

GEORGIA STATE BOARD OF OPTOMETRY
Board Meeting Open Session Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
January 23, 2013
10:00 a.m.

Board Members Present

Robert McCullough, O.D.
Betty Ann Lindsey, Consumer Member
Karen Canupp, O.D.
Jody Whisenant, O.D.
Whitman Lord, O.D.
Jerry Prchal, O.D.

Staff Present

Wylencia Monroe, Assistant Attorney General
Steve Lindsey, Acting Executive Director
Tamara Elliott, Board Support Specialist

Robert McCullough established a quorum and called the meeting to order at 10:01 a.m.

Open Session

Approval of Minutes from the October 24, 2012 Board Meeting

Dr. Prchal made a motion to approve the Board minutes as amended. Dr. Lord seconded and the Board voted unanimously in favor of the motion.

Approval of Oct. 24, 2012 Executive Board Meeting and Jan. 3, 2013 Teleconference Minutes

Dr. Prchal made a motion to approve the Board minutes, Ms. Lindsey seconded and the Board voted unanimously in favor of the motion.

Report of Licenses Issued October 23, 2012-January 23, 2013

Dr. Lord made a motion, Ms. Lindsey seconded and the Board voted unanimously to ratify the Report of Licenses issued October 23, 2012-January 23, 2013.

Memo Call for Comments on ACOE Draft Residency Self Structure

The Board reviewed the memo and had no comments.

Letter and Report of Council Actions

Board received the correspondence as information.

Correspondence from Thomas Cossick

The Board discussed this correspondence. Dr. Lord indicated that the Board could accept the courses provided that they are COPE approved. Dr. Lord expressed that the Board is not in a position to determine another country's Optometric Standards. Additionally, it was stated that Dr. Cossick needed to provide additional information regarding when he first arrived in New Zealand and when he will return to the United States. Also, Dr. Cossick needs to be advised to review the Board's rules. Dr. Prchal suggested that he was not in favor of a rule variance; however, he expressed being open to giving Dr. Cossick time to get the required continuing education hours when he returns.

Dr. Whisenant made a motion to send a letter in response to Dr. Cossick, Dr. Prchal seconded and the Board voted unanimously in favor of the motion. Also, as part of that motion, Dr. Lord would provide staff with guiding language for the letter.

Charles Mellinger-Rule Variance 430-11-.01

Dr. Prchal made a motion to deny the rule variance petition and table application for further information. Dr. Whisenant seconded and the Board voted unanimously in favor of the motion.

Dr. Prchal made a motion to request Dr. Mellinger to resubmit the rule variance petition with proof of the qualifying therapeutic exam he passed that qualified him in New York or Connecticut and submit for consideration at the April 10, 2013 meeting. Dr. Whisenant seconded and the Board voted unanimously in favor of the motion.

Board Chair-Bob McCullough

Dr. McCullough sent an email through ARBO surveying member states as to how many had an exemption for continuing education based on age. He received responses from 27 states and 2 Canadian provinces, and of those none had an age exemption for continuing education.

Dr. McCullough received a request from a licensee regarding how long public board orders remain on a person's license, and if there is a procedure for expungement of disciplinary actions. Ms. Monroe explained that public board orders remain with a licensee as there is no statutory authority granted to the Board to expunge disciplinary actions.

Attorney General's Open Session – Wylencia Monroe

No Report

Executive Director's Open Session - Ms. Tanja D. Battle

Steve Lindsey reminded Board Members that January 31, 2013 is the deadline for filing Financial Disclosure Forms with the Georgia Ethics Commission. Mr. Lindsey explained how to contact the Commission regarding the resetting of passwords, recovering Filer Identification Numbers or requesting Filer Identification Numbers for new members.

Ms. Lindsey made a motion, Dr. Lord seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-19(h)(2) and 43-1-2(k) 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 Robert McCullough, Betty Ann Lindsey, Karen Canupp, Jody Whisenant, Whitman Lord, and Jerry Prchal.

Executive Session

The Board discussed the following:

Appointments:

L.F.

Applications:

C.L.M.

Cognizant/Investigative Report- Jody Whisenant

OPT130007

Attorney General’s Report – Wylencia Monroe

Ms. Monroe reported on research of a question regarding whether or not the Board can prohibit someone who is not a licensee, but has received an O.D. Degree from using “O.D.” in their title. She found that there is no statutory authority regarding the use of titles in connection with defining unlicensed practiced. She stated she would provide the Board with a written memorandum regarding her findings, upon a referral.

Bob McCullough concluded Executive Session, in which no votes were taken, and declared Open Session at 12:10 p.m.

OPEN SESSION

VOTE:

Dr. Canupp made a motion, Ms. Lindsey seconded and the Board voted unanimously to accept the following recommendations based on deliberations in Executive Session:

Appointments:

L.F. – Did not appear

Applications:

C.L.M.-Deny

Dr. Whisenant made a motion, Dr. Canupp seconded and the Board voted unanimously to accept the following recommendation based on deliberations in Executive Session:

Cognizant/Investigative Report- Jody Whisenant

OPT130007-Schedule Investigative Interview

No more business was discussed and the meeting adjourned at 12:20 p.m.

The next Optometry Board meeting will be on Wednesday, April 10, 2013, at 10:00 a.m. at the Office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

Robert McCullough, O.D., President
Georgia State Board of Optometry

Date

Tanja Battle, Executive Director
Professional Licensing Boards Division

Date