

GEORGIA STATE BOARD OF OPTOMETRY

January 4, 2006

A Board meeting of the Georgia State Board of Optometry was held on Wednesday, January 4, 2006 at 10:00 a.m. at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia

The following Board members were present:

Kay Royal, President
R. Whitman Lord, Vice President
H. Kemp Jones
Dudley Christie
Bill Sharpton
Patricia Donnelly

Others Present:

Mollie Fleeman, Division Director, Brig Zimmerman, Executive Director, Yvonne LeSane, Board Secretary, Wylencia Monroe, Board Attorney and Serena Gadson, Application Specialist

President Royal established that a quorum was present and called the meeting to order at 10:00 a.m.

Dr. Jones moved and Dr. Sharpton seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k)(1)(2), 43-1-19(h)(2)&(4), §43-1-2(k)(4) and 50-14-2(1) and to discuss Applications, receive information from Cognizant Report, Investigations and the Attorney General's Report. In favor of the motion were those present who included Board members Kay Royal, R. Whitman Lord, H. Kemp Jones, Dudley Christie, Bill Sharpton and Patricia Donnelly. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

PUBLIC HEARING:

430-10-.03: Approved Therapeutic Drugs.

Kay Royal, President, established that a quorum was present, and called the Public Hearing to order at 10:15 A.M. As there were no comments submitted and no members of the public attended the hearing, the public hearing was adjourned at 10:20 A.M.

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.

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.

After discussion and consideration of the rule change, Dr. Jones moved and Dr. Christie seconded and the Board voted to adopt the proposed rule change for rule 430-10-.03 in accordance with 50-13-4(a)(1) as posted.

430-10-.03 Approved Therapeutic Drugs.

(1) The following pharmaceutical agents may be used for treatment purposes, including ocular pain, by any doctor of optometry who has been certified pursuant to O.C.G.A. § 43-30-1(2)(A) to use pharmaceutical agents for treatment purposes:

- (a) acetaminophen;
- (b) acyclovir;
- (c) antazoline;
- (d) atropine;
- (e) apraclonidine;
- (f) aspirin;
- (g) azelastine;
- (h) bacitracin - in ophthalmic compounds;
- (i) betaxolol;
- (j) bichloroacetic acid;
- (k) bimatoprost;
- (l) brinzolamide;
- (m) brimonidine;
- (n) caffeine;
- (o) calcium chloride;
- (p) carbachol;
- (q) carboxymethylcellulose;
- (r) carteolol;
- ~~(s) chlortetracycline;~~
- ~~(t)~~ ciprofloxacin;
- ~~(u)~~ codeine;
- ~~(v)~~ cromolyn sodium;
- ~~(w)~~ cyclopentolate;
- ~~(x)~~ cyclosporine;
- ~~(y)~~ dapiprazole;
- ~~(z)~~ demecarium;
- ~~(aa)~~ dexamethasone;
- ~~(bbaa)~~ dextran;
- ~~(eebbaa)~~ diclofenac;
- ~~(deebb)~~ dihydrocodeine;
- ~~(eddcc)~~ dipivefrin;
- ~~(feedd)~~ dorzolamide;
- ~~(geffe)~~ echothiophate;
- ~~(hggff)~~ emedastine;
- ~~(ihhgg)~~ epinastine;
- ~~(jiihh)~~ epinephrine;
- ~~(kkjii)~~ epinephryl borate;
- ~~(llkji)~~ erythromycin;
- ~~(mmllk)~~ fenoprofen;
- ~~(nnmll)~~ fluorometholone;
- ~~(onmm)~~ gatifloxacin;

