

**GEORGIA STATE BOARD OF OPTOMETRY**  
**Board Meeting**  
**Professional Licensing Boards**  
**237 Coliseum Drive, Macon, GA 31217**  
**October 26, 2011**  
**10:05 a.m.**

Dr. McCullough declared the Board meeting in session.

**Board Members Present**

Robert McCullough, O.D.  
Karen Canupp, O.D.  
Whit Lord, O.D.  
Jerry Prchal, O.D.  
Jody Whisenant, O.D.

**Staff Present**

Wylencia Monroe, Assistant Attorney General  
Anita Martin, Executive Director  
Carol White, Board Support Specialist

**Election of Officers.**

Dr. Lord nominated, Dr. Prchal seconded and the Board elected Dr. McCullough as President.

Dr. Prchal nominated, Dr. McCullough seconded and the Board elected Dr. Whisenant as Vice President and Cognizant.

Dr. Lord will review CE applications.

**RULE HEARING 10:00**

Dr. McCullough called the Board Rule Hearing to order at 10:15 a.m. The Public Hearing on Board Rule 430-5-.01 Treatment Plans and Eye Examinations to be re-titled-430-5-.01 Treatment Plans, Eye Examinations and Patient Records was held. The Board received no written comments on the proposed rule. Dr. Prchal stated that he had talked with the GOA's attorney who wanted to make sure the board was aware that they didn't fall under the Georgia Patient Records law. Dr. Prchal stated that he felt that the seven years as cited in the proposed rule was reasonable.

The Board Rule Hearing was closed at 10:21 a.m.

**OPEN SESSION**

**Approval of the minutes from the July 27, 2011 Board meeting.** Dr. Whisenant made a motion to approve the Board minutes. Dr. Prchal seconded the motion and it carried unanimously

**Licenses to ratify.** Dr. Prachel made a motion to approve. Dr. Whisenant seconded the motion and it carried unanimously.

<b>License Number</b>	<b>Name</b>	<b>License Type</b>
OPT002655	Amin, Boski R	Optometrist
OPT002656	Baldwin, Robert Andrew, II	Optometrist
OPT002657	Stokes, Teresa marie	Optometrist
OPT002658	Patel, Ann A	Optometrist
OPT002659	Ellenberger, Douglas W	Optometrist
OPT002660	Robinson, LeRoy W, III	Optometrist
OPT002661	Hall, Ashlee Elizabeth Grace	Optometrist
OPT002662	Le, Huong Thi	Optometrist
OPT002663	Souza, Jana M	Optometrist
OPT002664	Ajodha, Niketha A	Optometrist
OPT002665	McKibbin, Marcy Marie	Optometrist
OPT002666	Ho, Noriko May	Optometrist
OPT002667	Lambert, Natalie Ann	Optometrist
OPT002668	Gossan, Jamie Shouse	Optometrist
OPT002669	Lu, Oahn Huynh	Optometrist
OPT002670	Phung, Anh My	Optometrist
OPT002671	Ahmadpour, Mastoureh	Optometrist

**Consideration to post an amendment to Board Rule 430-2-.04 Continuing Education Requirements: Approval of Educational Programs.** Dr. Lord made a motion to post Board Rule 430-2-.04 – Continuing Education Requirements: Approval of Educational Programs. Dr. Whisenant seconded the motion and it carried unanimously.

**430-2-.04 (4) and (5) Continuing Education of Requirements; Approval of Educational Programs.**

(4) The following course content will not satisfy the continuing education requirement:

- (a) Courses dealing with social and health trends;
- (b) Any course unrelated to or not designed to enhance the professional skill of the practitioner;
- (c) Courses conducted by any individual who is the owner of or is directly connected with any optical wholesale concern unless approved by the Board.

