

GEORGIA STATE BOARD OF OPTOMETRY
Board Meeting Minutes
Professional Licensing Boards, 237 Coliseum Drive, Macon, GA
October 14, 2015 * 10:00 a.m.

The Georgia State Board of Optometry met on Wednesday, October 14, 2015, at 237 Coliseum Drive, Macon, Georgia with the following members participating:

Board Members Present:

Jody Whisenant, O.D. – President
Jerry Prchal, O.D. – Vice President
Larry Brown, O.D. (via teleconference)
Karen Canupp, O.D.
Robert McCullough, O.D.
Betty Ann Lindsey, Consumer Member (via teleconference)

Staff Present

Brig Zimmerman, Executive Director
Mary Katherine Lindsey, Board Support Specialist
Tracy Allen, Licensure Analyst

Attorney General's Office

Wylencia Monroe, Esq., Asst. Attorney General

Dr. Whisenant established a quorum was present and called the meeting to order at 10:07 a.m.

Agenda: Approved with one late agenda item:

- Bob McCullough: GA Jurisprudence Exam – Update on Review with vendor PSI

Meeting Minutes:

- July 15, 2015

Dr. Prchal moved, Dr. Canupp seconded, and the Board voted to approve the July 15, 2015 open session meeting minutes as amended. None opposed, motion carried.

Announcements:

Board Member Re-Appointments:

Georgia Governor Deal's office announced the following member's reappointments to the Georgia Board of Optometry:

- Karen Canupp, O.D. 09-06-2017
- Larry Brown, O.D. 09-06-2018
- Betty Ann Lindsey 07-01-2018
- Bob McCullough, O.D. 09-06-2018

Public Rules Hearing:

- 430-2-.05 Requirements for Inactive License Status

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

430-2-.05 Requirements for Inactive License Status. Amended.

~~Doctors of Optometry who have reached their sixty fifth (65th) birthday or who can provide certification of disability to practice Optometry may request that their license be placed on inactive status under the following provisions:~~

Georgia licensed optometrists may request in writing to the Board that their active license to practice optometry in Georgia be placed in inactive status under the following conditions:

(a) The request must be received prior to the license expiration date to be considered. There is no fee required to request inactive status.

~~(a b)~~ In the event that a Doctor of Optometry who holds a valid license to practice Optometry in the State of Georgia notifies the Board that he chooses to retire from active practice of the profession, his license shall be considered to be inactive;

~~(b c)~~ Doctors holding an inactive license shall not engage in the practice of Optometry and shall not hold themselves out to the public as being available to provide optometric services;

~~(e d)~~ A Doctor of Optometry holding an inactive license shall not be required to obtain the necessary continuing education credits and no renewal fee shall be assessed.

(e) In order to return to the practice of optometry, a reinstatement application for licensure must be submitted to the Board. Refer to Board rule 430-2-.09.

Authority: O.C.G.A. §§ 43-1-4, 43-1-22, 43-30-5, and 43-30-8

Dr. McCullough motioned, Dr. Prchal seconded, and the Board voted to adopt Rule 430-2-.05 Requirements for Inactive Status as presented. None opposed, motion carried.

In addition, Dr. Prchal motioned, Canupp 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. §§ 43-1-4, 43-1-22, 43-30-5, and 43-30-8, and, that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-4, 43-1-22, 43-30-5, and 43-30-8 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 Optometry.

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

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

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

(1) Before diagnosing or prescribing a treatment plan for any patient, including prescriptions for glasses, contact lenses or other optical devices, the following must be met and 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 seven (7) years from initiation and be made available to the Board or its authorized agents for inspection at any reasonable time.

Authority: O.C.G.A. §§ 43-30-5

Dr. Prchal motioned, Dr. McCullough seconded, and the Board voted to adopt Rule 430-5-.01 Treatment Plans, Eye Examinations, and Patient Records as presented. None opposed, motion carried.

In addition, Dr. Prchal motioned, Dr. Canupp 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. §§ 43-1-4, 43-1-22, 43-30-5, and 43-30-8, and, that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-4, 43-1-22, 43-30-5, and 43-30-8 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 Optometry.

