2017-ODB-01003 by Board members, IT WAS MOVED BY SUE POHLER AND SECONDED BY THOMAS BARRACATO THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2017-ODB-01003. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT MILLER ABSTAINED. (See Addendum 2.0)

After review of the Consent Agreement for Case #2017-ODB-01004 by Board members, IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY THOMAS BARRACATO THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2017-ODB-01004. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT MILLER ABSTAINED. (See Addendum 2.0)

After review of the Consent Agreement for Case #2017-ODB-01006 by Board members, IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY SUE POHLER THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2017-ODB-01006. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT MILLER ABSTAINED. (See Addendum 2.0)

After review of the Consent Agreement for Case #2017-ODB-01008 by Board members, IT WAS MOVED BY TIMOTHY FRIES, O.D. AND SECONDED BY JEFFREY HUTCHISON, D.O. THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2017-ODB-01008. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT MILLER ABSTAINED. (See Addendum 2.0)

After review of the Consent Agreement for Case #2017-ODB-01009 by Board members, IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY REBECCA M. KUHN THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2017-ODB-01009. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT MILLER ABSTAINED. (See Addendum 2.0)

Executive Session

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY SUE POHLER THAT THE BOARD GO INTO EXECUTIVE SESSION IN ACCORDANCE WITH SECTION 121.22(G) OF THE OHIO REVISED CODE TO DISCUSS THE EMPLOYMENT OF A PUBLIC EMPLOYEE.

A ROLL CALL VOTE WAS TAKEN.

YEA VOTES: BRIAN J MILLER, JEFFREY R. ROHLF, THOMAS BARRACATO, REBECCA M. KUHNS, SUE POHLER, MARCIA EMERSON, TIMOTHY FRIES, O.D. AND JEFFREY HUTCHISON, DO. MOTION ADOPTED.

At 10:23 A.M. on Thursday, January 26, 2017, the Board went into executive session to discuss the employment of a public employee. All visitors left the room. It was requested by the Board that the staff remain for the Executive Session.

At 10:48 A.M. President Miller brought the meeting out of Executive Session and reported that the Board had gone into Executive Session to discuss the employment of a public employee. Visitors were invited to come back into the room.

IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY SUE POHLER THAT THE BOARD OFFER THE POSITION OF EXECUTIVE DIRECTOR OF THE OHIO OPTICAL DISPENSERS BOARD TO KATIE EAGAN TO BEGIN ON MARCH 20, 2017 AND TO ENGAGE IN AN ORIENTATION TO THE POSITION WITH DIRECTOR MANN'S TO END ON FRIDAY, MARCH 31, 2017 At 4 PM.

Board member Dr. Fries explained that he had been reviewing a submission from a possible applicant to see if their school qualifications in India would meet our standards to obtain a license in Ohio. Dr. Fries requested that this item be put on the March agenda.

Hearing no other issues for discussion, President Miller requested a motion to adjourn the Board Meeting.

IT WAS MOVED BY MARCIA EMERSON AND SECONDED BY SUE POHLER THAT THE JANUARY 26, 2017 MEETING OF THE OPTICAL DISPENSERS BOARD BE ADJOURNED. MOTION ADOPTED.

President Miller adjourned the regularly scheduled meeting at 10:50 A.M. January 26, 2017.

ATTESTED:

PRESIDENT, BRIAN J MILLER

EXECUTIVE DIRECTOR, NANCY MANN'S

Future Board Meeting Dates:

March 16, 2017 May 18, 2017
August 10, 2017 November 16, 2017

ODB - First Issued

Report Parameters

Board = ODB
 Credential status = ACTIVE
 Credential prefix = C, O, S, SC
 From 11/11/2016 to 01/25/2017

