

**GEORGIA STATE BOARD OF DISPENSING OPTICIANS
BOARD MEETING MINUTES FOR NOVEMBER 15, 2006**

A meeting of the Georgia State Board of Dispensing Opticians was held on Wednesday, November 15, 2006, in Room 107 of the office of the Secretary of State at the Professional Licensing Boards' Office at 237 Coliseum Drive in Macon, Georgia.

The following Board members were present:

Glenn Morris, Chairman, Steve Sanford, Vice Chair, Dave Meldrum, and Thomas Schulz

Staff Members Present:

Brig Zimmerman, Executive Director, Amanda Allen, Board Secretary, Wylencia Monroe, Board Attorney

Guests In Attendance: Georgianne Bearden, GA Optometric Association, Jackie Isaac, Wal-Mart Optical Division, Donna Buck, Wal-Mart Optical Division

Absent from meeting: Diane Drake, Cognizant

Mr. Morris established that a quorum was present and called the meeting to order at 10:07 a.m.

Agenda: Mr. Schulz moved and Mr. Meldrum seconded and the Agenda was approved as submitted.

Minutes (1): Mr. Sanford moved and Mr. Schulz seconded and the Minutes taken at the August 30, 2006, Board Meeting were approved with corrections

Minutes (2): Mr. Sanford moved and Mr. Schulz seconded and the Minutes from the May 17, 2006, Board meeting was approved with no corrections required.

Correspondence:

Letter will be addressed to Ms. Ivy requesting that she complete the appropriate waiver application that can be located on the website and submit it to the Board for their review. She will also be notified that she can refer to rule 420.9.01 if she has any other questions or concerns.

Rule 420-5-.01- Examination Requirements

The Board voted that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General's office.

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The Board also voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Optometry.

Dr. Jones moved and Dr. Sharpton seconded and the Board voted to post the Notice of Intent to Adopt and Notice of Hearing for the proposed rule change to rule 420-5-.01 for no less than 30 days prior to December 22, 2006 when the Board will hold a hearing on the rule and their intent to adopt the proposed rule change as follows:

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NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF DISPENSING OPTICIANS RULES FOR
CHAPTER 420-5-.01:

Examination Requirements. Amended AND NOTICE OF PUBLIC HEARINGS

TO ALL INTERESTED PERSONS AND PARTIES

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Dispensing Opticians (hereinafter "Board") proposes amendments to the Board Rules, Chapter 420-5-.01 Examination Requirements. Amended.

The proposed rule amendments include: (1) updating of rule language with regard to examinations, (2) updating of the required time frame for receipt of complete applications prior to scheduling to sit for the Dispensing Opticians Practical Exam. (3) updating of rule language regarding transcripts, (4) updating of rule language with regard to recognized school programs, (5) updating of rule language with regard to supporting affidavits required and (6) updating of rule language regarding the practical examination score.

This notice, together with an exact copy of the proposed rule amendments and a synopsis of the proposed rule amendments, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendments, and a synopsis of the proposed rule amendments may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia State Board of Dispensing Opticians Web page at <http://www.sos.state.ga.us/plb/opticians>. Copies may also be requested by contacting the Georgia Board of Dispensing Opticians office at 478-207-2440.

A public hearing is scheduled to begin at 09:30 a.m. on December 22, 2006 at the Office of the Secretary of State, Professional Licensing Boards Division, 237

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Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendments. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing.

Written comments are welcomed. To ensure their consideration, written comments must be received on or before December 15, 2006. Written comments should be addressed to Mollie L. Fleeman, Division Director, Professional Licensing Boards Division, Georgia State Board of Dispensing Opticians, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-207-1633.

The proposed rule amendments will be considered for adoption by the Board at its meeting scheduled to begin at 09:35 am on December 22, 2006 at the Professional Licensing Boards Division of the Secretary of State's Office, 237 Coliseum Drive, Macon, Georgia 31217. The proposed rule amendments are proposed for adoption pursuant to authority contained in The Georgia Board of Dispensing Optician Act O.C.G.A. §§ 43-29-3, 43-29-6, 43-29-7 and 43-29-8.

At its meeting on August 30, 2006, the Board voted that the formulation and adoption of these rules do not impose regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-29-3, 43-29-6, 43-29-7 and 43-29-8.

Additionally at the meeting, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-29-3, 43-29-6, 43-29-7 and 43-29-8 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of Dispensing Opticians.

For further information, contact the Board office at 478-207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This ____ day of _____, 2006.

Mollie L. Fleeman
Division Director

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Posted: _____

**SYNOPSIS OF PROPOSED REVISIONS TO THE
GEORGIA STATE BOARD OF DISPENSING OPTICIANS
RULE 420-5-.01 Examination Requirements. Amended.**

Purpose: To update/clarify outdated rule language with regard to several areas identified by the Board.

