

GEORGIA STATE BOARD OF OPTOMETRY
Board Meeting
Professional Licensing Boards
237 Coliseum Drive, Macon, GA 31217
July 27, 2011
10:30 a.m.

INVESTIGATIVE INTERVIEWS

OPT110013 – Investigative Interview was conducted.
OPT110044 – Investigative Interview was conducted.

OPEN SESSION

Board Members Present

Dr. Dudley Christie
Dr. Robert McCullough
Dr. Jody Whisenant
Dr. Gerald Prchal
Dr. Jody Whisenant
Ms. Betty Ann Lindsey

Staff Present

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

President Dudley Christie established a quorum and called the meeting to order at 10:45 a.m.

Approval of the minutes from the April 22, 2011 Board meeting. Dr. Whisenant made a motion to approve the Board minutes as amended. Dr. McCullough seconded the motion and it carried unanimously

Licenses to ratify. Dr. McCullough made a motion to approve. Ms. Lindsey seconded the motion and it carried unanimously.

Correspondence from John Vencill, O.D. to expunge public consent order. Dr. Whisenant made a motion to deny the request. The Board states while it understands Dr. Vencill wanting the issue to be expunged; the board does not have the legal authority to do so. The Board suggests that Dr. Vencill may want to consider seeking assistance from the Georgia Optometric Association or his local state legislator to have the law changed

to allow the Optometry Board to expunge board orders. Ms. Lindsey seconded the motion and it carried unanimously.

Consideration to post Board Rule 430-5-.01- Treatment Plans and Eye Examinations. Dr. Whisenant made a motion to post Board Rule 430-5-.01. Dr. McCullough seconded the motion and it carried unanimously.

430-5-.01 Treatment Plans, ~~and~~ 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 a ~~minimum of three (3)~~ seven (7) years from initiation and be made available to the Board or its authorized agents for inspection at any reasonable time.

Consideration to post Board Rule 430-2-.04 – Continuing education Requirements: Approval of Education Programs. – Dr. McCullough made a motion to table the posting of Board Rule 430-2-.04. Dr. Whisenant seconded the motion and it carried unanimously.

Correspondence from L. Donaldson regarding general inquiries. The Board states that based upon the information provided, the request is too vague to provide a valid response. The Board suggests Mr./Dr. Donaldson may want to seek legal counsel to assist with this matter.

Approval of minutes from the June 17, 2011 Conference Call Board meeting. Dr. McCullough made a motion to approve. Ms. Lindsey seconded the motion and it carried unanimously.

Executive Director's Open Session – Ms. Anita Martin

- Ms. Martin discussed the OE Tracker renewal processing with the Board.

EXECUTIVE SESSION

Dr. McCullough made a motion, Dr. Prahal 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 Dr. Whisenant and Ms. Lindsey. The Board concluded the Executive Session in order to vote on these matters and continue with the public session.

Applicants:

1. H.T.L. – The Board recommended approval.

Cognizant /Investigative Report – Dudley Christie, O.D.

OPT110044 – The Board recommended to close with a letter of concern.

OPT110013 – Close with no violation.

OPT110004 - The Board recommended referring the case to the OIG to get with appropriate county prosecutor's office for felony prosecution - violation of the Georgia Optometry law.

OPT110050 – The Board recommended referring the case to the Office of the Insurance Commissioner and request the Office of the Insurance Commissioner inform the Board of any actions at the conclusion of its investigation.

OPT110052 – The Board recommended to close the case.

OPT120002 – The Board recommended to close with a letter of concern.

OPT110005 – The Board recommended referring to the Georgia Department of Revenue and the Office of the Georgia Insurance Commissioner.

OPT110044 – Licensee attended the interview with attorney Laura Eschleman. The Board recommended to close with a letter of concern and refer the complete case file to the Office of the Georgia Insurance Commissioner.

OPT110013 – The Board recommended to close with no violation.

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.
- Presented for acceptance a Consent Order on Valerie Robbins-Acker, O.D.

OPEN SESSION

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

The Board meeting adjourned at 1:10 p.m.

Dudley Christie, O.D., President
Georgia State Board of Optometry

Date

Anita Martin, Executive Director
Professional Licensing Boards Division

Date