

BOARD OF EXAMINERS IN OPTOMETRY

CONDENSED MINUTES OF THE MEETING HELD OCTOBER 09, 2024

Date:	October 09, 2024
Time:	09:00 AM
Location:	Teleconference
Attending:	Board Members: Kathleen Rice (OD, Chair), Pamela Steffes (OD), Ethan Arndt (OD), Sheryl Lentfer (OD), Charles Rudstrom (Public Member) Division Staff: Ashley Carabajal (License Examiner), Alison Osborne (Regulations Specialist), Billy Homestead (Senior Investigator), Lisa Sherrill (PDMP Manager), Melissa Dumas (Operations Manager)
Absent:	

1a. Call to Order: <u>Ethics Report</u>	
Brief Discussion:	<i>Each board member confirmed they had no ethical conflicts to disclose.</i>
1b. Call to Order: <u>Review/Approve Agenda</u>	
Brief Discussion:	<i>No discussion to amend the agenda.</i>
Motion:	<i>Motion to approve the agenda as written. (First: Dr. Steffes; Second: Dr. Rice) The motion passed unanimously.</i>
Action Items:	<i>The board will follow the agenda as written unless amended later in the meeting.</i>
2. <u>Public Comment</u>	
Brief Discussion:	<i>Ms. Carabajal informed the board there were no public comments at the time.</i>
Action Items:	<i>Ms. Carabajal will let the board know if anyone joins the line for public comments.</i>
3. <u>Regulations Project/HB 309</u>	
Brief Discussion:	<i>Ms. Osborne joined the meeting to explain HB 309 had been signed by the governor on August 28, 2024, and has an effective date of November 26, 2024. Ms. Osborne explained the process of a regulation project to the board. Dr. Arndt asked the board what their concerns are about HB 309. Dr. Rice explained she had a lot of concerns because this bill could limit themselves because optometry had changed drastically and will continue to change. If we are too specific and new procedures or devices come out, they won't have technicians to help. Dr. Steffes agreed with Dr. Rice. Dr. Steffes stated that routine services in optometry also includes opticianry which defines opticians and apprentices, and we don't want to cross regulations with the Dispensing Opticians. Ms. Osborne agreed and suggested they look over the Dispensing Opticians regulations and see how they are written as they do have supervision of apprenticeships</i>

	<p><i>and the duties that may be performed under delegation. Ms. Carabajal stated she licenses the Dispensing Opticians and Apprentices and knows the regulations and can help answer questions if needed.</i></p> <p><i>Ms. Osborne explained to the board a change in the regulation allowing the board to have the power to create regulations authorizing a license optometrist to delegate routine services to an agent of that optometrist. The board will also need to create the qualifications that an individual must meet before they are a delegable agent. Ms. Osborne also reminded the board they must define "routine services of optometry" within their new regulations.</i></p> <p><i>Dr. Rice read the American Academy of Ophthalmology (AAO) Code of Ethics and how they define delegations. Dr. Rice thought how AAO defines delegations is adequate and not too broad, like what the board is looking for and the board agreed.</i></p> <p><i>Dr. Steffes volunteered to create the draft regulations for HB309 and will send them to Ms. Carabajal to forward to Ms. Osborne for review and to start our regulations project. Ms. Osborne reminded the board of the Open Meetings Act and to not to discuss board business outside of public meetings.</i></p>
Action Items:	<i>Dr. Steffes will draft HB309 regulations and send them to Ms. Carabajal to forward to Ms. Osborne.</i>
4. PDMP Update	
Brief Discussion:	<i>Ms. Sherrell presented the new PDMP reports to the board and explained the new format.</i>
5. Investigations Report	
Brief Discussion:	<i>Mr. Homestead presented the investigative report to the board. There were two open cases at the time. Mr. Homestead conducted the investigations training.</i>
Motion:	<i>Motion to enter executive session for the purpose of discussing matters involving consideration of government records that by law are not subject to public disclosure. (First: Dr. Arndt; Second: Dr. Rice)</i>
Action Items:	<i>The board went off the record at 10:16AM and came back on record at 10:44AM. The board took a 15-minute break at 10:45.</i>
6. Division Update: Fiscal Report	
Brief Discussion:	<i>The board returned from break at 11:00AM. Ms. Carabajal did roll call to ensure a quorum was established. All members were present.</i>
	<i>Ms. Dumas went over the Fiscal Report and Fiscal Year 2025, Quarter 3.</i>
7a. New Business: Reinstatement Requirements/Application Discussion	
Brief Discussion:	<i>Ms. Carabajal asked the board if it would be worth creating a separate application for reinstatements. Dr. Steffes suggested creating a checklist for licensees applying for reinstatement to ensure.</i>
Action Items:	<i>Ms. Carabajal will look into having a checklist created for reinstatements.</i>
7b. New Business: Clarification on Regulations (12 AAC 48.020(c)(8))	
Brief Discussion:	<i>Ms. Carabajal asked the board for clarification on 12 AAC 48.020(c)(8), as there were conflicting answers on whether the Injections Skills Examination (ISE) through the National</i>

	<p><i>Board of Examiners in Optometry (NBEO) is acceptable after graduating optometry school if applying for licensure by credentials.</i></p> <p><i>The board spent time discussing whether it would be required. The board concluded the ISE is only acceptable if applying for licensure by examination. The ISE is not acceptable if applying by credentials, even if taken after graduating optometry school.</i></p> <p><i>Dr. Steffes pointed out an advisory from 2012 on the board's website that states applicants who take the ISE and are applying by credentials would meet the requirements. Dr Rice said we should have the advisory updated as it is outdated. Dr. Rice volunteered to write a new advisory and will send it to Ms. Carabajal who will post it to OnBoard for review and approval.</i></p> <p><i>Dr. Steffes suggested putting the approved 32-hour Northeastern University Advanced Surgical Procedures course under the list of approved 7-hour injections courses on our website. Ms. Carabajal will work with the divisions publications team to get the website updated.</i></p>
Action Items:	<p><i>Dr. Rice will write an updated advisory to clarify the ISE can only be taken if applying by examination and applicants by credentials must take a 7-hour injections course or equivalent after graduating optometry school. She will send that to Ms. Carabajal who will post it to OnBoard for review and approval.</i></p> <p><i>Ms. Carabajal will work with the publications team to get the approved injections courses updated on the board's website.</i></p>
7c. New Business: <u>State Law Exam Review</u>	
Brief Discussion:	<p><i>Dr. Arndt suggested updating the required Jurisprudence Exam (Alaska State Law Exam) to include additional questions about our telehealth regulations that became effective 11/2023. The board agreed and Dr. Arndt volunteered to create the new questions and will send them to Ms. Carabajal to get posted to OnBoard for review.</i></p>
Action Items:	<p><i>Dr. Arndt will work on the new telehealth questions for the Jurisprudence Exam and send them to Ms. Carabajal to post to OnBoard for approval. The exam will be updated if the questions are approved by the board.</i></p>

Next Meeting:	November 13, 2024 @12:00 PM
Adjournment:	12:18 PM