

OREGON BOARD OF OPTOMETRY

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Joan P. Miller, OD, President (Hillsboro) Candace D. Hamel, OD, Vice President (Estacada)
John P. Reslock, OD (Myrtle Point) Scott M. Walters, OD (Grants Pass)
John M. Doneth, CFP, Public Member (Keizer)

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Board Member Changes

The Board will say farewell in December, 2003 to Joan P. Miller, O.D., current President and member since 1991. Dr. Miller has served the Board, the profession, and the public trust with dedication and will be missed by the Board.

The Governor has appointed and the Board welcomes a new member, Michelle M. Monkman, O.D., of Pendleton, OR., who will begin her tenure January 1, 2004. At the same time, John P. Reslock, O.D., of Myrtle Point, will assume the office of President of the Board.

The other current members of the Board are Candace D. Hamel, O.D., Vice-President, of Estacada, Scott M. Walters, O.D., of Grants Pass, and John M. Doneth, CFP, Public Member, of Keizer.

!! Important !! Continuing Education Rule Changes

In September of this year, the Board adopted changes to OAR 852-70 which will affect all active status licensees in Oregon. Beginning with the 2004 renewal, the number of hours of Continuing Optometric Education which must be reported as a condition of renewal will increase to 18 per year. Of the 18, 9 must be in the area of the treatment and management of ocular disease. As many as 9 may be outside of a classroom environment, including approved video, internet and correspondence courses. Five hours may be obtained by observing procedures at one of the Board-approved surgical facilities in Oregon. Beginning with the 2005 renewal, 1 hour must be in the area of ethics or Oregon Law and Administrative

Rules. This hour will be required every other year. The Board will ensure that sufficient courses are available in these areas.

Nontopical TPA Update

To date, 386 optometrists have taken coursework toward certification to use, administer and prescribe the agents on the nontopical formulary. One hundred eighty six of those have completed the certification process.

The Oregon Optometric Physicians Association is sponsoring the required coursework for certification in conjunction with Pacific University College of Optometry. An injection lab is scheduled to be held on Sunday, February 22, 2004 in Tigard at the Embassy Suites Hotel. The registration form for the workshop can be found at the O O P A website at www.oregonoptometry.org. There are no plans to present the 23 hour didactic course again. Doctors who need to satisfy the requirement that was filled by that course may take the Treatment and Management of Ocular Disease portion of the NBEO examination. A passing score on

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the 2002 or later exam will substitute for the didactic course.

OAR 852-10-002 Defines Contact Lens Prescription

Optometric physicians should review Oar 852-10-002(8)(e) to ensure that their contact lens prescriptions meet these standards. It is not only important that the prescription itself meets the criteria but that all contact lens related forms used in the office comply with Oregon Revised Statutes and Administrative Rules.

A written contact lens prescription must be released to a patient when the patient has completed a reasonable and clinically-prudent trial period and the optometric physician is clinically willing to order contact lenses for a patient. All contact lens prescriptions must be written so that they can be filled by the office or outlet of the patient's choice. Branded lenses - those lenses with names associated with only one office or group of offices - are not acceptable.

It is wise for OD's to use clear and concise language in contact lens related materials so patients are aware of what is included or not included and the costs associated with various options so that the patient's expectations match those of the doctor. Having the patient read and sign the document prior to fitting is also recommended because it helps reinforce the safety and health aspects of contact lens wear. Patients can be unaware of the need for careful evaluation and additional testing

when fitting contact lenses; this information gives them more understanding of the costs when fitting lenses and why a contact lens fitting is different than a routine eye exam.

A very good example of a contact lens document is available from the American Optometric Association. Their web address is www.aoanet.org.

From the Executive Director

David Plunkett

This past legislative session, for the first time that I'm aware of, there was serious discussion in the legislature about transferring "other funds" money to the state's "general fund". All of the Oregon Board of Optometry money is in "other funds", as well as that of other professional licensing boards. The Board's money is currently restricted in its use by statute and may only be used by the Board for carrying out the purposes of the optometry statutes.

In order for the state to access any of the Board's "other funds" the legislature would need to revise the optometry statutes to permit it. The Oregon Board of Optometry, as well as the other professional licensing boards, are adamantly against allowing "other funds" to be transferred to the state's "general fund" to be used for funding state programs. This would be a roundabout way of

imposing special taxing on Oregon's professionals.