Board Chair Report: No report presented.

- Board member Dr. Bob McCullough updated the Board on the ongoing review of the Optometry Board's Georgia Jurisprudence Exam with the vendor PSI. Questions are being reviewed with updates and revisions being made if/where necessary. The subcommittee of Dr. McCullough and Dr. Larry Brown will notify the Board of any updates/changes requiring Board approval or suggestions.

Correspondence:

- ARBO - the Board announced the new ARBO liaison, Jerry Richt
- Peaslee, A.- Scope of Practice questions

The Board selected Dr. McCullough and Dr. Prchal to be a subcommittee for a review of the professions scope of practice, O.C.G.A. § 43-30, and the Board Rules and Policies, and to formulate a response to Dr. Peaslee's questions.

Ratify list of licenses issued between meetings July 9- October 7, 2015:

OPT002887	Sylvain, Bryttani Rachelle	Optometry
OPT002888	Baker, Cassandra Leigh	Optometry
OPT002889	Baker, Anna Makenzie	Optometry
OPT002890	Shulman, Mark Melvyn	Optometry
OPT002891	Clements, Fabius Monroe, IV	Optometry
OPT002892	Choi, Youngah	Optometry
OPT002893	Artrip, Sarah Beth	Optometry
OPT002894	Bhaloo, Rahim S	Optometry
OPT002895	Eisenberg, Lindsey Cara	Optometry

Dr. Prchal moved, Dr. McCullough seconded, and the Board voted to approve the application ratify list as presented. None opposed, motion carried.

2016 Board Meeting Schedule:

- **Wednesday, January 13, 2016**
Macon - Board Offices @ 10:00 a.m.
- **Wednesday, April 13, 2016**
**Conference Call Meeting @ 10:00 a.m.*
- **Wednesday, July 13, 2016**
Macon - Board Offices @ 10:00 a.m.
- **Wednesday, October 19, 2016**
**Conference Call Meeting @ 10:00 a.m.*

Dr. McCullough moved, Dr. Canupp 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 receive the Cognizant’s complaint report, review the Executive Session Minutes for July 15, 2015 meeting and to receive the Assistant Attorney General’s report. Voting in favor of the motion were those present who included Robert McCullough, Karen Canupp, Jerry Prchal, Jody Whisenant, and Larry Brown.

Applications:

- E. J. S.
- A. W. (Renewal)

Recommendation:

Approved
Approved

Cognizant Report:

Complaints Recommend Closure:

- OPT150013, OPT160001, OPT160002, OPT160007

Complaints Recommend Pending:

- OPT150012, OPT160003, OPT160004, OPT160005, OPT160006

Correspondence/MISC:

- ARBO COPE Reviewer Approval – Referred to public licensure verification website.

Non-Compliance with Board Orders:

- V. A.
- A. A.

Attorney General’s Report:

A written status and activity report was provided for Board review.

Executive Session Minutes:

- July 15, 2015 Approved as presented.

At the conclusion of Executive Session on Wednesday, July 15, 2015, Dr. Whisenant declared the meeting to be “open” pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were taken in the closed session.

Dr. Canupp moved, Dr. Prchal seconded, and the Board voted to accept the recommendations for the applications as presented. None opposed, motion carried.

Dr. McCullough moved, Dr. Canupp seconded, and the Board voted to accept the Cognizant report on complaints as presented. None opposed, motion carried.

Dr. McCullough moved, Dr. Canuup seconded, and the Board voted to accept the Assistant Attorney General’s report as presented. None opposed, motion carried.

Dr. Canupp moved, Dr. McCullough seconded, and the Board voted to approve the July 15, 2015 Executive Session minutes as presented. None opposed, motion carried.

There being no further business for discussion, Dr. McCullough, motioned, Dr. Prchal seconded, and the meeting was adjourned at 1:35 p.m.

Minutes recorded by: Mary Katherine Lindsey, Board Support Specialist, HC1
Minutes reviewed and edited by: Brig Zimmerman, Executive Director, HC 1

DR. JODY WHISENANT
Chair

BRIG ZIMMERMAN
Executive Director HC1

These minutes were approved on: **January 13, 2016**