



## OHIO OPTICAL DISPENSERS BOARD

77 SOUTH HIGH ST. 16<sup>TH</sup> FLOOR  
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### MINUTES OF MEETING APRIL 19-20, 2006

#### REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD APRIL 19-20, 2006.

The meeting of the Ohio Optical Dispensers Board (Board) began on Wednesday, April 19, 2006, at 7:10 p.m. at 77 South High Street, East B Conference Room, 31<sup>st</sup> Floor, Columbus. President Denise Capretta called the meeting to order in open session.

#### BOARD MEMBERS IN ATTENDANCE:

Denise M. Capretta, President, A. Joseph Bitonte, Vice President, Robert Clegg, Treasurer, Dr. Susan C. Benes, Dr. Todd Clark, James DeDario, Brian J Miller, Oscar J. Watson

#### STAFF MEMBERS IN ATTENDANCE:

Nancy L. Manns, Executive Director, William Lehman, Investigator, Wilma Simmons, Secretary

#### ADMINISTRATIVE MATTERS

##### Ordering of the Agenda

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

IT WAS MOVED BY JOE BITONTE AND SECONDED BY JAMES DEDARIO THAT THE AGENDA FOR THE APRIL 19-20, 2006 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

##### President's Report

President Capretta recognized members of the audience.

President Capretta thanked the staff for all their hard work. She also stated that she liked that the Board information packets were mailed in a timely fashion which gave the Board ample time to review all documents.

Approval of Minutes

IT WAS MOVED BY DR. SUSAN BENES AND SECONDED BY ROBERT CLEGG THAT THE MINUTES OF THE FEBRUARY 15-16, 2006 BOARD MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Executive Director's Report

Executive Director Manns went over symbols found on the agenda which will be used to indicate materials that had been previously mailed (M), materials to be provided as a handout at the Board meeting (H), or agenda items on the agenda for discussion only.

Director Manns informed the Board that the consolidation issue has been put to rest for now and that she wanted to thank everyone who sent e-mails and letters.

Director Manns informed the Board that the funding for all Boards under consideration for consolidation have been approved for funding at 100% of the original fiscal year 2007 budget. This will mean a decrease of funding from fiscal year 2006 of \$316,517 to \$312,517. This will not be adequate funding since all employees will receive a 3% raise beginning fiscal year 2007 and reimbursement for travel has increased by 30%. Director Manns informed the Board that she is planning to go to the Controlling Board to request that the funding amount be increased at least to the original amount of \$316,517.

Director Manns informed the Board that the most frequently used forms have been reviewed and revised as needed and are now available on the web page. Director Manns added that long term plans continue for the web page.

Executive Director Manns informed the Board that she and Brian Miller had attended the Attorney General's program on the Ohio Ethics Law and that some of the information from this program was included in the Board packet.

Executive Director Manns presented her personal goals for the next 3 years to the Board members. Robert Clegg requested that Ms. Manns amend the goal to review and revise portions of the law for introduction as a legislative bill to be completed by December 31, 2006 for introduction in the Spring of 2007. The Board approved by consensus the amended document.

**Special Orders**

Director Manns presented the current version of one Board policy that outlined, in part, Board members responsibilities and, in particular, the Board members responsibilities for the annual evaluation of the executive director. After discussion,

IT WAS MOVED BY JAMES DEDARIO AND SECONDED BY DR. SUSAN BENES THAT THE BOARD APPROVE AS AMENDED THE REVISED POLICY FOR BOARD MEMBERS RESPONSIBILITIES INCLUDING THE ANNUAL EVALUATION OF THE EXECUTIVE DIRECTOR; AND FURTHER DIRECTED EXECUTIVE DIRECTOR MANN'S TO DEVELOP THE POLICY AND PROCEDURE FOR THE ANNUAL EVALUATION OF THE EXECUTIVE DIRECTOR. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Director Mann's went over the review of other items for the Procedures and Policies with the Board. After discussion,

