OREGON BOARD OF OPTOMETRY

PUBLIC SESSION MINUTES
April 1, 2005

Present - John P. Reslock, O.D., President
Candace D. Hamel, O.D., Vice President
Michelle M. Monkman , O.D.
John M. Doneth, CFP, Public Member

David W. Plunkett, Executive Director
Cathy M. Boudreau, Administrative Assistant
Lori H. Lindley, Assistant Attorney General

CALL TO ORDER -

Dr. Reslock called the meeting to order at 8:31 a.m. in the second floor conference room at 3218 Pringle Rd. SE, Salem, OR., 97302. Scott Walters, O.D. was not present due to illness. The Board immediately adjourned to Executive Session for the purpose of discussing complaint cases. The Public Session was reconvened at 12:46 p.m.

MINUTES - The Board reviewed the Public Session minutes of January 7, 2005. The minutes were approved as presented.

RATIFICATION -

Reactivation and Reinstatements:

- Reactivation of license from Inactive to Active: Chad Burton, O.D.
- Reactivation of license from Inactive to Active: Donalyn Ramones, O.D.
- Reactivation of license from Inactive to Active: Susan Littlefield, O.D.
- Reactivation of license from Inactive-Military to Active: Cameron R. VanRockel, O.D.
- Reinstatement of license to Inactive status: Jin Jin Li, O.D.
- Reinstatement of license to Inactive status: Susan Littlefield, O.D.
- Reinstatement of license to Inactive status: Rudolfo Nicacio, O.D.

Candidates for Examination and Licensure -

The optometrists listed in Exhibit A met all the requirements for licensure and were approved by the Executive Director since the last Board meeting. The names of the candidates were read into the meeting record. Dr. Hamel moved to ratify the actions of the Executive Director. Dr. Monkman seconded the motion. The motion carried unanimously.

ACTION ON EXECUTIVE SESSION

04-06-05
04-06-06 - The Board will write a letter stating after thoroughly reconsidering all the records, including the dates and details on her SAIF claim, the Board has no reason to change their position. These cases will remain open.

04-09-03 - The doctor has indicated that he will make a maximum of four payments to pay off the fees assessed by the Board. This case will be closed and monitored until the fine is paid in full.

04-09-04 - A Final Order by Default was sent to the doctor on February 23, 2005. In order to try to recover the civil penalties in this case, the Board will refer this case to the Department of Revenue for collection against any tax return the doctor may file. This case will be closed

04-10-02 - A letter was sent to the complainant on February 16, 2005 regarding the Board's determination in this case. There has been no response. This case will be closed

04-10-04 - A letter was sent to the complainant on February 17, 2005 regarding the Board's determination in this case. There has been no response. This case will be closed

04-11-01 - A letter was sent to the doctor on February 17, 2005 regarding the Board's determination in this case. There has been no response. This case will be closed

04-12-01 - Dr. Hamel moved that the Board issue a Final Order by default, including a $10,000 civil penalty. The order will be sent by certified mail to the last known address of record. If it is returned an attempt will be made to locate him via DMV search so that another service may be made. Dr. Monkman seconded the motion. The motion carried unanimously. This case will remain open.

04-12-03 - A letter was written to the doctor and to the Costco pharmacy regarding the Board's determination in this case. This case will be closed

04-12-02 - Two attempts have been made to obtain details from the complainant in this case. Since no details have been furnished, this case will be closed.

00-07-02
01-09-05
01-10-03
02-05-03 - Dr. Hamel moved that the Board issued a Notice of Intent to Impose Discipline for unprofessional conduct, specifically for agreeing to comply with the Board's recommendations and then not following through with his agreement, and failure to respond to the Board. The counciling previously agreed to must be completed no later that October, 2005, or until released by the psychologist. Mr. Doneth seconded the motion. The motion carried unanimously.

03-01-02 - Because the doctor in this case has done all that the Board has requested, the Board will send a letter indicating that the records are much improved, and they will discontinue monitoring the case.

Dr. Hamel moved that the Board approve all the above-referenced actions recommended from Executive Session. Dr. Monkman seconded the motion. The motion carried unanimously.

CORRESPONDENCE - The Board reviewed the applications for licensure by endorsement from Dirk Dittemore, O.D., Salisa Williams, O.D., and Steven Arnquist, O.D. They reviewed each case and determined that the examinations the doctors passed in their original states of licensure were equivalent to the Oregon exam in the same years. Dr. Monkman moved to grant licenses to these candidates. John Doneth seconded the motion. The motion carried unanimously. Dr. Reslock suggested that a board member review these applications in the future prior to the meeting to make recommendations to the Board. He then appointed Dr. Walters as the Board reviewer.

