

GEORGIA STATE BOARD OF OPTOMETRY
Conference Call - December 20, 2006

A conference call meeting of the Georgia State Board of Optometry was held on Wednesday, December 20, 2006 at 9:30 a.m., Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:

Kay Royal, President
Dudley Christie
H. Kemp Jones

R. Whitman Lord
Bill Sharpton
Patricia Donnelly

Administrative Staff Present:

Sandy Bond, *Executive Director*, Gwen Dodson, *Administrative Assistant*, Wylencia Monroe, *Assistant Attorney General*

Guest in attendance:

No Guest in attendance.

President Royal established that a quorum was present and the meeting was called to order at 9:31 a.m.

Public Hearing: Proposed Rule 430-5-.03

Dr. Jones moved and Dr. Sharpton seconded the motion and the Board voted to post the Notice of Intent to Adopt and the Notice of Hearing for the proposed rule change to rule 430-5-.03 for no less than 30 days as follows:

**NOTICE OF INTENT TO ADOPT A PROPOSED
AMENDMENT TO THE GEORGIA STATE BOARD OF OPTOMETRY RULES
CHAPTER 430-5; RULE 430-5-.03, TREATMENT PLANS – CO-MANAGEMENT AND
NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Optometry (hereinafter “Board”) proposes an amendment to the Georgia State Board of Optometry Rules, Chapter 430; Rule 430-5-.03 Treatment Plans – Co-Management (herein after “proposed rule amendment”).

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, 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 amendment, and a synopsis of the proposed rule amendment 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. Copies may also be requested by contacting the Board office at (478) 207-2440.

GEORGIA STATE BOARD OF OPTOMETRY

Conference Call - December 20, 2006

A public hearing will be held at 9:35 a.m. on February 2, 2007 at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

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 official record. Oral statements should be concise and will be limited to five (5) minutes per person. Written comments are welcome. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 P.M.) on January 26, 2007. Written comments should be addressed to Mollie L. Fleeman, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia State Board of Optometry, 237 Coliseum Drive, Macon, Georgia 31217. Telephone (478) 207-2440 or fax (478) 207-1660.

The Board will consider the proposed rule amendment for adoption at a meeting scheduled to begin at 9:40 a.m. on February 2, 2007 at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Board of Optometry has the authority to adopt a proposed rule amendment to Rule 430-5-.01 pursuant to authority contained in O.C.G.A. §§ 43-30-1 and 43-30-5.

At its meeting on December 20, 2006, the Georgia State Board of Optometry 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.G.C.A. §§ 43-30-1 and 43-30-5.

Additionally, at the meeting, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-30-1 and 43-30-5 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(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 in the field of optometry.

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

This notice is given in compliance with O.C.G.A. § 50-13-4.

This _____ day of _____, 2007.

Mollie L. Fleeman
Division Director
Professional Licensing Boards Division

Posted: _____

**SYNOPSIS OF PROPOSED REVISIONS TO THE
GEORGIA STATE BOARD OF OPTOMETRY RULES CHAPTER 430-5;
RULE 430-5-.03, TREATMENT PLANS – CO-MANAGEMENT.**

PURPOSE: The purpose of the proposed rule is to outline the practice of co-management of patients between doctors of optometry and other health care providers.

MAIN FEATURES: The main features of the proposed rule are the declaration of intent regarding co-management of patients and defining co-management.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE GEORGIA STATE BOARD OF OPTOMETRY RULES,
CHAPTER 430-5; RULE 430-5-.03 TREATMENT PLANS –
CO-MANAGEMENT.**

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

Rule 430-5-.03 Treatment Plans – Co-Management proposed addition as follows:

430-5-.03 Treatment Plans – Co-Management

(1) Intent- It is the intent of this rule to promote the cooperation of doctors of optometry and other health care providers in the delivery of care to mutual patients within the scope of their respective professional practices.

(2) Nothing in these rules shall be construed to prohibit a therapeutically certified doctor of optometry from co-managing cases which may involve, but are not limited to invasive surgery, laser surgery, and procedures involving oral or injected pharmaceutical agents with health care practitioners whose scope of practice allows them to do these procedures under their own licenses.

(3) Nothing in these rules shall be construed as allowing doctors of optometry to perform procedures not authorized as within the scope of practice found in O.C.G.A. § 43-30-1 et seq.

(4) Co-management is defined as the sharing of peri-operative, pre-surgical, post-surgical, and medical management responsibilities between the health care providers for conditions of the eyes and ocular adnexa of patients.

(5) Peri-operative is defined as the period of time extending from when the patient goes into the hospital, clinic, or doctor's office for surgery until the time the patient is discharged home to the extent the doctor of optometry is practicing within the scope of practice found in O.C.G.A. § 43-30-1 et seq.

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

GEORGIA STATE BOARD OF OPTOMETRY
Conference Call - December 20, 2006

Minutes recorded by:
Minutes reviewed and edited by:

Gwen Dodson, *Administrative Assistant*
Sylvia Bond, *Executive Director*



Kay F. Royal, *President*



Sylvia Bond, *Executive Director*

STATE OF GEORGIA

COUNTY OF Bibb

**AFFIDAVIT SUPPORTING CLOSING
OF PUBLIC MEETING**

The Georgia Open Meetings Act, O.C.G.A. Sec. 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception, which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon O.C.G.A. Sec. 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question.

Comes now Kay F. Royal the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the Georgia State Board of Licensed Optometrist
2. I am over the age of 18 and in all other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On December 20, 2006 this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.
4. The subject(s) discussed and the underlying facts supporting the legal authority for the closure of this meeting was:

O.C.G.A. Sect. 50-14-2 (1)

FURTHER THE AFFIANT SAYETH NOT.



PRESIDING OFFICER

Sworn and subscribed before me

this 12th of January 2007

Dianne Walker

Notary Public

Notary Public, Monroe County, Georgia
My Commission Expires Jan. 2, 2009