

GEORGIA BOARD OF DISPENSING OPTICIANS
BOARD MEETING MINUTES
August 12, 2015

A meeting of the Georgia Board of Dispensing Opticians was held Wednesday, August 12, 2015 @ 10:00 a.m. in the office of the Secretary of State at the Professional Licensing Boards Division at 237 Coliseum Drive in Macon, Georgia.

Board Members Present:

Diane Drake, Chair (By Telephone)
Glenn Morris, Vice-Chair
Lurue Lord
Dave Meldrum

Board Members Absent:

Joseph Reed

Administrative Staff Present:

Brig Zimmerman, Executive Director HC-1
Tracy Allen, Licensing Analyst
Mary Katherine Lindsey, BSS

Attorney General's Office Representative:

Wylencia Monroe, Esq., Assistant Attorney General

Guests in Attendance:

Holly Free, Technical College System of Georgia
Joe Dan Banker, Technical College System of Georgia
Jabari Simama, President of Georgia Piedmont Technical College
Mariam Dittmann, Vice President of Georgia Piedmont Technical College
Keith Sagers, Georgia Piedmont Technical College
Lanard Atkins, Georgia Piedmont Technical College
Selena Noel, Georgia Piedmont Technical College Student
Danielle Shellenbarger, Georgia Piedmont Technical College Student
Holly Scott, Georgia Piedmont Technical College Student
Joanne Felke, Georgia Piedmont Technical College Student
Nisha Simama, President of Georgia Piedmont Technical College's wife
Chad Brown, Georgia Piedmont Technical College Student
James Morris, ABO-NCLE

Ms. Drake, Chair, requested Vice-Chair Morris facilitate/chair the meeting as she was participating by telephone. Mr. Morris, Vice-Chair, established that a quorum was present and called the meeting to order at 10:04 a.m.

Late Agenda Item: Board rule 420-5-.01 Application and Examination Requirements

Agenda: Mr. Meldrum moved Mr. Morris seconded, and the Board voted to approve the agenda as presented with the late agenda item added. None opposed, motion carried.

Mr. Meldrum motioned, Ms. Lord seconded and the Board voted to enter into Executive Session in accordance with O.C. G. A. 43-1-2(k) (1) (2), 43-1-2(k) (3) (4), 43-1-2(k) (4) and 50-14-4(b) to receive information from the Assistant Attorney General. Voting in favor of the motion were those present, Board members Drake, Meldrum, Lord and Morris.

At the conclusion of this first Executive Session on Wednesday, August 12, 2015, Mr. Morris declared the meeting back into "open" session pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.

Attorney General's Report –Wylencia Monroe, Esq.

Assistant Attorney General, Wylencia Monroe provided the Board with a verbal status report which included information on any matters referred for action.

Ms. Drake moved, Ms. Lord, seconded and the Board voted to accept the Attorney General's office report as presented. None opposed, motion carried.

Rule Discussion:

420-5-.01 Application and Examination Requirements.

- (1) The optical dispensing practical examination shall be held a minimum of twice a year.
- (2) Only complete applications, and the required fee, with all attachments and documents filed with the Board at least forty-five (45) days prior to the examination will be scheduled for the next available exam date, on a first come, first served basis. Each application must be accompanied by the following attachments:
 - (a) A Secure and Verifiable Document and Affidavit of Citizenship as defined in Code Section 50-36-2;
 - (b) Copy of high school diploma or its equivalent as defined by the State Board of Education;
 - (c) If applying on the basis of education, the applicant must have satisfactorily completed an opticianry degree or diploma from a recognized school of ophthalmic dispensing approved by the Board as defined in 420-5-.01 (d) below. An official college transcript and copy of diploma or degree indicating the graduation date must accompany the application.
 - (d) A recognized school of ophthalmic dispensing as referenced in OCGA 43-29-7(b)(4), is one which provides an ophthalmic dispensing program which ~~is accredited by the Commission on Opticianry Accreditation. The curriculum~~ shall include approved curriculum of opticianry courses leading to a diploma, degree or certificate that is approved by the Technical College System of Georgia (TCSG). Recognition may be granted to other opticianry educational programs by the Georgia State Board of Dispensing Opticians on a provisional basis pending application, acceptable quarterly reports on progress to the board ~~and ultimate accreditation by the Commission on Opticianry Accreditation~~. Failure to report acceptable progressive reports quarterly will result in withdrawal of recognition of the program by the Georgia State Board of Dispensing Opticians.
 - (e) Applicants applying on the basis of education and experience must submit a transcript and an affidavit that specifies total course clock hours completed from a program. The applicant must also furnish an affidavit of work hours engaged in ophthalmic dispensing activities approved by the Board while under the direct supervision of a Georgia licensed optician, a Georgia licensed physician or a Georgia licensed optometrist. The total combined number of hours must be a minimum of 3000 hours; and not less than two calendar years;
 - (f) Applicants applying on the basis of practical experience shall furnish an affidavit of work hours engaged in ophthalmic dispensing activities approved by the Board while under the direct supervision of a Georgia licensed optician, a Georgia licensed physician or a Georgia licensed optometrist. The total of hours must be a minimum of 3,000 hours and not less than two calendar years;
 - (g) Applicants applying on the basis of formal home study programs through the Ophthalmic Career Progression Program with the National Academy of Opticianry or other programs approved by the board must furnish an affidavit of having successfully completed the program.
- (3) Subject matter of examination shall be related to ophthalmic dispensing.
- (4) The passing score for the ophthalmic dispensing practical examination shall be 75.
- (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/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 the procedure may be dismissed from the examination room or otherwise disciplined:

- (a) 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 way;
 - (c) A candidate shall not bring books or other help of any kind into the examination room 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. §§ 43-29-6 and 43-29-7

Ms. Drake motioned, Mr. Meldrum seconded and the Board voted to refer the proposed rule amendments of 420-5-.01 as presented to the AG's office for a Memo of Authority, and to post the proposed rule amendment for the required thirty day minimum for public view and comment, with a public rules hearing to be scheduled as soon as possible following the thirty day posting. None opposed, motion carried.

Additionally, Mr. Meldrum moved, Ms. Drake seconded and the Board the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-29-6 and 43-29-7. None opposed, motion carried.

Additionally, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-29-6 and 43-29-7 to adopt or implement differing actions for businesses as listed in 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 in the field of dispensing opticianry. None opposed, motion carried.

Piedmont Technical College:

Vice-Chair Morris recognized and welcomed the students, faculty and President of Piedmont Technical College present for the meeting. Following a few brief comments from the visitors, the meeting resumed.

ABO-NCLE Presentation to Board of Practical Exam:

Mr. Morris, Ed of ABO-NCLE, presented the ABO-NCLE CBT Practical Exam to the Board as an option for the Board's consideration for the licensure applicants. Following the presentation, and Board members questions, Vice-Chair Morris called for a motion/vote on adoption of the exam presented. In addition, the Board requested ED Zimmerman make all arrangements to begin use of this exam on or before the currently scheduled next Board administered practical exam in February of 2016.

Mr. Meldrum motioned, Ms. Drake seconded, and the Board voted to adopt the ABO-NCLE CBT Practical Exam as the new practical exam for the applicants.

Approval of Minutes: June 24, 2015

Ms. Drake moved, Mr. Meldrum seconded and the Board voted to approve the minutes from the June 24, 2015 Board meeting with the one noted change/correction. None opposed, motion carried.

Correspondence:

- ABO-NCLE Practical Exam – Addressed during presentation by Mr. Morris

Petition for Variance:

- Livernois, P. – Board Rule 420-8-.01 Practical Training and experience

Request is to vary a rule requirements set forth in the Practice Act, and GA law cannot be waived or varied.

Ms. Drake motioned, Mr. Meldrum seconded, and the Board voted to deny Ms. Livernois' petition to vary Rule 420-8-.01. None opposed, motion carried.

Board Chair Report:

Mrs. Drake provided the Board with information on the meeting conducted by Secretary Kemp for all the Georgia Board Chairs regarding changes at the Professional Licensing Board. Executive Director Zimmerman explained that additional funding was provided to the PLB Division by the Georgia legislature this past session, and as a result, additional staff has been hired for a new section created within the Trades and Professions Licensure Boards area of PLB. The additional staff will assist the entire PLB Division provide the administrative support to the various Boards assigned by Georgia law.

Mr. Morris motioned, Mr. Meldrum seconded and the Board voted to enter into Executive Session in accordance with O.C. G. A. 43-1-2(k) (1) (2), 43-1-2(k) (3) (4) , 43-1-2(k) (4) and 50-14-4(b) to review applications, and to receive the Cognizant's Enforcement/Complaint report and any additional information or advice from the Assistant Attorney General. Voting in favor of the motion were those present, Board members Drake, Meldrum, Lord and Morris.