The Board discussed a communication from John Boyer, O.D. regarding video magnification devices. The Board understands the doctor's point, but feels that the implications are too broad to be reasonable. Dr. Monkman pointed out that magnifying glasses would be included in Dr. Boyer's suggestion. Dr. Hamel will draft a letter to the doctor communicating the Board's position..

The Board reviewed an Arizona Pharmaceutical Course to determine whether it is equivalent to the coursework required for nontopical certification in Oregon. In the Board's estimation, this coursework is not equivalent to the Oregon requirements. In light of this assessment, the Board reviewed a petition from Chad Burton, O.D. regarding nontopical pharmaceutical certification based on this coursework. The Board will deny his petition.

The Board received a letter from J. Randall Pittman, O.D. requesting that the Board endorse his prior training and experience in TPA's as meeting Oregon's requirements. Dr. Pittman may be certified because the Board has previously dropped the 5 year expiration date for TPA courses in certification applications for inactive licensees. The current rule requires a 100 hour course or the TMOD and continuous TPA practice in their state. A letter will be sent to Dr. Pittman.

The Board discussed a communication from Ken Eakland, O.D. at PUCO concerning approval of the telemedicine CE concept for Oregon optometric physicians. Dr. Reslock and Monkman think that is a worthy concept. The consensus of the Board is that they and would look favorably on the concept.

PRESIDENT'S REPORT -

Dr. Reslock presented a communication from Leland Carr, O.D. at PUCO concerning approval of the College of Optometry's course work meeting Oregon's nontopical TPA requirements. In addition, Dr. Reslock recommended that the Board grant AT certification to Deepa Chandrasekaran, O.D. based on her completion of the PUCO course. Dr. Monkman moved that the Board approve the Coursework as meeting the lab requirements for AT certification. Mr. Doneth seconded the motion. The motion carried unanimously.

EXECUTIVE DIRECTOR'S REPORT -

Accounting/Budgeting: Mr. Plunkett reviewed the current financial reports covering the period from July 1, 2003 through January 31, 2005 with the Board. He reported that the overall revenue is $4,284.00 over budget. Expenses are $17,975.00 under budget. The Board's budget is currently $22,259.00 to the good. Dr. Hamel suggested that the loan receivable should include interest that will be due. Payment is due in June.

Board Activities Report: Mr. Plunkett reviewed the report ending in February. Complaints have been down since the beginning of 2005. The first complaint came in at the end of March.

Board Facilities: Mr. Plunkett reported to the Board that staff will be moving the Board office at the end of June barring any unforeseen circumstances

COMMITTEE REPORTS -

Continuing Optometric Education: Dr. Monkman moved to ratify the continuing optometric education courses approved since the last Board meeting, including designation of acceptable TMOD offerings. Dr. Hamel seconded the motion. The motion carried unanimously.

Budget Committee: Dr. Reslock presented and the Board considered the proposed 2005-2007 Biennium Budget. It was noted that the majority of the changes and increases are due to employee costs. The Board discussed the proposed budget and asked for clarification on some points. Dr. Reslock proposed that the Board raise the license portion of the renewal fee from $185 to $210 for one year beginning July1, 2005. He suggested a second increase to $235 in the next year. There will be a deficit of $30,000.00 if the fees remain at $210 for both years of the biennium. Dr. Walters left a message by voice mail that he would be in favor of the a proposal to raise fees to reduce the deficit. Dr. Hamel indicated that she is in favor of a balanced budget . Dr. Monkman would like a balance budget, but thinks that licensees will balk, and so would like to do a modified step up such as in Dr. Reslock's proposal.

Dr. Hamel moved that the Board move forward with the proposed budget of $553, 724, including the step increases in renewal fees, for the 2003-2005 biennium. Dr. Reslock suggested that the Board reinstate an increase to Mr. Plunkett compensation package which he had eliminated prior to the proposed step increase in fees. John Doneth seconded the motions. The motion carried unanimously.

Legislative Committee: Dr. Hamel reported that SB 405 should be moved to the Senate floor for a vote on Monday, April 4, 2005. HB 2099 should be moved to a work session thanks to the efforts of the OOPA president Ann Easly-Debisshop, O.D..

Ms. Lindley reported to the Board regarding several State Bar bills that will affect boards. Mr Plunkett noted that there are many costly bills that have been introduced such as HB 2003 which will impact all rule writing.

Administrative Rules Committee: The Board adjourned the Public Session at 2:18 p.m. for an Administrative Rule hearing. The public session was reconvened at 2:22 p.m. Dr. Monkman moved that OAR 852-20-035, 852-50-021, and 852-80-040 be adopted as written. Dr. Hamel seconded the motion. The motion carried unanimously.

ADJOURNMENT -

There was no further business to come before the Board. President Reslock adjourned the meeting at 2:23 p.m.

Prepared by,

Catherine M. Boudreau
Administrative Assistant

Reviewed by:

David W. Plunkett
Executive Director