Report generated on 1/25/2017 at 2:59:30 PM

| Type | Number | Name | Add Line 1 | City | State | Zip | Orig Issue | Expiration Date | description |
|------|--------|--------------------|------------------------------|------------------|-------|-------|------------|-----------------|-------------|
| S | 14095 | ROBERTS JULIE | 1024 King St | Sandusky | OH | 44870 | 20170112 | 20171231 | ACTIVE |
| S | 14464 | EMRICK MARY | 4044 Ansonia Eroy Rd | Ansonia | OH | 45303 | 20170106 | 20171231 | ACTIVE |
| S | 14606 | COLLIER GEORGIA | 1032 Hazel St | Fremont | OH | 43420 | 20161122 | 20171231 | ACTIVE |
| S | 14833 | CALABRETTA MATTHEW | 928 Oakwood St SE | North Canton | OH | 44720 | 20170103 | 20171231 | ACTIVE |
| S | 14967 | TRAUT DANIEL | 845 Summerfield Ln | Cincinnati | OH | 45240 | 20161115 | 20171231 | ACTIVE |
| S | 14982 | CARNAHAN CRYSTLE | 1217 Gettysburg Dr | Troy | OH | 45373 | 20170104 | 20171231 | ACTIVE |
| S | 15024 | KOPY NICHOLAS | 3881 Mars Dr | Brunswick | OH | 44212 | 20161216 | 20171231 | ACTIVE |
| S | 15153 | COULTER MARY | 1090 Cooks Crossing Dr Apt 1 | Milford | OH | 45150 | 20170105 | 20171231 | ACTIVE |
| S | 15327 | GIANNELLI KARRIE | 1545 1st St NE | Massillon | OH | 44646 | 20170104 | 20171231 | ACTIVE |
| S | 15335 | VANN DARY | 4349 Thelma Dr | Obetz | OH | 43207 | 20170110 | 20171231 | ACTIVE |
| S | 15483 | HICKERSON SUZANNE | 3673 State Route 66 | Houston | OH | 45333 | 20170119 | 20171231 | ACTIVE |
| S | 15898 | NYE JENNIFER | 1817 Laurelstone Parkway | Columbus | OH | 43228 | 20161117 | 20171231 | ACTIVE |
| S | 16059 | CHILDERS RACHEL | 7063 Whiddenmill Dr | Whitehouse | OH | 43571 | 20170104 | 20171231 | ACTIVE |
| S | 16078 | DILLIE ABBEY | 17405 St Rt 327 | Laurelville | OH | 43135 | 20170110 | 20171231 | ACTIVE |
| S | 16161 | KRAVITZ MARGOT | 5172 Vinings Bend | Dublin | OH | 43016 | 20170119 | 20171231 | ACTIVE |
| S | 16669 | WEAK JEFFREY | 6339 Cincinnati Dayton Rd | Liberty Township | OH | 45044 | 20170117 | 20171231 | ACTIVE |
| S | 16675 | SEIFERT BRANDON | 7040 Garrison Court | Dayton | OH | 45459 | 20170119 | 20171231 | ACTIVE |
| SC | 15504 | MCQUILLEN AMANDA | 764 County Road 165 | Ashley | OH | 43003 | 20170105 | 20171231 | ACTIVE |
| SC | 16653 | MATZKE DIANE | 48280 Menter St | Chesterfield | MI | 48047 | 20170103 | 20171231 | ACTIVE |

19 Items Found

**CONSENT AGREEMENT
BETWEEN
JENNIFER STRONG
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2017-ODB-01001

This CONSENT AGREEMENT is entered into by and between **JENNIFER STRONG**, Opticians, License No. 5851-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.

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

BASIS FOR ACTION

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

1. The **BOARD** is empowered by Section 4725.53 of the Ohio Revised Code to refuse to grant a license, suspend or revoke a license or impose a fine or order restitution for any of the enumerated violations.

2. The **BOARD** enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4725.51 of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **JENNIFER STRONG** failed to obtain her required continuing education credits within the immediately preceding one-year period, namely January 1, 2016 to December 31, 2016, for renewal of her optical license for the 2017 renewal period. Continuing education reported as part of the renewal for the 2017 licensure period and reviewed by the Board showed that these credits were obtained on January 1, 2017.

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

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

AGREED CONDITIONS

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

A. **JENNIFER STRONG** shall obtain two (2) additional Contact Lens AND four (4) Spectacle continuing education hours, that will be applied toward her 2018 license renewal. The two (2) additional Contact Lens AND four (4) Spectacle hours cannot be the same as those obtained for her 2016 renewal. The six (6) additional continuing education hours must be received by the Board at the Ohio Optical Dispensers Board, 77 South High Street, 16th Floor, Columbus, Ohio 43215-6108 not later than 30 days from the ratification by the Board of this consent agreement.

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

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

Jennifer Strong
Consent Agreement
Page 3

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

FAILURE TO COMPLY

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

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

ACKNOWLEDGEMENTS/LIABILITY RELEASE

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

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

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

Jennifer Strong
Consent Agreement
Page 4

EFFECTIVE DATE

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

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**

JENNIFER STRONG

BRIAN MILLER
President
Supervising Disciplinary Member

DATE

DATE

**CONSENT AGREEMENT
BETWEEN
SHELLEY MULLINS
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2017-ODB-01002

This CONSENT AGREEMENT is entered into by and between **SHELLEY MULLINS**, Opticians, License No. 9739-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.