Main Features: The proposed rule amendments include: (1) updating of rule language with regard to examinations, (2) updating of the required time frame for receipt of complete applications prior to scheduling to sit for the Dispensing Opticians Practical Exam, (3) updating of rule language regarding transcripts, (4) updating of rule language with regard to recognized school programs, (5) updating of rule language with regard to supporting affidavits required, (6) updating of rule language regarding the practical examination score and (7) title change.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE
PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF DISPENSING OPTICIANS
RULE 420-5-.01 Examination Requirements. Amended.**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

Rule 420-5-.01 Examination Requirements. Amended is hereby revised as follows:

420-5-.01 Application and Examination Requirements. Amended.

(1) The optical dispensing examination shall be held a minimum of twice a year. ~~The times and places shall be determined by the Board.~~

(2) Complete applications with all attachments and documents shall be filed with the

Board at least ~~60~~ thirty (30) days prior to the examination. Each application must be

accompanied by the following attachments:

(a) Verification of age (Birth Certificate or equivalent required);

(b) Copy of high school ~~transcript or diploma~~ or its equivalent as defined by the State Board of Education; indicating graduation date;

(c) If applying on the basis of education, the applicant must have satisfactorily completed

a course of study in a recognized school of ~~optical~~ ophthalmic dispensing approved by the Board. College transcript, with graduation date, and copy of diploma must accompany application.

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(d) A recognized school of ophthalmic dispensing is defined as one that offers an ophthalmic dispensing program issuing a diploma and/or degree that is recognized by the Georgia State Board of Dispensing Opticians;

~~(d) (e) Applicants applying on a basis of education and experience must submit a copy of~~

~~their college transcript; Applicants applying on the basis of education and experience must submit a transcript and an affidavit that specifies total course study clock hours completed from a recognized accredited program, plus an affidavit of work hours completed. The total combined number of hours must be a minimum of 3000 hours;~~

~~(e) (f) A fee established by the Board must accompany the application;~~

~~(f) (g) Photograph of applicant within last year.~~

(3) Subject matter of examination shall be related to ~~optical~~ ophthalmic dispensing.

(4) The passing score ~~is~~ for the ophthalmic dispensing practical examination shall be 70 for the ABO examination; 72 for the NCLE examination and 75. for the practical examination.

~~Beginning with August, 1986 administration of the examination, once a candidate obtains~~

~~a passing score on any part of the examination, that candidate does not have to retake that~~

~~portion of the examination.~~

(5) Any false or misleading information in connection with any application may be cause

for exclusion from the examination on the ground of lack of good moral character. If the

Board finds that the application is complete and that all the requirements of the statute and

of the regulations have been met, it shall issue to the applicant a letter which shall advise

the applicant of the time, date and place of the examination. The candidate shall submit

his his/her letter to the examiner upon entrance to the examination room.

(6) Licensing examinations shall be conducted in accordance with the following procedure, and any candidate violating any of such procedure, may be dismissed from the

examination room or otherwise disciplined:

~~(a) no candidate shall enter the examination more than 45 minutes after the question~~

~~papers have been distributed nor shall any candidate leave the examination until 45~~

~~minutes have elapsed; no candidate may enter the examination room late nor leave the examination room early.~~

~~(b) during the examination no candidate shall communicate with any other candidate in~~

~~any other way;~~

~~(c) a candidate shall not bring books or other help of any kind into the examination room~~

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unless directed to do so by the Board because of the character of the examination.

(7) Prior to issuance of a license, applicant must submit current ABO and NCLE certificates.

Authority O.C.G.A. §§ 43-29-3, 43-29-6, 43-29-7 and 43-29-8

Executive Director's Report:

Mr. Zimmerman discussed the following items with the Board:

Request to the Board, from Valdosta Technical Institute Director, Mike Bass, to approve their hours for their proposed Opticianry Program. Mr. Schulz will review the proposed program and report findings back to the Board.

NCSORB meeting will be held in January 2007. The Board all in agreement decided they would not be interested in attending this meeting.

Policy Review: Board members were provided copies of their current policies for the review and discussion at the next scheduled Board meeting.

Board was notified that Ms. Sandy Bond would be the new Executive Director for 2007. Also stated that Ms. Bond will be setting the 2007 Board Meeting dates.

Two additional exam dates have been added to the calendar so that Examinations could schedule more applicants to complete the Licensing Exam. Mr. Sanford stated that it should only require one day instead of two to complete the entire exam and he would like to know the reasoning behind the required two days. Board discussed and agreed that the number of exam dates required for 2007 should be tabled and discussed during the mid December conference call after Mr. Zimmerman has the chance to meet with Mr. Femi Ajayi, in attempt to gather information in reference to administering the Dispensing Opticians Licensing Exam.

The percentage amount for the Continuing Education Hours Audit for 2007 was discussed by the Board.

Mr. Schulz moved, Mr. Meldrum seconded and the Board voted to use the 20% maximum amount allowed for random selection of licensee to submit Continuing Education Hour's verification.

