



## **OHIO OPTICAL DISPENSERS BOARD**

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### **MINUTES OF MEETING** **JUNE 21-22, 2006**

#### **REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD JUNE 21-22, 2006**

The meeting of the Ohio Optical Dispensers Board (Board) began on Wednesday, June 21, 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, Michael W. Hall, Brian J Miller, Oscar J. Watson

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

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

#### **ADMINISTRATIVE MATTERS**

##### Ordering of the Agenda

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

IT WAS MOVED BY ROBERT CLEGG AND SECONDED BY DR. CLARK THAT THE AGENDA FOR THE JUNE 21-22, 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 welcomed new Board member Michael Hall and congratulated him on his recent appointment to the Board.

President Capretta informed the Board that she thought that Ms. Manns' article in the Opticians Association of Ohio's newsletter was very informative and that the information was presented in an appropriate layout.

Approval of Minutes

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

Executive Director's Report

Executive Director Manns informed the Board that she has been attending meetings on the Pandemic Bird Flu and that a draft copy of the plan she had developed for our Board had been sent to them in the Board packet.

Director Manns informed the Board that she has been also attending meetings for the development of the budget for FYs 08/09. Director Manns informed the Board that she has been working on an appeal to the controlling board for the \$3000.00 that was not appropriated for FY 07 and that she would be requesting an additional amount to cover the 3% increase in wages and the 30% increase in travel reimbursement.

Director Manns informed the Board that the new wall certificates have been sent out to those Opticians whose applications had been approved at the April Board meeting. Director Manns also informed the Board that a memo had been sent to regional managers of the larger chains regarding the display of the license only in places of employment. Mark Bennett of the OAO has also agreed to publish this memo in the OAO newsletter and Investigator Lehman has hand carried the memo to several places during site visits.

Executive Director Manns informed the Board that more items have been added to the web page and that we will be looking at how it can be organized to improve ease of use.

Director Manns informed the Board that we have received final quotes on the office renovation and funds have been encumbered for the project.

Executive Director Manns presented her revised personal goals for the next 3 years to the Board members.

**Special Orders**

Director Manns presented the policy for disclosure of working without a license for the Board to review. After discussion,

IT WAS MOVED BY BRIAN MILLER AND SECONDED BY MICHAEL HALL THAT THE BOARD APPROVE AS AMENDED THE POLICY FOR REVIEW OF DISCIPLINARY CASES WHICH OUTLINES THE PROCEDURE FOR THE USE OF CONSENT AGREEMENTS FOR INDIVIDUALS WHO HAVE WORKED FOR MORE THAN ONE MONTH OR LONGER WITHOUT A CURRENT VALID LICENSE. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Director Manns presented the policy for public participation at Board meetings. After discussion,

IT WAS MOVED BY DR. BENES AND SECONDED BY MICHAEL HALL THAT THE BOARD APPROVE THE POLICY FOR PUBLIC PARTICIPATION AT BOARD MEETINGS AND LIMIT THE TIME TO TEN MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

IT WAS MOVED BY MICHAEL HALL AND SECONDED BY DR. BENES THAT THE BOARD AMEND THE ABOVE MOTION TO INCLUDE THE WORDING IN (B)(1) PRIOR TO THE BOARD MEETING AND IN (1)(a) ADD "AND STATE TOPIC" TO THE POLICY FOR PUBLIC PARTICIPATION AT BOARD MEETINGS ALONG WITH LIMITING THE TIME TO TEN MINUTES. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Director Manns presented the policy for the annual evaluation of the Executive Director. After discussion,

IT WAS MOVED BY DR. BENES AND SECONDED BY BOB CLEGG THAT THE BOARD APPROVE THE POLICY FOR THE ANNUAL EVALUATION OF THE EXECUTIVE DIRECTOR. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Director Manns presented the policy for Board recommendations to the Governor for future appointments. After discussion,

IT WAS MOVED BY BRIAN MILLER AND SECONDED BY DR. BENES THAT THE BOARD APPROVE AS AMENDED THE POLICY FOR BOARD RECOMMENDATIONS TO THE GOVERNOR FOR FUTURE APPOINTMENTS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Director Manns presented the policy for approval of continuing education and the approval letter. After discussion,

IT WAS MOVED BY DR. CLARK AND SECONDED BY OSCAR WATSON THAT THE BOARD TABLE THE POLICY FOR APPROVAL OF CONTINUING EDUCATION AND THE APPROVAL LETTER UNTIL THE NEXT BOARD MEETING IN AUGUST.