**(d) CPR.**

(5) Minimum hours required. ~~Unless the Board gives written notice to each licensed doctor of Optometry prior to February 1 of the applicable year, the minimum number of hours of attendance at Board approved education programs required for biennial renewal~~

of license shall be 36. However, new licensees shall be required to obtain the following number of hours: none (0) in the first calendar year (January through December) of licensure, 18 in the second calendar year (January through December) of licensure, 36 per biennium beginning in the third calendar year (January through December) of licensure. The Board requires a minimum of 36 hours of attendance at Board-approved continuing education programs.

~~(a) Within the 36 or 18 hours of continuing education hours as set out in (5) above, whichever is required, licensees practicing within the State shall obtain one (1) hour biennially of prior approved ethics and jurisprudence. Georgia licensed optometrists that are not practicing within the state are not required to earn the one hour of ethics and jurisprudence. Those licensed in the first year of the biennium will be required to obtain eighteen (18) hours of continuing education. This requirement applies regardless of when you establish practice in Georgia. Licensees practicing in Georgia shall obtain one (1) hours biennially of CE in ethics and Georgia laws and rules. All CE on ethics and Georgia laws and rules must be prior approved by the Board. Georgia licensed optometrists that are not practicing within the state are not required to earn the one hour of ethics and jurisprudence.~~

~~(b) A maximum of eight (8) hours per biennium will be allowed as continuing education credit for grand rounds. One (1) hour credit will be allowed for every two (2) hours spent in grand rounds. Those licensed in the second year of the biennium are not required to obtain continuing education in that biennium.~~

~~(c) A maximum of ten (10) hours of continuing education credit will be allowed per biennium for any coursework that is offered by correspondence or electronic medium, which coursework is approved or sponsored by any provider identified in subparagraph of this rule. New licensees are required to obtain 36 per biennium beginning in the third calendar year of licensure.~~

~~(d) A maximum of ten hours of continuing education credit will be allowed per biennium for practice management course work, as long as it is patient care related. If required to obtain CE hours, all licensees shall obtain one (1) hour of Board-approved continuing education in ethics and jurisprudence. Georgia licensed optometrists not practicing in Georgia are exempt from acquiring the one (1) hour of CE in ethics and jurisprudence.~~

~~(e) Effective January 1, 2006, of the thirty six (36) required hours, a minimum of 18 hours of continuing education per biennium is required for pharmacology and pathology courses as related to ophthalmologic conditions. A maximum of eight (8) hours per biennium will be allowed as continuing education credit for grand rounds. One (1) hour credit will be allowed for every two (2) hours spent in grand rounds.~~

~~(f) A maximum of ten (10) hours of continuing education credit will be allowed per biennium for any coursework that is offered by correspondence or electronic medium, which coursework is approved or sponsored by any provider identified in subparagraph of this rule.~~

~~(g) A maximum of ten hours of continuing education credit will be allowed per biennium for practice management course work, as long as it is patient care related.~~

~~(h) Effective January 1, 2006, of the thirty-six (36) required hours, a minimum of 18 hours of continuing education per biennium is required for pharmacology and pathology courses as related to ophthalmologic conditions.~~

**Rule Waiver request from David Saliba, O.D. regarding board rule 430-2-.04(5)(6)(a) – Registration.** Dr. Whisenant made a motion to approve the Rule Waiver request for board rule 430-2-.04(5)(6)(a). Dr. Prchal seconded the motion and it carried unanimously.

**Rule Waiver request from Brittany Teti, O.D. re: board rule 430-11--.01(1)– Examination Requirements-** Dr. Lord made a motion to deny the rule waiver request. Dr. Prchal seconded the motion and it carried unanimously.

**Consideration to adopt Board Rule 430-5-.01 – Treatment Plans, Eye Examinations and Patient Records.** Dr. Whisenant made a motion to adopt the rule Dr. Prchal seconded the motion and it carried unanimously.

### **430-5-.01 Treatment Plans, Eye Examinations and Patient Records**

(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.

(3) The written record of the above determination of each patient examined shall be maintained by the licensed doctor of optometry for seven (7) years and be made available to the Board or its authorized agents for inspection at any reasonable time.

Authority O.C.G.A. Sec. 43-30-5.