This Board constantly strives to keep the fees we charge optometric physicians at the lowest rate possible and still allow the Board to perform its mission. We receive no tax dollars - - - our operations are supported entirely by our fees.

It is our understanding that this "other funds" issue has not gone away and the next legislative session may once again have this issue on the table for consideration. If the legislature enacted revised legislation permitting "other funds" to be transferred to the state's "general fund", your license renewal fees would have to be increased by that amount of money or the Board could not continue to operate. Should you be concerned about this issue? Yes. What can you do about it? Let your legislative representatives know how you feel about this issue. That is the way to insure that your voice will be heard by the individuals who make the laws. You can find out who your legislative representatives are and obtain information about them from the Oregon legislative website at www.leg.state.or.us.

The Oregon Board of Optometry has been the leader in the semi-independence movement for boards in Oregon over the past decade. At the October regional meeting of ARBO (Association of Regulatory Boards of Optometry) we were told that Oregon and North Carolina have the two best organizational structures for boards of optometry in the

country. The semi-independent state agency model has proven over the past six plus years that we are able to operate more effectively. There are now a dozen semi-independent boards/agencies in Oregon. Most professional licensing boards that aren't now semi-independent are hopeful that legislation will be enacted for them in the near future.

There is some movement now in other states to allow semi-independent professional licensing boards. It is my understanding that there are now two other state boards of architecture and one board of accountancy that are semi-independent. Also, health related boards in Minnesota are now considering organizational structure changes. Until recently, the nationwide trend has been just the opposite of semi-independence - - - the consolidation of boards into large bureaucratic agencies. This has been done under the guise of economies of scale and efficiency. The reality of these consolidations is that the bureaucracy becomes large and more expensive than before and that service to their licensees, their profession, and other stakeholders becomes negatively impacted.

New Website Information

Information regarding the recent changes to the continuing education rules are currently posted on the Board's website at www.obo.state.or.us. Visit the "Continuing Education Requirements" link.

The Board welcomes suggestions for additions or improvements to the webpage.

Investigation Activities

In the second and third quarters of 2003, The Board reviewed 24 cases. They resolved and closed 17 of these. One licensee was sanctioned for the following violations:

→ Lindsay C. Clunes, O.D.,
Stipulated Final Order -
For violations of ORS683.140(1)-
Conviction of A Felony or
Misdemeanor, ORS683.140(3)-
Unprofessional Conduct, or gross
ignorance or inefficiency in the
profession; and OAR852-10-028,
852-10-051(1) and 852-10-
027(15) - licensee must pass the
Oregon Optometry Law and
Administrative Rules Exam,
complete an 8 hour
recordkeeping course, furnish
personal medical records, and
pay a \$5,000 civil penalty. In
addition, the licensee is on
probation for a period of two
years, and must pass Part III of
the NBEO examination and the
TMOD. He must provide copies
of records for his diabetic
patients to the Board within 14
days of treatment of these
patients.

REPORT OF BOARD ACTIVITIES

JANUARY 2003 through NOVEMBER 2003

LICENSING ACTIVITIES:	
ACTIVE LICENSEES	658
ACTIVE A TPA	186
ACTIVE TPA	454
ACTIVE DPA (ONLY)	18
ACTIVE NO TPA/DPA	0
INACTIVE/MILITARY LICENSEES	569
INACTIVE/MILITARY TPA	304
INACTIVE/MILITARY DPA (ONLY)	224
INACTIVE/MILITARY NO TPA/DPA	41
TOTAL LICENSEES	1227
OTHER ACTIVITIES:	
APPLICATIONS FOR LICENSE RECEIVED	48
NEW LICENSES ISSUED	54
BY EXAMINATION	45
BY ENDORSEMENT	10
REACTIVATIONS/REINSTATEMENTS OF LICENSE	4
TPA CERTIFICATIONS	3
ACTIVE LICENSEES	2
INACTIVE LICENSEES/MILITARY	1
LICENSE VERIFICATIONS COMPLETED	72
CE COURSES APPROVED/ENTERED	91
BOARD MEETING DAYS	4
COMPLAINTS:	
INFORMAL COMPLAINTS HANDLED BY STAFF	65
NEW FORMAL COMPLAINTS RECEIVED BY STAFF	23
FORMAL COMPLAINTS REVIEWED BY BOARD	62
NEW COMPLAINTS REVIEWED BY BOARD	10
COMPLAINTS RESOLVED AND CLOSED BY BOARD	23
DISCIPLINARY ACTION	2
NO DISCIPLINARY ACTION	12