#### **Approval of Financial Report**

IT WAS MOVED BY MICHAEL HALL AND SECONDED BY DR. BENES THAT THE FINANCIAL REPORT FOR THE PERIOD OF CURRENT FY 2006 BE ACCEPTED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

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

The Application for Continuing Education Seminar was reviewed by the Board. After discussion,

IT WAS MOVED BY JOE BITONTE AND SECONDED BY DR. BENES THAT THE BOARD APPROVE THE CONTINUING EDUCATION APPROVAL APPLICATION. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

#### **Policy Discussion**

After discussion, it was the consensus of the Board that the Board staff research language that would allow for a one time waiver of continuing education. The one-time only waiver would not require explanation for the waiver. The topic is to be place on the August Board meeting agenda.

IT WAS MOVED BY BRIAN MILLER AND SECONDED BY DR. BENES THAT THE BOARD TABLE THE POLICY REGARDING THE BOARD GRANTING EXTENSIONS/WAIVERS FOR CONTINUING EDUCATION UNTIL AFTER A DISCUSSION COULD BE HAD WITH THE ASSISTANT ATTORNEY GENERAL AT THE THURSDAY MORNING MEETING . MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS

IT WAS MOVED BY BOB CLEGG AND SECONDED BY MICHAEL HALL THAT THE BOARD ADJORN UNTIL THURSDAY MORNING. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

The meeting was adjourned until Thursday, June 22, 2006 at 9:25 PM.

On Thursday, June 22, 2006, at 9:00 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, Michael Hall, Brian J Miller, Oscar J. Watson.

**STAFF MEMBERS IN ATTENDANCE:**

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

President Capretta recognized members of the audience.

**Continuing Education**

IT WAS MOVED BY JOE BITONTE AND SECONDED BY BRIAN MILLER THAT THE BOARD APPROVE THE CONTINUING EDUCATION PROGRAMS WITH THE APPROVED HOURS AS LISTED BELOW. MOTION ADOPTED BY A VOTE OF THE BOARD MEMBERS. DENISE CAPRETТА ABSTAINED FROM THE VOTE FOR THE ROONEY OPTICAL SEMINAR.

CLAS University– Internet Courses – Calendar Year 2006 for:

6 Contact Lens Hours

Rooney Optical – Oberlin, OH – July 27, 2006 for:

1 Spectacle/Contact Lens Hours  
1 Management Hours

Costsco – Orlando, FL – October 3 - 5, 2006 for:

4 Contact Lens Hours  
2 Spectacle Lens Hours

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

10 Contact Lens Hours  
4 Spectacle Lens Hours

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

10 Contact Lens Hours  
4 Spectacle Lens Hours

Opticians Association of America – August 4 - 6, 2006 for:

16 Contact Lens Hours  
28 Spectacle Hours  
5 Management Hours  
1 Spectacle/Contact Lens/Ocularist Hours with Infectious Disease

Opticians Association of Ohio – Cincinnati Div. – September 17, 2006 for:

4 Contact Lens Hours  
3 Spectacle Hours  
2 Spectacle/Contact Lens Hours

Investigator's Report

Investigator Lehman presented a progress report to the Board members regarding all open cases Mr. Lehman provided an article on the new federal crackdown on online lens sellers for the Board to review.

Approval of Licenses

After review of applications by Board members,

IT WAS MOVED BY MICHAEL HALL 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.

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After review of documentation and discussion,

IT WAS MOVED BY JOE BITONTE AND SECONDED BY DR. CLARK THAT THE BOARD ACCEPT THE 15 MONTHS OF APPRENTICE EXPERIENCE FOR TAMMY SHUTTLEWORTH GAINED ON A MILITARY INSTALLATION IN THE STATE OF WASHINGTON WHILE WORKING UNDER AN OPTICIAN LICENSED IN WASHINGTON. THE 15 MONTHS OF WORK EXPERIENCE MAY BE APPLIED TOWARDS THE 24 MONTH REQUIREMENT FOR LICENSURE. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

New Business

Brian Miller reported that an optician had contacted him and questioned whether an optician would be in violation of the law for filling prescriptions not signed by the doctor.