(~~pp~~~~ee~~~~nn~~) gentamicin;
 (~~q~~~~q~~~~q~~~~q~~~~o~~) glycerin;
 (~~r~~~~r~~~~q~~~~q~~) gramicidin;
 (~~s~~~~s~~~~r~~~~r~~~~q~~) homatropine;
 (~~t~~~~t~~~~s~~~~s~~~~r~~~~r~~) hydrocodone;
 (~~u~~~~u~~~~t~~~~t~~~~s~~~~s~~) hydrocortisone - in ophthalmic compounds;
 (~~v~~~~v~~~~u~~~~u~~~~t~~~~t~~) hydroxyethylcellulose;
 (~~w~~~~w~~~~v~~~~v~~~~u~~~~u~~) hydroxypropyl methylcellulose;
 (~~x~~~~x~~~~w~~~~w~~~~v~~~~v~~) ibuprofen;
 (~~y~~~~y~~) idoxuridine;
 (~~z~~~~z~~~~x~~~~x~~~~w~~~~w~~) isoflurophate;
 (~~a~~~~a~~~~a~~~~y~~~~y~~~~x~~~~x~~) ketoprofen;
 (~~b~~~~b~~~~b~~~~z~~~~z~~~~y~~~~y~~) ketorolac tromethamine;
 (~~e~~~~e~~~~e~~~~a~~~~a~~~~a~~~~z~~~~z~~) ketotifen fumarate;
 (~~d~~~~d~~~~d~~~~b~~~~b~~~~b~~~~a~~~~a~~~~a~~) latanoprost;
 (~~e~~~~e~~) levobetaxolol;
 (~~f~~~~f~~~~f~~~~e~~~~e~~~~e~~~~b~~~~b~~~~b~~) levobunolol;
 (~~g~~~~g~~~~g~~~~d~~~~d~~~~d~~~~c~~~~c~~~~c~~) levofloxacin;
 (~~h~~~~h~~~~h~~~~e~~~~e~~~~e~~~~d~~~~d~~~~d~~) levocabastine HCl;
 (~~i~~~~i~~~~i~~~~f~~~~f~~~~f~~~~e~~~~e~~~~e~~) lodoxamide;
 (~~j~~~~j~~~~j~~~~g~~~~g~~~~g~~~~f~~~~f~~~~f~~) loteprednol;
 (~~k~~~~k~~~~k~~~~h~~~~h~~~~h~~~~g~~~~g~~~~g~~) medrysone;
 (~~l~~~~l~~~~l~~~~i~~~~i~~~~i~~~~h~~~~h~~~~h~~) mefenamic acid;
 (~~m~~~~m~~~~m~~~~j~~~~j~~~~j~~~~i~~~~i~~~~i~~) methylcellulose;
 (~~n~~~~n~~~~n~~~~k~~~~k~~~~k~~~~j~~~~j~~~~j~~) metipranolol;
 (~~o~~~~o~~~~o~~~~l~~~~l~~~~l~~~~k~~~~k~~~~k~~) metronidazole;
 (~~p~~~~p~~~~p~~~~m~~~~m~~~~m~~~~l~~~~l~~~~l~~) mineral oil;
 (~~q~~~~q~~~~q~~~~n~~~~n~~~~n~~~~m~~~~m~~~~m~~) moxifloxacin;
 (~~r~~~~r~~~~r~~~~o~~~~o~~~~o~~~~n~~~~n~~~~n~~) naloxone;
 (~~s~~~~s~~~~s~~~~p~~~~p~~~~p~~~~o~~~~o~~~~o~~) naphazoline;
 (~~t~~~~t~~~~t~~~~q~~~~q~~~~q~~~~p~~~~p~~~~p~~) naproxen;
 (~~u~~~~u~~~~u~~~~r~~~~r~~~~r~~~~q~~~~q~~~~q~~) naproxen sodium;
 (~~v~~~~v~~~~v~~~~s~~~~s~~~~s~~~~r~~~~r~~~~r~~) natamycin;
 (~~w~~~~w~~~~w~~~~t~~~~t~~~~t~~~~s~~~~s~~~~s~~) nedocromil;
 (~~x~~~~x~~~~x~~~~u~~~~u~~~~u~~~~t~~~~t~~~~t~~) neomycin;
 (~~v~~~~v~~~~u~~~~u~~~~u~~) nepafenac;
 (~~y~~~~y~~~~y~~~~v~~~~v~~~~v~~) norfloxacin;
 (~~z~~~~z~~~~z~~~~w~~~~w~~~~w~~) ofloxacin;
 (~~a~~~~a~~~~a~~~~a~~~~x~~~~x~~~~x~~) olopatadine;
 (~~b~~~~b~~~~b~~~~b~~~~y~~~~y~~~~y~~) oxytetracycline;
 (~~e~~~~e~~~~e~~~~e~~~~z~~~~z~~~~z~~) pemirolast;
 (~~d~~~~d~~~~d~~~~d~~~~a~~~~a~~~~a~~~~a~~~~a~~) pentazocine;
 (~~e~~~~e~~~~e~~~~e~~~~b~~~~b~~~~b~~~~b~~) phenarimine;
 (~~f~~~~f~~~~f~~~~f~~~~c~~~~c~~~~c~~~~c~~) physostigmine;
 (~~g~~~~g~~~~g~~~~g~~~~d~~~~d~~~~d~~~~d~~) pilocarpine;
 (~~h~~~~h~~~~h~~~~h~~~~e~~~~e~~~~e~~~~e~~) polycarbophil;
 (~~i~~~~i~~~~i~~~~i~~~~f~~~~f~~~~f~~~~f~~) polysorbate 80;
 (~~j~~~~j~~~~j~~~~j~~~~g~~~~g~~~~g~~~~g~~) Polymyxin B;
 (~~k~~~~k~~~~k~~~~k~~~~h~~~~h~~~~h~~~~h~~) polyvinyl alcohol;
 (~~l~~~~l~~~~l~~~~i~~~~i~~~~i~~~~i~~) prednisolone;
 (~~m~~~~m~~~~m~~~~m~~~~j~~~~j~~~~i~~~~i~~) proethylene glycol;

