

GEORGIA STATE BOARD OF OPTOMETRY
Board Meeting Minutes of August 17, 2022 * 10:00 a.m.
Conference Call/ZOOM

The Georgia State Board of Optometry met via teleconference/ZOOM on Wednesday, August 17, 2022 at 237 Coliseum Drive, Macon, Georgia. The Board's Executive Director hosted the meeting from the Professional Licensing Division, 237 Coliseum Drive, Macon, Georgia 31217.

Board Members Present:

Robert "Bob" McCullough, O.D., President
Paul Ajamian, O.D., Vice-President
Karen Canupp, O.D.
Jeffrey Hackleman, O.D.
Jeanne Perrine, O.D.
B. Thassanee Gutter-Parker – Consumer Member (*joined at 11:06 a.m.*)

Attorney General's Office

Melissa Tracy, AAG

Administrative Staff Present:

Brig Zimmerman, Executive Director
Linsey Joiner, Board Support Specialist
Sarah Collet, Licensing Analyst
Amanda Allen, Licensing Supervisor

Guests:

Pat Hodges, Court Reporter (Rule Hearing)
Garrett Davis, GOA
Vanessa Grosso
G. J. Prchal
706-453-4535
Dr. T
1-404-580-1214

Dr. Bob McCullough, President, established a quorum was present and called the meeting to order at 10:02 a.m.

Agenda: Approved with additional late items:

Board member Dr. Hackleman will provide ideas for the new website to ED Zimmerman

Meeting Minutes:

- May 18, 2022 C.C./ZOOM Board Meeting

Recommendation:

Approve as presented

Dr. Hackleman moved, Dr. Ajamian seconded, and the Board voted to approve the May 18, 2022 Conference Call Board meeting minutes as presented. None opposed, motion carried.

Correspondence:

- A. Patel – RE Ointment - *Refer to Board Rule 430-10-.03(k)*
- W. Lovejoy – Scope of Practice Questions – *The Board is unable to provide legal advice. Please seek your own legal counsel and refer to Board response provided previously.*
- B. Baker – Re NBEO Exam – *The Board does not own or administer the exam. Please contact NBEO*
- OIG – USA – Opinion – CE Fee – *Board Information Only*

Dr. Hackleman motioned, Dr. Ajamian seconded, and the Board voted to approve for Board Staff to respond as directed to correspondence listed above. None opposed, motion carried.

Board FAQs:

The Board requested for Executive Director to look at adding the following as FAQs on the Board website:

- The Board only licenses individuals as Optometrists, it does not license companies. The Board must receive a complaint against a licensee, or unlicensed individual holding themselves out to the public to e license, to consider any further actions against a licensee.

- The standard of care is the same for an in-person, face-to-face eye exam as for a virtual eye exam. Please reference in Board Rule 430-5-.01 and O.C.G.A. § 31-12-12*
* In addition, provide a link to O.C.G.A. § 31-12-12, the “Contact Lens Law”

Misc. Discussion Items:

- GA PDMP Committee Report – Dr. Perrine

Application Ratify List: Licenses issued between: 5/19/2022 - 8/16/2022

License No.	Licensee
OPT003410	Rachana Suresh Patel Garud
OPT003411	Rima Anil Macwan
OPT003412	Denise Ann Bell
OPT003413	Kellie Marie Gladys
OPT003414	Ericka Jeannette Garcia
OPT003415	Erin Ruth Mazingo
OPT003416	Thomas Peter Collins
OPT003417	Virginia E Henderson
OPT003418	Alexa Reane Arencibia
OPT003419	Salman A Bhatti
OPT003420	Stephania Aleshk Carreno
OPT003421	Zhao Jin
OPT003422	Shiyu Li
OPT003423	Charles Joseph Malone
OPT003424	Jennifer Yin
OPT003425	Kathleen Carleton Miller
OPT003426	Prital Jiten Mehta
OPT003427	Macy Ellen Frazier
OPT003428	Brittany Audrey Bowman
OPT003429	Cynthia Rose Entrekin
OPT003430	Fareed A Dosani
OPT003431	Jia Zhou
OPT003432	Stephanie Git-Yee Ly
OPT003433	Xiaowen Pan
OPT003434	Aysha Awal Siddique
OPT003435	Nicholas Ronald Corneillie