After discussion, it was the consensus of the Board that Mr. Miller get more information from the optician and bring this back to the August Board meeting.

Joe Bitonte and Brian Miller provided personal information to the Board regarding prior Board members.

President Capretta discussed the reviewing of license applications with the Board and suggested that the Board allow the Board staff to review and issue licenses prior to review by Board members in order to avoid delay issuing licenses between Board meetings. These applications would then be retroactively approved by the Board at the next Board meeting. After discussion, it was the consensus of the Board that the Board continue to review license applications prior to issuing the license.

President Capretta informed the Board that the National Convention would be held in conjunction with the South East Opticians Conference in Atlanta, GA on August 3-6, 2006. President Capretta stated that the Board normally sent the President and one other person to the National Convention.

After discussion;

IT WAS MOVED BY DR. BENES AND SECONDED BY JOE BITONTE THAT THE BOARD SEND PRESIDENT CAPRETTE AND ONE OTHER BOARD MEMBER TO THE CONVENTION IN ATLANTA, GA IN AUGUST AND TO HAVE THEIR EXPENSES PAID BY THE BOARD. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

After further discussion;

IT WAS MOVED BY DR. BENES AND SECONDED BY OSCAR WATSON THAT THE ABOVE MOTION BE AMENDED TO SEND TWO PEOPLE TO THE LEADERSHIP CONFERENCE THAT WAS TO BE HELD AT A LATER. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS.

Ms. Manns was directed by the Board to research dates for the upcoming program.

President Capretta suggested that the Board re-visit the topic of the new policy regarding the granting of extensions and or waivers for continuing education.

After discussion, it was decided to leave this item tabled and to look into a one time waiver clause.

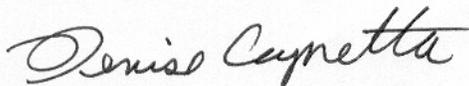
President Capretta welcomed and introduced the new Assistant Attorney General, P. R. Casey, to the Board.

### **Strategic Planning**

Director Manns went over the potential law changes with the Board. After discussion, it was the consensus of the Board that the Board's top priority should be to clarify the definition of "Optical Aid". It was decided to have Director Manns and Director Mark Bennett of the Opticians Association of Ohio (OAO) work with members of the OAO to draft language for review by the Board. Director Manns was directed to send the proposed language to the Board for review prior to the August Board meeting.

The meeting was adjourned at 12:15 PM.

**ATTESTED:**



**PRESIDENT, DENISE CAPRETТА**



**EXECUTIVE DIRECTOR, NANCY MANNNS**

**ODB - Pending Applicants - Spectacle Only**

**Report Parameters**

Board = ODB  
Credential prefix = S

Report generated on 6/21/2006 at 8:21:39 AM

| <b>name</b>         | <b>address1</b>                | <b>address2</b> | <b>city</b> | <b>statecode</b> | <b>zipcode</b> |
|---------------------|--------------------------------|-----------------|-------------|------------------|----------------|
| Kurt M. Downing     | 5387 Harvest Street            |                 | Dublin      | OH               | 43017          |
| Kathleen Ann Frost  | 1323 West 7th Avenue Apt C     |                 | Columbus    | OH               | 43212          |
| Ryan D. Hodges      | 1201 Patchen Avenue SE         |                 | Warren      | OH               | 44484          |
| Christina J. Ireton | 408 Belleaire Avenue           |                 | Springfield | OH               | 45503          |
| Denise M. Marion    | 625 Circlewood Drive           |                 | Aurora      | OH               | 44202          |
| Tho K. Pham         | 1518 1/2 West Lexington Street |                 | Baltimore   | MD               | 21223          |

**ODB - Pending Applicants - Spectacle/Contact Lens**

**Report Parameters**

Board = ODB  
Credential prefix = SC

Report generated on 6/21/2006 at 8:27:35 AM

| <b>name</b>           | <b>address1</b>           | <b>address2</b> | <b>city</b> | <b>statecode</b> | <b>zipcode</b> |
|-----------------------|---------------------------|-----------------|-------------|------------------|----------------|
| Sherry Elaine Carroll | 19405 Kalklosch Road      |                 | Logan       | OH               | 43138          |
| Robert H. Davison     | 27035 Oakmead Drive Apt 2 |                 | Perrysburg  | OH               | 43551          |