(~~nnnn~~~~kkkk~~) propoxyphene;
 (~~oooo~~) pyrilamine in ophthalmic compounds;
 (~~pppp~~~~llll~~) propylene glycol;
 (~~qqqq~~~~mmmm~~) rimexolone;
 (~~rrrr~~~~nnnn~~) scopolamine;
 (~~ssss~~~~oooo~~) sodium chloride;
 (~~tttt~~~~pppp~~) sulfacetamide sodium;
 (~~uuuu~~~~qqqq~~) sulfisoxazole diolamine;
 (~~vvvv~~~~rrrr~~) suprofen;
 (~~wwww~~) tetracycline;
 (~~xxxx~~~~ssss~~) timolol;
 (~~yyyy~~~~tttt~~) tobramycin;
 (~~zzzz~~~~uuuu~~) tramadol;
 (~~aaaa~~~~vvvv~~) travoprost;
 (~~bbbb~~~~wwww~~) trifluridine;
 (~~eeee~~~~xxxx~~) trimethoprim;
 (~~dddd~~) unoprostone;
 (~~eeee~~) vidarabine;
 (~~ffff~~~~yyyy~~) white petrolatum.

(2) An optometrist certified to use therapeutic agents pursuant to O.C.G.A. § 43-30-1(2)(A), shall only use those agents as authorized under O.C.G.A. § 43-30-1(2)(D)(E) and (F). A doctor of optometry shall not administer any pharmaceutical agent by injection.

(3) The therapeutic agents listed in subparagraph (1) above to be used as an oral analgesic for ocular pain may include Schedule III or Schedule IV.

Authority O.C.G.A. §§ 43-30-1 and 43-30-5

Rule(s) Discussion:

Rule 430-2-.08: Volunteers in Optometry.

Dr. Jones moved and Dr. Sharpton seconded and the Board voted that the formulation and adoption of this rule does 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. §§43-1-4, 43-1-7, 43-1-19, 43-1-22, 43-1-25, 43-11A-7, 43-11A-14 and 43-11A-15.

Dr. Jones moved and Dr. Sharpton seconded and the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§43-1-4, 43-1-7, 43-1-19, 43-1-22, 43-1-25, 43-11A-7, 43-11A-14 and 43-11A-15 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 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 430-2-.08 for no less than 30 days prior to April 19, 2006 when the Board will hold a hearing on the rule and their intent to adopt the proposed rule change as follows:

430-2-.08 Volunteers in Optometry.

(1) The Board may issue volunteer licenses in its discretion when it has identified an area of this state in which there is an urgent, unfilled need for optometric services, and when it has located a competent optometrist to fulfill such need. In granting these volunteer licenses, the Board shall observe the following criteria:

(a) Need of the Community. A volunteer license shall be issued for the purpose of serving indigent patients in areas of this state in which there is inadequate personnel to supply optometric services. In determining what constitutes an inadequate supply of optometry personnel, the Board shall consider various factors, including the optometrist-patient ratio in the area in question, the distance between patients and existing optometrist, the maldistribution of particular types of specialty care, and any other factors which are indicative of an absence of adequate optometric services in or reasonably accessible to the area in question. Any group or groups of persons seeking to secure such an optometrist for a community shall supply the Board with all information necessary for it to make a determination as to the existence of all the foregoing factors.

(b) Qualification of the Optometrist.

1. The optometrist must submit an application for a volunteer license to the Board and must be retired from the practice of optometry and not currently engaged in such practice either full time or part time and has, prior to retirement, maintained full licensure in good standing;

2. As a condition precedent to a volunteer license being issued, after five (5) years have passed without the applicant being engaged in the direct observation and treatment of patients, the Board, in its discretion, may require a refresher course or the passage of an examination administered by the board or a testing agency designated and approved by the Board.