OPT003436	Jennifer Brodil
OPT003437	Natalie Emma Ezzell
OPT003438	Katherine Le Nguyen
OPT003439	Sabrina Warhola
OPT003440	Bjorn Erik Bade
OPT003441	Rohit Robbie Chopra
OPT003442	Melody Orene Quenzer
OPT003443	Alexander John Leong
OPT003444	Aditi Srikanth Bellur
OPT003445	Soo Jung Lee
OPT003446	Michael Christopher Madigan
OPT003447	David Kyung Ho Cho
OPT003448	Emily Anne Felouzis
OPT003449	Dahyun JI
OPT003450	Katie Lenore Harris
OPT003451	Spencer Christian Ritenour
OPT003452	Kathy Nguyen-Duong
OPT003453	Jason Scott Mann
OPT003454	Crystal Ahn Sol
OPT003455	Tommy Cung
OPT003456	Emily Elizabeth Laga
OPT003457	Maithili Tushar Patel
OPT003458	Wenjie Zhan
OPT003459	Elton Angoni
OPT003460	Areen Amjad Hosein
OPT003461	Debra Angelica DiPrete
OPT003462	Gillian Christyn Bentley

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

Public Rules Hearing Conducted: 10:20 A.M.

Dr. McCullough called the Public Rules Hearing to Order at 10:32 a.m.

There were no written or other submissions received during the minimum of thirty days posting of proposed rule 430-3-.01 for public input to be discussed by the Board. None of the guests present for today’s meeting requested to comment on the proposed rule changes.

I. Rule 430-3-.01 Code of Ethics

The following Code of Ethics is hereby adopted by the Board to govern and as a guide for the conduct of licensed Doctor of Optometry in the practice of optometry in this state. Each licensed Doctor of Optometry shall:

- (a) keep the visual or optometric welfare of the patient uppermost at all times;

- (b) promote in every possible way the better care of the health needs of the citizens of this state;
- (c) enhance continuously ~~his~~ their educational and technical proficiency to the end that ~~his~~ their patients shall receive the benefits of all acknowledged improvements in visual care;
- (d) see that no worthy person shall lack for optometric care regardless of the financial status of the person;
- (e) advise each patient whenever consultation with an optometric colleague or referral for other professional care seems advisable;
- (f) hold in professional confidence all information concerning a patient and use such data only for the benefit of the patient;
- (g) conduct ~~himself~~ themselves as ~~an~~ exemplary citizens;
- (h) maintain ~~his~~ their office and practice in harmony with true professional standards;
- (i) maintain and promote cordial and useful mutual relationships with members of ~~his~~ their profession and other professions for the interchange of information for the advantage of mankind;
- (j) refrain from any exaggeration of a patient's condition.

Authority: O.C.G.A. §§ 43-1-25 and 43-30-5

Purpose: The purpose of the proposed changes is housekeeping in nature, grammatical changes and replacing masculine pronouns (“his,” “himself”) with gender-neutral pronouns (“their,” “themselves”).

Dr. Ajamian motioned, Dr. Hackleman seconded, and the Board voted to adopt Rule 430-3-.01 Code of Ethics as posted. None opposed, motion carried

In addition, Dr. Ajamian motioned, Dr. Canupp seconded and the Board voted that the formulation and adoption of these Board rules 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 and 43-30-5 that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25 and 43-30-5 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.

Dr. Hackleman motioned, Dr. Canupp seconded, and the Board voted that the memo of statutory authority for all the rule revisions heard this date to be released to the Governor’s office as presented. None opposed, motion carried.

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

There were seven pieces of written correspondence received during the minimum of thirty days posting of rule 430-5-.01 for public input to be discussed by the Board. Dr. Jerry Prchal was the only guest to speak (referencing his submitted correspondence), and the Board reviewed each of the other six correspondences received. Following comments by each of the Board members, a vote was called for by the chair.

The Board voted unanimously to table the proposed rule and to work on incorporating some of the information received in writing and discussed during the hearing. The rule will be revisited by the rules committee in a future scheduled meeting.