IT WAS MOVED BY ROBERT CLEGG AND SECONDED BY OSCAR WATSON THAT THE STAFF IMPLEMENT THE POLICY TO REQUIRE LICENSEES WHOSE LICENSE HAS LAPSED TO REPORT IF THE LICENSEE HAS OR HAS NOT WORKED AS A DISPENSING OPTICIAN OR OCULARIST SINCE THE EXPIRATION OF THE LICENSE ON THE FORM APPROVED BY THE BOARD. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

IT WAS MOVED BY DR. BENES AND SECONDED BY JOE BITONTE THAT IF AN OPTICIAN OR OCULARIST RE-INSTATES A LAPSED LICENSE WITHIN 1-30 DAYS OF THE EXPIRATION DATE, THEY WILL RECEIVE A LETTER OF REPRIMAND; IF THEY REINSTATE THE LAPSED LICENSE GREATER THAN 30 DAYS AFTER THE LICENSE EXPIRES THEY WILL BE OFFERED A CONSENT AGREEMENT AND BE FINED \$250.00. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

IT WAS MOVED BY DR. BENES AND SECONDED BY ROBERT CLEGG THAT THE SAMPLE CONSENT AGREEMENT BE ACCEPTED AS AMENDED TO INDICATE IF THE INDIVIDUAL HAD BEEN WORKING AFTER THE LICENSE HAD LAPSED FOR A PHYSICIAN OR OPTOMETRIST. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

After discussion it was decided to table the apprentice registration fee for further discussion at a future Board meeting.

### **Approval of Financial Report**

IT WAS MOVED BY JIM DEDARIO AND SECONDED BY JOE BITONTE THAT THE FINANCIAL REPORT FOR THE PERIOD OF CURRENT FY 2006 BE ACCEPTED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Mr. Clegg and Dr. Benes requested that columns to indicate the "Budgeted Amount" and "Actual Amount Spent" for year to date totals be added to the report.

**Strategic Planning**

Director Manns provided information to the Board concerning a work group of Executive Directors of various regulatory Boards who have been discussing the development of a law change that would require criminal records checks for licensure. The Board agreed by consensus that this would be an appropriate licensure requirement for licensure of Opticians and Ocularists in Ohio and directed Ms. Manns to convey that to the work group.

IT WAS MOVED BY JOE BITONTE AND SECONDED BY JIM DEDARIO THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS THE APPOINTMENT OF PERSONNEL. MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE.

On Wed., April 19, 2006 @ 8:52 PM, the Board went into executive session to discuss the appointment of personnel. All visitors left the room. Board staff remained.

On Wed., April 19, 2006 at 9:16 PM the Board reconvened in open session. Joe Bitonte reported that on Wed., April 19, 2006 at 8:52 PM, the Board went into executive session to discuss the appointment of personnel.

IT WAS MOVED BY BRIAN MILLER AND SECONDED BY JIM DEDARIO THAT THE BOARD ADJORN UNTIL THURSDAY MORNING. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

The meeting was adjourned until Thursday, April 20, 2006 at 9:23 PM.

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On Thursday, April 20, 2006, at 9:05 AM. the meeting of the full Board began at 77 South High Street, East B Conference Room, 31<sup>st</sup> Floor, Columbus. President Denise Capretta called the meeting to order in open session.

**BOARD MEMBERS IN ATTENDANCE:**

Denise M. Capretta, President, , A. Joseph Bitonte ,Vice President, Robert Clegg, Treasurer, Dr. Susan C. Benes, , Dr. Todd Clark, James DeDario, Brian J Miller, Oscar J. Watson.

**STAFF MEMBERS IN ATTENDANCE:**

Nancy L. Manns, Executive Director, William Lehman, Investigator, Wilma Simmons, Secretary

President Capretta recognized members of the audience.

**Board Governance/Planning**

The floor was opened for discussion.

Director Manns once again reviewed the format of the agenda. Ms. Manns asked the Board to consider adding a standing agenda item for an open forum discussion period that would allow individuals to present information or for consideration of non-disciplinary items. This would be an opportunity for licensees, employers or other interested parties to address issues with the Board.