Mr. Meldrum moved and Mr. Schulz seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k) (1) (2), O.C.G.A. 50-14-2 (1) to deliberate on applications and to receive the Attorney General's report. Voting in favor of the motion were those present who included Board Members Morris, Sanford, Schulz and Meldrum. The

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Board concluded Executive Session in order to vote on these matters and to continue with the public session.

Enforcement Department Report:

DISP060022

The Enforcement Report was tabled until the December Conference Call. Upon receipt of the Enforcement Report it will be forwarded to Ms. Drake for her to address her recommendations to the Board during the December Conference Call.

DISP070008

Mr. Schulz moved, Mr. Sanford seconded and the Board Voted to accept the signed Cease and Desist Orders.

DISP070009

Mr. Schulz moved, Mr. Sanford seconded and the Board Voted to accept the signed Cease and Desist Orders.

Attorney General Report:

Ms. Monroe did not have a written status/activity report to provide to the Board.

Ms. Monroe gave her authority to Post Proposed Rule 420-5-.01-Examination Requirements Amended.

Ms. Monroe also suggested that the Board table the discussion on the Dispensing Opticians Adopted Policies and remove it from the website until each Board Member had a chance to review and make suggestions on amending the policy.

Mr. Schulz moved, Mr. Meldrum seconded and the Board voted to accept the Attorney General's Report as presented.

Cognizant Report:

No Report due to absence of Cognizant member.

Applications:

Mr. Schulz moved, Mr. Meldrum seconded and the Board voted to ratify the following applications by Reinstatement.

License #	Licensee	Issue Date
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LDO001555	Coley, Janice F.	05/17/2006
LDO001721	Dawson, Luke Gregory	05/17/2006
LDO001553	Hodges, Nancy J.	06/06/2006
LDO000370	Sweatt, Maurice G.	07/23/2006
LDO001288	Lucius, Wanda Lou	08/07/2006
LDO000819	Wisham, Falicia H.	08/18/2006
LDO001969	Gordon, Karen M.	08/30/2006
LDO001492	Owens, James K.	08/30/2006
LDO000488	Porter, Alphonso	09/18/2006
LDO001178	Burnett, Deborah J.	09/18/2006
LDO001791	Mack, Cynthia	09/24/2006
LDO001447	Ware, Duane	09/28/2006
LDO001898	Trout, Colin	11/01/2006

Mr. Schulz moved, and Mr. Meldrum seconded and the Board voted to ratify the following applications approved between Board meetings determined to have met licensure requirements as follows:

Approved Examinations

LDO002105	Akande, Victor	08/30/2006
LDO002106	Fields, James D.	09/12/2006
LDO002107	Adams, John M.	09/27/2006
LDO002108	Azemard, Hans-Snith	09/27/2006
LDO002109	Brown, Anthalena	09/27/2006
LDO002110	Brown, Kandi M.	09/27/2006
LDO002111	Campbell, Christina	09/27/2006
LDO002112	Carbis, Gregory R.	09/27/2006
LDO002113	Colton, Jacqueline	09/27/2006
LDO002114	DeLoach, Deborah K.	09/27/2006
LDO002115	Dzin, Amir	09/27/2006
LDO002116	Felder, Brenda	09/27/2006
LDO002117	Field, Sandra	09/27/2006
LDO002118	Gabrels, Lesa C.	09/27/2006
LDO002119	Hickerson, Sarah	09/27/2006
LDO002120	Joss, Sherry	09/27/2006
LDO002121	Lahouse, Edmund	09/27/2006
LDO002122	Little, Patricia	09/27/2006
LDO002123	Martin-Graham, June	09/27/2006
LDO002124	Moranville, Cheryl	09/27/2006
LDO002125	Phillips, Jennifer L.	09/27/2006
LDO002126	Quinn, Ashley	09/27/2006
LDO002127	Ross, John Arthur	09/27/2006
LDO002128	Scroggins, Jennifer	09/27/2006
LDO002129	Silva, Edmar	09/27/2006
LDO002130	Spivey, Keri A	09/27/2006
LDO002131	Stauffer, Lisa M.	09/27/2006
LDO002132	Trivedi, Lucy	09/27/2006

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LDO002133	Weeks, Calvin	09/27/2006
LDO002134	Williams, Christopher	09/27/2006
LDO002135	Williamson, Tammy	09/27/2006
LDO002136	Wilson, Jessica A.	09/27/2006
LDO002137	Yancey, Alecia	09/27/2006

Mr. Schulz moved, Mr. Meldrum seconded and with no items requiring discussion, the Board voted to adjourn today's meeting at 12:33 p.m.

Minutes recorded by: Amanda Allen, *Board Secretary*
Minutes reviewed and edited by: Brig Zimmerman, *Executive Director*

Glenn Morris, *Board President*

Brig Zimmerman, *Executive Director*

The minutes were approved on January 12, 2007.