SHELLEY MULLINS 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) **SHELLEY MULLINS** failed to obtain her required continuing education credits within the immediately preceding one-year period, namely January 1, 2016 to December 31, 2016, for renewal of her optical license for the 2017 renewal period. Continuing education reported as part of the renewal for the 2017 licensure period and reviewed by the Board showed that these credits were obtained on January 2, 2017.

Shelley Mullins
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. **SHELLEY MULLINS** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 9739-S

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

- A. **SHELLEY MULLINS** shall obtain two (2) additional Contact Lens AND four (4) Spectacle continuing education hours, that will be applied toward her 2018 license renewal. The two (2) additional Contact Lens AND four (4) Spectacle hours cannot be the same as those obtained for her 2017 renewal. The six (6) additional continuing education 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. **SHELLEY MULLINS** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.
- C. **SHELLEY MULLINS** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

Shelley Mullins
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **SHELLEY MULLINS** 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, 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

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

Shelley Mullins
Consent Agreement
Page 4

EFFECTIVE DATE

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

SHELLEY MULLINS

BRIAN MILLER
President
Supervising Disciplinary Member

DATE

DATE

**CONSENT AGREEMENT
BETWEEN
CANDICE ROACH
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2017-ODB-01003

This CONSENT AGREEMENT is entered into by and between **CANDICE ROACH**, Opticians, License No. 5599-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.

CANDICE ROACH 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.
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. **CANDICE ROACH** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 5599-SC
5. **CANDICE ROACH** admits the factual and legal allegations set forth in this Consent Agreement issued by the **BOARD**.

CANDICE ROACH
Consent Agreement
Page 2

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, **CANDICE ROACH** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

1. **MS. ROACH** shall obtain eight (8) additional Contact Lens continuing education hours that will be applied toward her 2017 license renewal.
2. **MS. ROACH** shall obtain eight (8) additional Contact Lens continuing education hours that will be applied toward her 2018 license renewal.
3. **MS. ROACH** shall obtain four (4) additional Spectacle continuing education hours that will be applied toward her 2017 license renewal.
4. **MS. ROACH** shall obtain four (4) additional Spectacle continuing education hours that will be applied toward her 2018 license renewal.
5. **MS. ROACH** 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
6. **MS. ROACH** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.
7. **MS. ROACH** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.
8. The **BOARD** agrees not to institute formal proceedings against **CANDICE ROACH** as long as she is in compliance with the terms and conditions of this **CONSENT AGREEMENT**.

CANDICE ROACH
Consent Agreement
Page 3

FAILURE TO COMPLY

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

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

CANDICE ROACH
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. ROACH** 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**

CANDICE ROACH

BRIAN MILLER
President
Supervising Disciplinary Member

DATE

**CONSENT AGREEMENT
BETWEEN
KASSANDRA JONES
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2017-ODB-01004

This CONSENT AGREEMENT is entered into by and between **KASSANDRA JONES**, Opticians, License No. 6492-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.

KASSANDRA JONES 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) **KASSANDRA JONES** failed to obtain her required continuing education credits within the immediately preceding one-year period, namely January 1, 2016 to December 31, 2016, for renewal of her optical license for the 2017 renewal period. Continuing education reported as part of the renewal for the 2017 licensure period and reviewed by the Board showed that these credits were obtained on January 1, 2017.

KASSANDRA JONES
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. **KASSANDRA JONES** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 6492-S

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

B. **KASSANDRA JONES** shall obtain two (2) additional Contact Lens AND four (4) Spectacle continuing education hours, that will be applied toward her 2018 license renewal. The two (2) additional Contact Lens AND four (4) Spectacle hours cannot be the same as those obtained for her 2017 renewal. The six (6) additional continuing education 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. **KASSANDRA JONES** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.

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

KASSANDRA JONES
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **KASSANDRA JONES** 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, 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

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

KASSANDRA JONES
Consent Agreement
Page 4

EFFECTIVE DATE

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

KASSANDRA JONES

BRIAN MILLER
President
Supervising Disciplinary Member

DATE

DATE

**CONSENT AGREEMENT
BETWEEN
VANESSA VISTELL
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2017-ODB-01006

This CONSENT AGREEMENT is entered into by and between **VANESSA VISTELL**, Opticians, License No. 7360-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.

VANESSA VISTELL 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) **VANESSA VISTELL** failed to obtain her required continuing education credits within the immediately preceding one-year period, namely January 1, 2016 to December 31, 2016, for renewal of her optical license for the 2017 renewal period. Continuing education reported as part of the renewal for the 2017 licensure period and reviewed by the Board showed that these credits were obtained on January 8, 2017.