After discussion it was the consensus of the Board to have Director Manns make the open forum part of the agenda and to have her put together a policy on the format to conduct such open forums, and to put this information on the Board's web site.

**Continuing Education**

IT WAS MOVED BY JOE BITONTE AND SECONDED BY JIM DEDARIO THAT THE BOARD APPROVE THE BELOW CONTINUING EDUCATION PROGRAMS WITH EXCEPTIONS AS NOTED BELOW.. MOTION ADOPTED BY A VOTE OF THE BOARD MEMBERS. DENISE CAPRETTA ABSTAINED FROM THE VOTE FOR THE ROONEY OPTICAL SEMINAR.

SECO International – Atlanta, GA – February 22-26, 2006:

70 Contact Lens Hours  
64 Spectacle Hours  
24 Management Hours  
3 Ocularist Hours  
30 Spectacle/Contact Lens Hours

Submitted on time; however, the application was a piece of mail involved in a fire during transit. Office received damaged copy and contacted SECO to submit another legible copy for the Board meeting.

Cherry Optical and Transitions – Dearborn, MI – April 8, 2006 for:

10 Spectacle Hours  
11 Management Hours

PENDING RECEIPT OF EXPLANATION ON WHY SUBMISSION WAS NOT SUBMITTED 60 DAYS PRIOR TO SEMINAR DATE.

Ohio Optical Dispensers Board Meeting Minutes  
April 19-20, 2006  
Page 6

C.E.D.O. – Cleveland, OH – August 5, 2006 for:

3 Contact Lens Hours  
10 Spectacle/Contact Lens Hours  
1 Spectacle/Contact Lens/Ocularist Hours with Infectious Disease

C.E.D.O. – Dublin, OH – August 6, 2006 for:

3 Contact Lens Hours  
10 Spectacle/Contact Lens Hours  
1 Spectacle/Contact Lens/Ocularist Hours with Infectious Disease

Ohio Optometric Association – Lewis Center, OH – May 10, 2006 for:

5 Management Hours

BSM Consulting – Internet Course – Calendar Year 2006 for:

1 Spectacle Hours

Optical Training Institute – Internet Courses – Calendar Year 2006 for:

12 Spectacle Hours

Midwest Vision Congress and Expo – Rosemont, IL – May 11-13, 2006 for:

3 Contact Lens Hours  
21 Spectacle Hours  
22 Management Hours  
12 Spectacle/Contact Lens Hours  
3 Spectacle/Contact Lens/Ocularist Hours

Opticians Association Annual Convention – Independence, OH – March 4-5, 2006 for:

4 Spectacle Hours

CLSA University – Internet Courses – Calendar Year 2006 for:

- 52 Contact Lens Hours
- 1 Spectacle Hours
- 2 Management Hours
- 2 Spectacle/Contact Lens Hours
- 3 Contact Lens/Ocularist Hours
- 1 Contact Lens/Ocularist Hours with Infectious Disease

EastWest Eye Conference – Cleveland, OH – October 12-15, 2006 for:

- 7 Contact Lens Hours
- 12 Spectacle Hours – PENDING FOR OUTLINE OF COURSE
- 18 Management Hours
- 13 Spectacle/Contact Lens Hours
- 3 Spectacle/Contact Lens/Ocularist Hours

Opticians Association of Ohio – Columbus, OH – June 25, 2006 for:

- 2 Spectacle Hours
- 5 Spectacle/Contact Lens Hours

Rooney Optical, Inc. – Parma, OH – June 14, 2006 for:

- 1 Spectacle/Contact Lens Hours

Application for Continuing Education Seminar Proposal – Brian J Miller/Nancy Manns

After review of the Application for Continuing Education Seminar by Board members, it was decided by consensus to table this item until additional changes have been made and a revised form is presented at the next Board meeting.

After discussion it was the consensus of the Board to have Director Manns write up a policy for approval of seminars on blanket basis for a one year term which would be subject to approval by the Board.