At the conclusion of Executive Session on Wednesday, August 12, 2015, Mr. Morris declared the meeting back into "open" session pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.

Ratify List:

| | | |
|------------|----------------------------|----------------------|
| OPTA001264 | Robinson, Shelly Therese | Dispensing Opticians |
| OPTA001265 | Harley, Afton JeNai | Dispensing Opticians |
| OPTA001266 | Ross, LaTasha Monique | Dispensing Opticians |
| OPTA001267 | Reed, Jeremiah Robert | Dispensing Opticians |
| OPTA001268 | Tumlin, Jordan Lee | Dispensing Opticians |
| OPTA001269 | Chavez, Jessica Boyd | Dispensing Opticians |
| OPTA001270 | Noor, Waliya | Dispensing Opticians |
| OPTA001271 | Pinner, Laura Ruth | Dispensing Opticians |
| OPTA001272 | White, Christopher J | Dispensing Opticians |
| OPTA001273 | McKinney, Robert Shaun | Dispensing Opticians |
| OPTA001274 | Gardner, Shaniqua L | Dispensing Opticians |
| OPTA001275 | Mirbon, Milagros n | Dispensing Opticians |
| OPTA001276 | Zagarov, Alexandar Diyanov | Dispensing Opticians |
| OPTA001277 | McRae, Karen Elizabeth | Dispensing Opticians |

| | | |
|------------|--------------------------|----------------------|
| OPTA001278 | Turner, James David | Dispensing Opticians |
| OPTA001279 | Akles, Mariah Louise | Dispensing Opticians |
| OPTA001280 | Roe, Rebecca Lynne | Dispensing Opticians |
| OPTA001281 | Hernandez, Crystal Marie | Dispensing Opticians |
| OPTA001282 | Rosson, Judy Lynn | Dispensing Opticians |
| OPTA001283 | Dyal, Derek Payton | Dispensing Opticians |
| OPTA001284 | Couch, Lexy Marie | Dispensing Opticians |
| OPTA001285 | Hayman, Christine Nabil | Dispensing Opticians |
| OPTA001286 | Dixon, Brandi Nicole | Dispensing Opticians |
| OPTA001287 | Boyd, Noel Cameron | Dispensing Opticians |
| OPTA001288 | Brown, Kelly Nicole | Dispensing Opticians |
| OPTA001289 | Pounds, Wanda Ann | Dispensing Opticians |
| OPTA001290 | Cheatwood, Kristen Leigh | Dispensing Opticians |
| OPTA001291 | Dyer, Valerie Lynn | Dispensing Opticians |
| OPTA001292 | Green, Kcie Ray | Dispensing Opticians |
| OPTA001293 | Moreno, David | Dispensing Opticians |
| OPTA001294 | Newberry, Charles Derick | Dispensing Opticians |

Ms. Lord motioned, Ms. Drake seconded and the Board voted to approve the ratify listing of licenses issued between meetings administratively. None opposed, motion carried.

The Board voted to enter into Executive Session in accordance with O.C. G. A. 43-1-2(k) (1) (2), 43-1-2(k) (3), (4), 43-1-2(k) (4) and 50-14-4(b) to review and discuss applications, complaints and receive information from the Assistant Attorney General. Voting in favor of the motion were those present who included Board members: Drake, Meldrum, Lord and Morris.

At the conclusion of Executive Session on Wednesday, August 12, 2015, Ms. Drake declared the meeting back into “open” session @ 11:27 a.m. pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.

Attorney General’s Report –Wylencia Monroe, Esq.

Assistant Attorney General, Wylencia Monroe provided the Board with a verbal status report which included information on any matters referred for action.

Ms. Drake moved, Ms. Lord, seconded and the Board voted to accept the Attorney General’s office report as presented. None opposed, motion carried.

Applications: None Presented

Cognizant's Enforcement/Complaint Report: None Provided

Executive Session Minutes: **Recommendation:**

- June 24, 2015 Approve as presented

Ms. Drake motioned, Ms. Lord seconded and the Board voted to approve the executive session minutes for the June 24, 2015 board meeting. None opposed, motion carried.

Ms. Lord motioned, Mr. Morris seconded, and the Board voted to adjourn the meeting at 1:24 p.m.

Minutes recorded by: Mary Katherine Lindsey, Board Support Specialist
Reviewed and edited by: Brig Zimmerman, Executive Director

DIANE DRAKE
Chair

BRIG ZIMMERMAN
Executive Director, HC1

Date Approved: **September 30, 2015**