

Dispensing Opticians

March 28, 2003

A conference call meeting of the Georgia State Board of Dispensing Opticians was held on Friday, March 28, 2003, at the Professional Licensing Boards Office in Macon, Georgia.

The following Board members were present:

Joseph J. Reed, Chairman
Thomas Blair, Jr., Vice-Chairman
Cathy L. Dixon
Lurue L. Lord
Addison B. McRee
John Helms

Others Present:

Anita O. Martin, Executive Director
Susan S. Hewett, Board Secretary
Wylencia Monroe, Board Attorney, by Conference Call

It was established that a quorum was present, and the **Public Hearing to review proposed rule changes to 420-8-.01** that was scheduled to begin at 10:00 A.M. was **called to order** at 10:20 A.M.

No interested parties appeared to comment on these proposed rule changes. Written comments were received, reviewed, considered and made a part of the permanent record. The hearing was **adjourned** at 10:59 A.M.

The meeting that was scheduled to begin at 10:10 A.M. was **called to order** at 11:00 A.M.

A motion was made by Thomas Blair, Jr., to **adopt Rule 420-8-.01**. The motion was seconded by John Helms and was **approved** by the Board. Chairman Reed **appointed a committee** to draft a statement of reply to Franklin D. Rozak, Secretary-Treasurer of the National Association of Optometrists and Opticians within 30 days of today's hearing citing the principle reasons for adoption. The committee members will be Thomas Blair, Jr., and John Helms.

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. §§ 43-1-25, 43-29-3(d) and 43-26-6.

It is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-29-3(d) and 43-26-6 to adopt or implement differing actions for business as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of this rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominate the field of opticianry. (See Attachment 1)

House Bill 183: The Board viewed the information regarding House Bill 183 as **informational only**.

Budget Limitations: Travel Restrictions: The Board reviewed a memo from Bob Ray regarding Budget Limitations: Travel Restrictions as **informational only**.

Lurue Lord made a motion to enter into **Executive Session** in accordance with O.C.G.A. 43-1-2(k) to deliberate on and receive information on applications. The motion was seconded by Addison McRee and voting in favor of the motion were those present who included Thomas Blair, Jr., Joe Reed, John Helms and Cathy Dixon. The Board concluded **Executive Session** in order to vote on these matters and to continue with the public session.

C.B. The Board reviewed a request submitted by C.B. to renew license and consider a waiver for medical reasons of the continuing education requirements. A motion was made by Cathy Dixon to **table** the request until the next meeting. The motion was seconded by Lurue Lord and was **approved** by the Board.

P.D.M. The Board reviewed a request submitted by P.D.M. to renew license and consider a waiver for medical reasons of the continuing education requirements. A motion was made by Cathy Dixon to **table** the request until the next meeting. The motion was seconded by Lurue Lord and was **approved** by the Board.

H.E.T.: The Board reviewed a request submitted by H.E.T. to renew license and consider a waiver for medical reasons of the continuing education requirements. A motion was made by Cathy Dixon to **table** the request until the next meeting. The motion was seconded by Lurue Lord and was **approved** by the Board.

L.R.G.: The Board reviewed a request submitted by L.R.G. to renew license and consider a waiver for medical reasons of the continuing education requirements. A motion was made by Cathy Dixon to **table** the request until the next meeting. The motion was seconded by Lurue Lord and was **approved** by the Board.

The next Board meeting is scheduled for May 7, 2003 at 10:00 A.M.

There being no further business to come before the Board, Thomas Blair, Jr. made a motion to adjourn the meeting. The motion was seconded by Addison McRee and carried by the Board.

The meeting was adjourned at 11:15 A.M.

<u>Minutes recorded by:</u>	<u>Susan S. Hewett, Board Secretary</u>
<u>Minutes reviewed by:</u>	<u>Anita O. Martin, Executive Director</u>
<u>Chairman of the Board:</u>	<u>Joe Reed</u>
<u>Division Director:</u>	<u>Mollie L. Fleeman</u>

State of Georgia

County of Bibb

**Affidavit Supporting Closing
Of Public Meeting**

The Georgia Open Meetings Act, O.C.G.A. 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. 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question:

Comes now, Joe Reed, 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 Dispensing Opticians.**
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 **March 28, 2003** 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 legal authority for the closure of this meeting was:

43-1-2(k) and 43-1-19(h)(2)

5. The subject(s) discussed and the underlying facts supporting the closing of this meeting are:

Review applications and disciplinary files

Further the affiant sayeth not.

Joe Reed
(Presiding Officer)

Sworn and subscribed before me,

This 28th day of March 2003.

Regina F. Thompson
Notary Public