3. If the Board determines there is demonstrated inability and reasonable grounds to inquire into an applicant's mental and physical capacity, the applicant may be asked to submit a statement from a physician attesting to the applicant's physical and mental capacity;

4. If the applicant is not in compliance with the continuing education requirements established by the Board at the time application is made for the volunteer license, the applicant may be issued a nonrenewable temporary license to practice for six months provided the applicant is otherwise qualified for such license. During the period of time the licensee maintains such license, the licensee must comply with the continuing education requirements established by the Board;

5. There shall be no application or licensing fee for initial issuance of a volunteer license;

6. Volunteer licenses shall expire at the close of December 31 in all odd-numbered years, and shall be administratively revoked for failure to renew on January 31 of the following even-numbered year. Fees for license renewal shall be assessed as shown on the schedule of

fees adopted by the board. Licenses which have been administratively revoked shall be reinstated only in the discretion of the board;

7. Any other provisions of Chapter 30, Title 43 of the Official Code of Georgia Annotated not inconsistent with the intent and purpose of the provisional license statute shall be fully applicable to all licensed optometrist.

O.C.G.A. §43-1-19, 43-1-25, 43-1-28, 43-30-5 and 43-30-8

Rule 430-5-.01 Treatment Plans and Eye Examinations. Amended.

Dr. Jones moved and Dr. Sharpton seconded and the Board voted that the formulation and adoption of this rule does 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. §§43-1-4, 43-1-7, 43-1-19, 43-1-22, 43-1-25, 43-11A-7, 43-11A-14 and 43-11A-15.

Dr. Jones moved and Dr. Sharpton seconded and the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§43-1-4, 43-1-7, 43-1-19, 43-1-22, 43-1-25, 43-11A-7, 43-11A-14 and 43-11A-15 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 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 430-5-.01 for no less than 30 days prior to April 19, 2006 when the Board will hold a hearing on the rule and their intent to adopt the proposed rule change as follows:

430-5-.01 Treatment Plans and Eye Examinations. Amended

(1) Before diagnosing or prescribing a treatment plan for any patient, the following must be determined;

(a) case history as related by patient; and

(b) any pathological conditions of the eyes, both external and internal with diagnosis recorded; and

(c) the need for any necessary optometric tests to ascertain the final treatment plan.

(2) A comprehensive eye examination includes an assessment of a patient's history, any general medical observations, an external and ophthalmoscopic examination, an assessment of gross visual field, visual acuity, ocular alignment and motility, refraction, and, binocular vision and accommodation, a diagnosis, if applicable, and a plan of treatment.

~~(2)~~ (3) The written record of the above determination of each patient examined shall be maintained by the licensed doctor of optometry for a minimum of three (3) years and made available to the Board or its authorized agents for inspection at any reasonable time.

Authority O.C.G.A. § 43-30-5

Rule 430-2-.04: Approval of Educational Programs. Amended.

Dr. Jones moved and Dr. Sharpton seconded and the Board voted to have Mr. Zimmerman incorporate a requirement for CPR and malpractice insurance in rule 430-2-.04 for the Board's consideration during its April, 2006 meeting.

Minutes: Dr. Jones moved and Dr. Christie seconded and the Board voted to approve the minutes from the October 26, 2005 Board meeting.

Renewals:

H.M.N.: Dr. Jones moved and Dr. Sharpton seconded and the Board voted to renew.

J.B.T.: Dr. Jones moved and Dr. Sharpton seconded and the Board voted to renew.

S.T.B.: Dr. Jones moved and Dr. Lord seconded and the Board voted to renew if additional information received.

Inactive Status:

Theo H. Ezell: Dr. Jones moved and Dr. Christie seconded and the Board voted to approve the request for Inactive Status.

Probation Report:

Lester Sharpton: In compliance.

Steven Nakdimen: In compliance.

Dr. Jones moved and Dr. Lord seconded and the Board voted to accept the probation report.

Kaiser Permanente:

After a lengthy discussion, the Board agreed for Dr. Jones to draft a letter to Mr. Oxendine and the Georgia Optometry Association (GOA); requested addition of further discussion regarding Kaiser Permanente to future agendas.

Executive Director Report:

Mr. Zimmerman discussed the following items of interest:

- Potential Examiners for 4/2006 Clinical Skills Examination
- 2/2006 ARBO Conference
- Financial Disclosure
- Renewals
- 6/2006 Conference in Los Vegas
- Hurricanes "Katrina" & "Rita" policy

Association of Regulatory Boards of Optometry (ARBO):

Dr. Lord moved and Ms. Donnelly seconded and the Board voted to send Dr. Jones and Dr. Christie to the February 2006 ARBO Conference.