VANESSA VISTELL
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. **VANESSA VISTELL** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 7360-SC

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

- C. **VANESSA VISTELL** shall obtain eight (8) additional Contact Lens AND four (4) Spectacle continuing education hours, that will be applied toward her 2018 license renewal. The eight (8) additional Contact Lens AND four (4) Spectacle hours cannot be the same as those obtained for her 2017 renewal. The twelve (12) additional continuing education 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. **VANESSA VISTELL** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.
- C. **VANESSA VISTELL** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

VANESSA VISTELL
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **VANESSA VISTELL** 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, 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

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

VANESSA VISTELL
Consent Agreement
Page 4

EFFECTIVE DATE

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

VANESSA VISTELL

BRIAN MILLER
President
Supervising Disciplinary Member

DATE

DATE

**CONSENT AGREEMENT
BETWEEN
KYLE SITES
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2017-ODB-01008

This CONSENT AGREEMENT is entered into by and between **KYLE SITES**, Opticians, License No. 10698-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.

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

BASIS FOR ACTION

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

1. The **BOARD** is empowered by Section 4725.53 of the Ohio Revised Code to refuse to grant a license, suspend or revoke a license or impose a fine or order restitution for any of the enumerated violations.

2. The **BOARD** enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4725.51 of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **KYLE SITES** failed to obtain his required continuing education credits within the immediately preceding one-year period, namely January 1, 2016 to December 31, 2016, for renewal of his optical license for the 2017 renewal period. Continuing education reported as part of the renewal for the 2017 licensure period and reviewed by the Board showed that these credits were obtained on January 9, 2017 and January 10, 2017.

KYLE SITES
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. **KYLE SITES** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 10698-S

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

A. **KYLE SITES** shall obtain two (2) additional Contact Lens AND four (4) Spectacle continuing education hours, that will be applied toward his 2018 license renewal. The two (2) additional Contact Lens AND four (4) Spectacle hours cannot be the same as those obtained for her 2016 renewal. The six (6) additional continuing education 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. **KYLE SITES** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in his licensure file.

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

KYLE SITES
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **KYLE SITES** 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. SITES** 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

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

KYLE SITES
Consent Agreement
Page 4

EFFECTIVE DATE

MR. SITES acknowledges that he has had an opportunity to ask questions concerning terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner. By signing this document **MR. SITES** acknowledges that he has been informed of his right to an Administrative Hearing under Chapter 119 of the Ohio Revised Code and has waived his right to the Hearing. 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**

KYLE SITES

BRIAN MILLER
President
Supervising Disciplinary Member

DATE

DATE

**CONSENT AGREEMENT
BETWEEN
JOSHUA DOVAYAK
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2017-ODB-01009

This CONSENT AGREEMENT is entered into by and between **JOSHUA DOVAYAK**, Opticians, License No. 6737-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.

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

BASIS FOR ACTION

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

1. The **BOARD** is empowered by Section 4725.53 of the Ohio Revised Code to refuse to grant a license, suspend or revoke a license or impose a fine or order restitution for any of the enumerated violations.

2. The **BOARD** enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4725.51 of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **JOSHUA DOVAYAK** failed to obtain his required continuing education credits within the immediately preceding one-year period, namely January 1, 2016 to December 31, 2016, for renewal of his optical license for the 2017 renewal period. Continuing education reported as part of the renewal for the 2017 licensure period and reviewed by the Board showed that these credits were obtained on January 14, 2017.

JOSHUA DOVAYAK
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. **JOSHUA DOVAYAK** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 6737-S

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

A. **JOSHUA DOVAYAK** shall obtain two (2) additional Contact Lens AND four (4) Spectacle continuing education hours, that will be applied toward his 2018 license renewal. The two (2) additional Contact Lens AND four (4) Spectacle hours cannot be the same as those obtained for his 2016 renewal. The six (6) additional continuing education 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. **JOSHUA DOVAYAK** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in his licensure file.

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

JOSHUA DOVAYAK
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **JOSHUA DOVAYAK** 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. DOVAYAK** 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

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

JOSHUA DOVAYAK
Consent Agreement
Page 4

EFFECTIVE DATE

MR. DOVAYAK acknowledges that he has had an opportunity to ask questions concerning terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner. By signing this document **MR. DOVAYAK** acknowledges that he has been informed of his right to an Administrative Hearing under Chapter 119 of the Ohio Revised Code and has waived his right to the Hearing. 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**

JOSHUA DOVAYAK

BRIAN MILLER
President
Supervising Disciplinary Member

DATE

DATE