Approval of Request for Waivers of Continuing Education

After review of paper files and documentation,

IT WAS MOVED BY ROBERT CLEGG AND SECONDED BY JOE BITONTE THAT THE BOARD APPROVE THE REQUEST FOR A CONTINUING EDUCATION WAIVER FOR THE YEAR OF 2005 FOR THE 2006 LICENSURE RENEWAL BASED ON DOCUMENTED HARDSHIP FOR GARY VANN, LICENSE NUMBER 2529 S/C.

After review of paper file and documentation,

IT WAS MOVED BY JOE BITONTE AND SECONDED BY ROBERT CLEGG THAT THE BOARD APPROVE THE REQUEST FOR A CONTINUING EDUCATION WAIVER FOR THE YEAR OF 2005 FOR THE 2006 LICENSURE RENEWAL BASED ON DOCUMENTED HARDSHIP FOR DONNA ROSENBERGER, LICENSE NUMBER 1943 S/C.

#### Policy Discussion

After discussion it was the consensus of the Board that the previous policy which allowed staff to automatically send licensure renewal extension letters be rescinded and that all requests for extensions be reviewed by the Board on an individual basis. It was also decided that all requests for extensions be submitted within 90 days prior to the expiration date. All licenses will lapse on January 1 of each year and licensees shall not work until all requirements for licensure are met.

#### Approval of Licenses

After review of applications by Board members,

IT WAS MOVED BY JAMES DEDARIO AND SECONDED BY JOE BITONTE THAT THE BOARD APPROVE FOR LICENSURE THE APPLICANTS LISTED ON ADDENDUM 1.0. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

After review of documentation and discussion,

IT WAS MOVED BY JAMES DEDARIO AND SECONDED BY JOE BITONTE THAT THE BOARD ACCEPT THE OPTOMETRIC EXPERIENCE OF DR. EDWARD DORAN, OD AS EQUIVALENT TO THE TWO YEAR APPRENTICESHIP REQUIRED FOR LICENSURES AS A LICENSED DISPENSING OPTICIAN.

After additional discussion:

MOTION WITHDRAWN WAITING FOR VERIFICATION OF MR. DORAN'S LICENSE STATUS.

After verification with the Ohio Optometry Board that Dr. Doran had a current license as an Optometrist in Pennsylvania,

IT WAS MOVED BY JAMES DEDARIO AND SECONDED BY JOE BITONTE THAT THE BOARD OFFICE SEND A LETTER TO DENY LICENSURE TO MR. DORAN AND TO ADVISE HIM TO APPLY TO THE OPTOMETRY BOARD FOR LICENSURE AS AN OPTOMETRIST.

MOTION WITHDRAWN AFTER DISCUSSION.

After additional discussion,

IT WAS MOVED BY JAMES DEDARIO AND SECONDED BY JOE BITONTE THAT THE BOARD ACCEPT THE OPTOMETRIC EXPERIENCE OF DR. EDWARD DORAN, OD AS EQUIVALENT TO THE TWO YEAR APPRENTICESHIP REQUIRED FOR LICENSURES AS A LICENSED DISPENSING OPTICIAN.

#### AAG Report

IT WAS MOVED BY JOE BITONTE AND SECONDED BY JIM DEDARIO THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION. MOTION ADOPTED BY UNANIMOUS ROLL CALL VOTE.

On Thursday, April 20, 2006 at 11:50 AM, the Board went into executive session to discuss pending litigation. All visitors left the room. Board staff remained.

On Thursday, April 20, 2006 at 12:15 PM the Board reconvened in open session. Joe Bitonte reported that on Thursday, April 20, 2006 11:50 AM, the Board went into executive session to discuss pending litigation.

#### Investigator's Report

Investigator Lehman gave a progress report to the Board members regarding all open cases. Investigator Lehman informed the Board that if a Board member confirms via physically visiting or phoning a store to confirm the illegal dispensing of contact lenses, Mr. Lehman, based on the Board members report, could send a formal "Cease and Desist" notice. In addition, Mr. Lehman would need to be provided with the entity's business name and the address. Calls from non-Board members would be considered as a formal complaint to be investigated by the Board staff.

