

**GEORGIA BOARD OF DISPENSING OPTICIANS**  
**CONFERENCE CALL BOARD MEETING MINUTES**  
**March 15, 2017**

A Conference Call meeting of the Georgia Board of Dispensing Opticians was held Wednesday, March 15, 2017 @ 8:00 a.m. in the Office of the Secretary of State at the Professional Licensing Boards Division at 237 Coliseum Drive in Macon, Georgia.

**Board Members Present:**

Diane Drake, Chair  
Glenn Morris, Vice-Chair  
Lurue Lord  
Bob Reynolds  
Dave Meldrum

**Administrative Staff Present:**

Brig Zimmerman, Executive Director HC-1  
Linsey Brookins, BSS  
Tracy Allen, Licensing Analyst

**Attorney General's Office Representative:**

Wylencia Monroe, Esq., AAG

**Ms. Drake, Chair, established that a quorum was present and called the meeting to order at 8:07 a.m.**

**Agenda: Approved with additional items:**

- Petition Waiver: J. Hummel – Continuing Education
- Correspondence: W. Lovejoy – RE Model Optician Mobility Act
- Correspondence: D. Drake – CE Providers

**Public Rules Hearing: 8:05 a.m.**

**420-9-.01 Continuing Education for License Renewals**

- (1) Continuing Education courses totaling at least ten (10) hours shall be required for the biennial renewal of licenses. Of the ten (10) hours, a minimum of two (2) hours shall be in the area of contact lenses. Effective 04-01-2017, of the ten (10) hours, one hour must be on Georgia Opticianry Laws and Rules. Effective 04-01-2017, of the ten (10) hours, six (6) hours must be technically approved hours (which may be either spectacles or contact lenses). Of the ten (10) hours, no more than five (5) hours may be obtained via the internet. Effective 04-01-2017, of the ten (10) continuing education hours for renewal, no hours may be obtained or will be accepted for renewal via the internet or home study except for those provided by the Opticians Association of America, the National Academy of Opticianry or the Opticians Association of Georgia. No more than eight (8) hours of continuing education may be obtained in one twenty-four hour day.
- (2) (2) With his/her application for license renewal, each licensed dispensing optician must submit an affidavit of course hours completed as proof that his/her education requirements have been satisfied. (3) No duplicate courses will be accepted during the same renewal period. No courses under the same title, by the same instructor, will be accepted for renewal purposes.

Authority: O.C.G.A. §§ 43-29-3 and 43-29-6.

**Mr. Reynolds moved, Mr. Morris seconded and the Board voted to adopt the proposed amendments to Board rule 420-9-.01 as presented. None opposed, motion carried.**

**Mr. Reynolds moved, Mr. Morris seconded and the Board 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.C.G.A. § 43-29-3 and 43-29-6. In addition, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. § 43-29-3 and 43-29-6 to adopt or implement differing**

**actions for businesses as listed in 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 in the field of Dispensing Opticians.**

**Board Rules Discussion:**

• **420-2-.01 Registration and Reinstatement**

(1) All persons practicing as a dispensing optician shall register with the Division Director of the Professional Licensing Boards Division and shall pay a biennial registration fee on or before March 31st of the registration year. Licenses may be renewed between April 1st of each odd numbered year, and May 31st of each odd numbered year with payment of a late renewal penalty fee in addition to the renewal fee. Failure to register and pay the appropriate renewal fee by the deadline shall lapse said license by operation of law. Individual licenses lapsed by operation of law may be considered for reinstatement by submission of an application approved by the Board, any supporting documents or other requirements as defined in 420-2-.01 (3) below, and paying the established registration fee and an additional penalty.

(2) Any service member as defined in O.C.G.A. § 43-1-31 whose license to practice opticianry expired while serving on active duty outside the state shall be permitted to practice opticianry in accordance with the expired license and shall not be charged with a violation relating to such practice on an expired license for a period of six (6) months from the date of her or her discharge from active duty or reassignment to a location within the state. Any such service member shall be entitled to renew such expired license without penalty within six (6) months after the date of her or her discharge from active duty or reassignment to a location with the state. The service member must present to the board a copy of the official military orders or a written verification signed by the service member's commanding officer to waive any charges.

(3) Reinstatement of an expired or lapsed license is at the discretion of the board. All applications are to be reviewed by a designated Board member.