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

Board Rules Discussion:

- 430-2-.01 Applications – Refer to AG for MOA
- 430-2-.04 Continuing Education – *Tabled for further review/discussion by Rules Committee*
- 430-2-.05 Inactive Status - *Tabled for further review/discussion by Rules Committee*
- 430-2-.07 Renewal - *Tabled for further review/discussion by Rules Committee*
- 430-5-.01 – *Adoption tabled; Refer back to Rules Committee*
- 430-5-.02 – Contents of Prescription for Contact Lens - *Tabled for further review/discussion by Rules Committee*
- Fee Schedule – Addition of fee for renewal/late renewal of Volunteer license - *Approved by the Board*

Dr. Ajamian moved, Dr. Canupp seconded, and the Board voted to approve rule amendments to Board Rule 430-2-.01 Applications as presented and to refer to the AG’s office for review and statutory authority, posting the rule upon receipt for the minimum thirty days for public view with a public rule hearing to be scheduled for the next available date following the public posting. None opposed, motion carried.

Dr. Canupp moved, Dr. Perrine seconded, and the Board voted to enter Executive Session in accordance with O.C.G.A. §43-1-19(h)(2) and 43-1-2(k) to review Applications, review the executive session minutes, receive the Cognizant (Complaints) and Assistant Attorney General reports. Voting in favor of the motion were those present who included Canupp, McCullough, Prchal, Hackleman, Ajamian, Perrine and Gutter-Parker.

At the conclusion of Executive Session, Dr. McCullough 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.

Applications: *None presented*

Cognizant Report:

- ❖ **Recommend Closure:** OPT220021, OPT220022, OPT230002, OPT230004
- ❖ **Pending Investigative Report:** OPT220018, OPT220020- (*P. Ajamian Recused*)
- ❖ **Referral to AG’s Office:** OPT22001 & OPT220012 (*P. Ajamian Recused*), OPT210012, OPT220011
- ❖ **Pending Receipt of Additional Information:** OPT230001, OPT230003, OPT230005

Dr. Canupp moved, Dr. Perrine seconded, and the Board voted to refer OPT220010/220012 to the AG’s office as presented. None opposed, motion carried.

Dr. Canupp moved, Dr. Perrine seconded, and the Board voted to refer OPT210012/220011 to the AG’s office as presented. None opposed, motion carried.

Dr. Canupp moved, Dr. Perrine seconded, and the Board voted to approve the recommendations of the Cognizant report on complaints as presented. None opposed, motion carried.

Attorney General’s Report:

Melissa Tracy, Assistant Attorney General provided a written status report which included information on any cases referred for action, requests for advice and /or requests for authority for proposed rules.

Dr. Canupp moved, Dr. Perrine seconded, and the Board voted to rescind the previous referral of OPT210012 to the AG’s office with a revised referral as presented. None opposed, motion carried.

Dr. Canupp moved, Dr. Perrine seconded, and the Board voted to approve the Assistant Attorney General's report as presented. None opposed, motion carried.

Executive Session Minutes:

- May 18, 2022, C.C./ZOOM Board Meeting
- July 12, 2022, Inv. Cmte C.C. Meeting

Recommendation:

Accept as presented
Accept as amended

Dr. Canupp moved, Dr. Perrine seconded, and the Board voted to approve the May 18, 2022, Board Conference Call Executive Session meeting minutes as presented. None opposed, motion carried.

Dr. Canupp moved, Dr. Perrine seconded, and the Board voted to approve the July 12, 2022, Board Conference Call Executive Session Investigative Committee meeting minutes as amended. None opposed, motion carried.

Executive Session. Misc. Discussion Items:

- GA Ins. Commissioner Referral – *Board Information Only*

Board Liaison (GOA) - Dr. Jeanne Perrine

Dr. Ajamian moved, Dr. Hackleman seconded, and the Board voted for Dr. Jeanne Perrin to serve as the Board liaison with GOA (Georgia Optometric Association) for communication as it related to Board Rules. None opposed, motion carried.

Please Note: The Board scheduled a Conference Call Rules Committee meeting for Wednesday, September 14, 2022, at 1:30 p.m. for the review and discussion of the Board Rules tabled during today's meeting.

There being no further business for discussion, the Board meeting adjourned at 3:05 p.m.

Minutes recorded by:

Linsey Joiner, Board Support Specialist

Minutes reviewed and edited by:

Brig Zimmerman, Executive Director

DR. ROBERT MCCULLOUGH

President

BRIG ZIMMERMAN

Executive Director HC1

Minutes reviewed and approved **November 9, 2022**