After discussion;

IT WAS MOVED BY BRIAN MILLER AND SECONDED BY JAMES DEDARIO THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR MICHELLE TUCKER, #4619-S.

New Business

Director Manns discussed the possibility of taking a tour of the Capitol State House after the Board meeting in June. It was the consensus of the Board to have Director Manns make the necessary arrangements for this tour for Thursday afternoon following the June Board meeting.

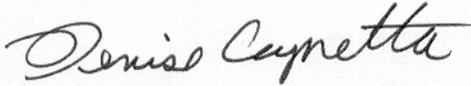
After discussion regarding whether an Optometrist could perform Ocularistry as part of the Optometrist's practice, it was the consensus of the Board that if the Optometrist could document the knowledge, skills and education required, the Optometrist should be able to include Ocularistry within the Optometrist's practice. Director Manns was directed by the Board to gather information concerning this question and bring it to the June 2006 Board meeting.

Signing of Licenses

After review of documents and discussion,

IT WAS MOVED BY JOE BITONTE AND SECONDED BY DR. BENES THAT THE BOARD APPROVE THE USE OF THE ELECTRONIC SIGNATURES OF BOARD MEMBERS FOR SIGNATURE OF WALL CERTIFICATES FOR THOSE INDIVIDUALS WHO HAVE BEEN APPROVED FOR LICENSURE AS A LICENSED DISPENSING OPTICIAN/OCULARIST. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

**ATTESTED:**



**PRESIDENT, DENISE CAPRETTA**



**EXECUTIVE DIRECTOR, NANCY MANNNS**

## ODB - Pending Applicants - All others

## ADDENDUM 1.0

### Report Parameters

Board = ODB

Credential prefix = S

Report generated on 4/19/2006 at 2:51:12 PM

<b>name</b>	<b>address1</b>	<b>address2</b>	<b>city</b>	<b>statecode</b>	<b>zipcode</b>
Stephanie L. Bostater	444 Oakwood Avenue		Bryan	OH	43506
Jennifer L. Breckenridge	3565 Paxton Drive		Hilliard	OH	43026
Brittany A. Bush	650 Straub Road Apt 208		Mansfield	OH	44904
Lori M. Clapper	496 Fairford Court		Westerville	OH	43081
Teresa D. Davis	2008 36th Street Apt D		Parkersburg	WV	26104
Derek M. Deneke	278 North Hawkins Avenue		Akron	OH	44313
Sharian C. Dixon	8016 Truman Trail		Reynoldsburg	OH	43068
Mary Lou Held	901 Wesley Avenue		Bryan	OH	43506
Michelle E. Hernandez	7747 Lupine Drive		Blacklick	OH	43004
Jodi L. Marten	1014 1/2 West Washington Street		Sandusky	OH	44870
Kimberly B. Metter	2422 Hemphill Road		Kettering	OH	45440
Diana Lee Pica	1689 Tanglewood Drive		Akron	OH	44313
Julie A. Pickens	1356 Tera Alta Road		Columbus	OH	43207
Natasa Pupovac	5556 Broadview Road Apt 3325		Parma	OH	44134
Jonathon E. Runcan	1141 East Shawnee Terrace		Youngstown	OH	44511
Alan J. Sewell	257 Jefferson Street		Youngstown	OH	44510
Kristin E. Turski	6088 Greene Drive		Brook Park	OH	44142

## ODB - Pending Applicants - Reciprocity

### ADDENDUM 1.0

#### Report Parameters

Board = ODB  
Credential prefix = SC

Report generated on 4/19/2006 at 2:47:12 PM

<b>name</b>	<b>address1</b>	<b>address2</b>	<b>city</b>	<b>statecode</b>	<b>zipcode</b>
Richard D. Hollins	1518 County Farm Road		London	KY	40741
Edgar L. Reed, III	7509 Mitchell Ranch Road		New Port Richey	FL	34655
Larry S. Wills	3532 Morrow Street		New Port Richey	FL	34655