Hurricane Policy:

Dr. Jones moved and Dr. Christie seconded and the Board voted to discontinue the current policy with regard to individuals severely affected by the hurricanes along the Gulf Coast and Texas.

Correspondence:

Henry Kwak, PC: Is a Beauty Supply store permitted to sell Non-Prescriptive Cosmetic Contact Lens to customers in Georgia? **Board Response:** No. A Beauty Supply store is not permitted to sell Non-Prescriptive Cosmetic Contact Lens to customers in Georgia.

Clinical Skills Examination (CSE): Please review the list of potential examiners and advise. **Board Response:** Dr. Jones moved and Dr. Lord seconded and the Board voted to accept the list of potential examiners for the April 2006 Clinical Skills Examination (CSE).

Optometry Therapeutics:

The Board discussed the designation of "Therapeutic/Diagnostic" on licenses. Therapeutics became a requirement in 1988. Between 1988 – 1994 this was recognizable by a "T" after the Optometry license number. The Board is requesting to know who is and is not Therapeutically certified. Mr. Zimmerman will check with IT on the best way to obtain the requested information.

Attorney General's Report:

OPT050027: Dr. Lord moved and Ms. Donnelly seconded and the Board voted to proceed and require six (6) months suspension.

OPT06007: Dr. Lord moved and Ms. Donnelly seconded and the Board voted to forward to Enforcement.

Cognizant Report:

OPT050030: Dr. Jones moved and Dr. Lord seconded and the Board voted to send to Peer Reviewer.

OPT060010: Dr. Jones moved and Dr. Lord seconded and the Board voted to forward to Enforcement.

Paper Applications Discussion:

The Board discussed the requirements in the current applications with regard to Therapeutic licensure. Mr. Zimmerman will review the current application, the Georgia Law and the Board rules to determine the changes to be made to the application checklist of required documentation and credentials, presenting to Board any correction or updates to the application.

The Application Specialist also informed the Board that Applications for Licensure would include Employment History and require the applicant to submit a resume to verify active practice of optometry for at least five (5) of the seven (7) years immediately preceding his or her application pursuant to Board Rule 430-13-.01.

Applications

Dr. Lord moved and Dr. Jones seconded and the Board voted to take the following action on applications for licensure by Reinstatement:

Steven L. Sorokin Approved

Dr. Lord moved and Dr. Jones seconded and the Board voted to approve applications for licensure determined to have met licensure requirements as follows:

License No.	Name	Obtained By	Issue Date
OPT002268	Parmar, Gurinder Singh	Application/Exam	10/21/2005
OPT002269	Hair, Samantha Lanean	Application/Exam	10/21/2005
OPT002270	Cuevas, Jesus	Application/Exam	10/21/2005
OPT002271	Boreing, Timothy Graves	Endorsement/Exam	10/27/2005
OPT002272	Cohen, Charles Frank	Endorsement/Exam	10/27/2005
OPT002273	Bond, Julia Michelle	Application/Exam	12/12/2005
OPT002274	Darani Joh, Abdvil-Rahim	Application/Exam	12/12/2005
OPT002275	Francis, Minnette D.	Application/Exam	12/12/2005
OPT002276	Hashmi, Aneesuddin S.	Application/Exam	12/12/2005
OPT002277	Hughlett, John Brooks	Application/Exam	12/12/2005
OPT002278	Laubach, Steven Craig	Endorsement/Exam	12/12/2005
OPT002279	Martin, Renee Elizabeth	Application/Exam	12/12/2005
OPT002280	Morris, Delicia Antoinette	Application/Exam	12/12/2005
OPT002281	Mosteller, Matthew Kurt	Application/Exam	12/12/2005
OPT002282	Walker, Michael Reid	Endorsement/Exam	12/12/2005
OPT002283	Warner, Paul Alan	Endorsement/Exam	12/12/2005
OPT002284	Yoon, David	Application/Exam	12/12/2005
OPT002285	Gupta, Reena Chopra	Application/Exam	12/15/2005

GEORGIA STATE BOARD OF OPTOMETRY

January 4, 2006

There being no further business to come before the Board, the meeting was adjourned at 12:10 p.m.

Minutes recorded by:

Yvonne LeSane, Board Secretary

Minutes reviewed and edited by:

Brig Zimmerman, Executive Director

Kay F. Royal, President

Mollie L. Fleeman, Division Director