**Rule Variance request from Alyce Miles, O.D. regarding Board Rule 430-2-.04 – Continuing Education Requirements.** Dr. Lord made a motion to deny the rule variance request. Applicant needs to make sure that her correct address is on file at the board office. Dr. Kanupp seconded the motion and it carried unanimously.

**Correspondence from Vanessa Grosso, regarding Jurisprudence Credit CE credit.** Dr. Lord made a motion to approve the CE. Dr. Whisenant seconded the motion and it carried unanimously.

**Rule Waiver Request from Jessica Sirak-Smith, O.D. regarding board rule 430-2-.04(5)(6)(d)(1) – Continuing Education of Requirements; Approval of Educational Programs.** Dr. Whisenant made a motion to approve. Dr. Lord seconded the motion and it carried unanimously.

**Rule Waiver Request from Steven Nakdimen, O.D. re Board Rule 430-2-.04(5)(6)(d)(1)-Continuing Education of Requirements; Approval of educational Programs.** Dr. Whisenant made a motion to approve. Dr. Canupp seconded the motion and it carried unanimously.

**Board Chair Report** – Dr. Robert McCullough

- Dr. McCullough queried if the board would consider CE program approval if requested outside of the thirty (30) day application period? Dr. Lord stated he is willing to review CE programs when received; he will be flexible concerning the receipt of CE requests outside of the thirty (30) day period.

**Executive Director Report** – Anita Martin

- Ms. Martin stated that she is daily working with the computer vendor on the CE audit process. Ms. Martin states if we are not able to conduct the process for the CE audit by the first of November; then we will proceed with the renewal process. The Board viewed as informational.
- Ms. Martin stated that a new state law will require the staff to verify citizenship status on all new and renewal applications effective January 1, 2012. The Board viewed as informational.
- Ms. Martin asked the Board if they would like to consider starting their Board meetings at an earlier time. The Board viewed as informational and no action was taken.
- Ms. Martin asked the Board if they would like to consider a rule allowing for inactive status. Ms. Martin will compile rules from other boards for consideration at the next board meeting.
- Ms. Martin will check with the IT department and see if an email can be sent to all O.D.'s over the age of 65 regarding CPR CE's.

**Miscellaneous**–

- The Board members would like to be notified by email when an item is updated to the Epi -Ware site.

**EXECUTIVE SESSION**

Dr. Lord made a motion, Dr. Whisenant seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-19(h)(2), and 43-11-47(h) to deliberate on enforcement matters and to receive information on investigative reports and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Drs. Canupp and Dr. Prchal. The Board concluded the Executive Session in order to vote on these matters and continue with the public session.

**Cognizant /Investigative Report** – Robert W. McCullough, O.D.

OPT110047 - Schedule for an investigative interview. Request applicant bring to the interview copies of random drug screens as required for the drug court program.

OPT110050 - Close with no violation.

OPT120001 - The Board recommended accepting a Cease and Desist order on Anthony Guerrero.

OPT120003 - Close with no violation.

OPT120004 – Close with a letter of concern regarding record keeping.

OPT120005 – Close with no violation.

OPT120006 – The Board recommended referring to the OIG for investigation.

**Applications**

1. B.L.T. – Application – The Board recommended no action is needed on the application at this time. Applicant must meet the requirements for licensure.
2. A.M. – Endorsement Application – The Board recommended denial. Applicant does not meet the qualifications as outlined in the laws and rules.

**Attorney General's Report** – Ms. Wylencia Monroe

- Provided a status report, which included information on cases referred for action, request for advice and /or requests for authority for proposed rules.
- Ms. Monroe discussed with the Board sending Dr. L.F. a paper renewal and require a CE audit.

**OPEN SESSION**

Dr. McCullough declared the Board back into open session.

Dr. Whisenant made a motion to approve the recommendations in Executive Session. Dr. Prahal seconded the motion and it carried unanimously.

The Board meeting adjourned at 12:35 p.m.

Minutes recorded by:

Carol White, Board Support Specialist

Minutes reviewed and edited by:

Anita O. Martin, Executive Director