(a) An applicant for reinstatement of an expired or lapsed license must submit a completed reinstatement application provided by the Board, pay the required registration fee and additional penalty fee, and comply with one of the following:

1. An application for reinstatement of an expired or lapsed license submitted within two (2) years of the effective date of the expiration or lapse of that license must submit evidence of completion of fifteen (15) course hours of continuing education obtained within the two (2) years prior to the date of the reinstatement application. Of the fifteen (15) hours, a minimum of two (2) hours shall be in the area of contact lenses and must be obtained from a Board recognized approved source pursuant to O.C.G.A. 43-29-11(b).

2. An application for reinstatement of an expired or lapsed license that's been lapsed or expired for more than two (2) years, but less than four (4) years, of the effective date of the expiration or lapse must submit evidence of completion of thirty (30) course hours of continuing education obtained within the two (2) years prior to the date of the reinstatement application. Of the thirty (30) hours, a minimum of four (4) hours shall be in the area of contact lenses and must be obtained from a Board recognized approved source pursuant to O.C.G.A. 43-29-11(b).

3. An application for reinstatement of an expired or lapsed license that's been lapsed or expired for more than four (4) years of the effective date of the expiration or lapse must also submit evidence of completion of thirty (30) course hours of continuing education obtained within two (2) years prior to the date of the reinstatement application. Of the thirty (30) hours, a minimum of four (4) hours shall be in the area of contact lenses and must be obtained from a Board recognized approved source pursuant to O.C.G.A. 43-29-11(b). In addition, the following must be submitted:

(i) Verification of current ABO/NCLE Certification.

(ii) Applicants for reinstatement under this rule who were licensed in Georgia before January 1, 1987 and who have continued to practice in the field of opticianry in another state or jurisdiction, and who currently

and consistently have held a valid, unencumbered dispensing opticians license in that state shall not be required to provide current ABO/NCLE certification.

(b) If reinstatement is granted, any continued education hours credited for the reinstatement application shall not be used or applied towards the continuing education requirements for the renewal period following the date of reinstatement.

**Mr. Morris moved, Mr. Meldrum seconded and the Board voted to refer the proposed rule amendment to Board rule 420-2-.01 as discussed during today's meeting to the AG's office for a Memo of Authority, and to post the proposed rule amendment for the required thirty day minimum for public view and comment, with a public rules hearing to be scheduled as soon as possible following the thirty day posting. None opposed, motion carried.**

**Correspondence:**

- W. Lovejoy – RE Model Optician Mobility Act – *No Response Needed; Next Legislation Session*
- D. Drake – RE CE Providers: *The Georgia Board of Dispensing Opticians has been in review of Continuing Education certificates for the purpose of the current ongoing 2015-2017 renewal period. It has been brought to the attention of the Board that some course certifications obtained and submitted for license renewal do not include an ABO-NCLE approval numbers as required. The discussion will continue the next scheduled meeting date.*

**Petitions of Variance or Waiver:**

- J. Hummel

**Recommendation:**

Grant – allowed to obtain all ten (10) CE's online

**Mr. Morris motioned, Ms. Lord seconded, and the Board voted to grant the petition requests for J. Irwin to obtain all ten (10) Continuing Education hours online. None opposed, motion carried.**

**Mr. Morris motioned, Mr. Meldrum seconded and the Board voted to enter into Executive Session in accordance with O.C. G. A. 43-1-2(k) (1) (2), 43-1-2(k) (3) (4), 43-1-2(k) (4) and 50-14-4(b) to review applications, and to receive the Cognizant's Enforcement/Complaint report and receive a report from the Assistant Attorney General. Voting in favor of the motion were those present, Board members Drake, Morris, Reynolds, Meldrum and Lord.**

**At the conclusion of Executive Session on Wednesday, March 15, 2017, Ms. Drake declared the meeting back into "open" session pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.**

**Applications:**

- W.B.

**Recommendations:**

Pending receipt of additional information

**Mr. Meldrum motioned, Ms. Lord seconded and the Board voted to approve the recommendations made on all applications presented to the Board. None opposed, motion carried.**

**Mr. Meldrum motioned, Mr. Morris seconded, and the Board voted to adjourn the meeting at 08:28 a.m.**

Minutes recorded by:

Linsey Brookins, Board Support Specialist

Minutes reviewed and edited by:

Brig Zimmerman, Executive Director

**DIANE DRAKE**

Chair

**BRIG ZIMMERMAN**

Executive Director, HC1

These minutes were approved on: **May 24, 2017**