

BOARD OF OPTICIANRY
GENERAL BUSINESS MEETING MINUTES
TELEPHONE CONFERENCE CALL

1-888-670-3525

Pass Code: 5805370981

Friday, June 7, 2013 beginning at 8:30 a.m.

CALL TO ORDER/ROLL CALL

The meeting was called to order at 8:30 a.m. by David Calvo, Chair. Those present for all or part of the meeting included the following:

Members present:

David Calvo, Chair
Barney Goodman, Vice-Chair
Antonio Feroce
Peggy Slattery
Irene Stavros

Staff present:

Douglas Dolan, Board Counsel
Sue Foster, Executive Director
Robin McKenzie, Program Administrator
Court Reporter: For The Record
850-222-5491

REVIEW AND APPROVAL OF MINUTES

The minutes of the November 2, 2012 meeting were reviewed and following review, the following action was taken by the Board:

Motion: by Mr. Goodman to approve.

Second: by Ms. Slattery.

Vote: unanimous.

PETITION FOR VARIANCE OR WAIVER OF RULE

Lydia Schmidt, Rule 64B12-16.008, F.A.C.

Ms. Schmidt was present and was not represented by counsel. Ms. Schmidt began working in their family optical business straight from an Associates Business degree. She completed the ABO exam in 2010 and passed the NCLE in 2012. Ms. Schmidt's apprenticeship had expired 6/25/11 and her completed Apprenticeship Sponsor Attestation Form was due within 6 months. She would like to be permitted to take the examination.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Slattery to deny the petition as no hardship was demonstrated.

Second: by Mr. Goodman.

Vote: unanimous.

Scott Chaput, Rule 64B12-9.017, F.A.C.

Mr. Chaput was present and was not represented by counsel. He is requesting a waiver from this rule regarding eligibility of individuals practicing in a state in which licensure is not required. Applicants must apply for licensure within two years of ceasing the actual practice in the other

state. He moved to Florida in 2009 and was employed at Citrus Eye Clinic from 2009 – 2011 and Kaufman Eye Institute from 2011 – 2012. Mr. Chaput is now employed at Mid Florida Eye and his employer asked that he obtain his optician's license. He has passed both the ABO and NCLE and has a 4 year bachelor's degree in education and a Florida State license as a Hearing Aid Specialist. He had owned and operated an optical business in Maine for 27 years.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Slattery to deny as no substantial hardship was demonstrated.

Second: by Ms. Stavros.

Vote: unanimous.

Motion: by Ms. Slattery to deny the application as he does not meet statutory requirements.

Second: by Mr. Feroce.

Vote: unanimous.

LICENSURE REACTIVATION

Marjorie Kramer

Ms. Kramer was present and was not represented by counsel. She is requesting that the Board waive part or all of the 100 continuing education hours required for her to return her license to active status or to extend the deadline until the 2014 renewal period. She has maintained her Kentucky and Georgia licenses in an active status during the time her Florida license has been inactive. Ms. Kramer has kept up with those states continuing education requirements, which are ten hours every two years in Georgia and six hours per year in Kentucky. It would be helpful if the continuing education completed for Georgia and Kentucky be accepted toward completion of her Florida CE requirements.

Mr. Kramer gives hardship information concerning her twins and that a move to Florida would benefit her family's mental and physical health exponentially. She has the opportunity with her employer, National Vision, to relocate back to Florida. The position in Florida requires her optician license to be active no later than July 2013.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Slattery to approve request and extend the CE requirements through 12/2014.

Second: by Ms. Stavros.

Vote: unanimous.

Motion: by Ms. Slattery to authorize board staff to review the continuing education completed in other states and determine if the hours may be used toward the Florida requirements.

Second: by Ms. Stavros.

Vote: unanimous.

REVIEW OF APPRENTICESHIP HOURS

Sandra Lora

Ms. Lora was not present and was not represented by counsel. Ms. Lora became an apprentice optician in 2008 and works full time at International Opticians. Both of her sponsors, Mr. Jose

Del Cueto and Mr. Lino Alvarez passed away and she is requesting that Mr. Ausberto Jimenez be approved as her new sponsor and to be able to sign off on her apprenticeship hours. Ms. Lora sends information from the Vice President and General Manager detailing the circumstances.

Following discussion, the following action was taken by the Board:

Motion: by Ms. Slattery to request copies of her work records for review showing the dates, times, and locations of her apprenticeship hours.

Second: by Ms. Stavros.

Vote: unanimous.

RULES DISCUSSION

64B12-9.002, F.A.C.

The December 5, 2012 letter from the Joint Administrative Procedures Committee (JAPC) asked that statutory authority be provided for requiring the applicant to provide a photograph with the application. The Board may consider taking off the requirement for a photo with the re-examination application and in the application instructions.

Following discussion, the following action was taken:

Motion: by Ms. Slattery to omit the photograph requirement from the re-exam application and in the instructions.

Second: by Ms. Stavros.

Vote: unanimous.

Motion: by Ms. Slattery that a SERC is not required – no adverse impact.

Second: by Ms. Stavros.

Vote: unanimous.

64B12-16.003, F.A.C.

The December 5, 2012 letter from the Joint Administrative Procedures Committee (JAPC) asked that statutory authority be provided for requiring the applicant to provide a photograph with the application. The Board may consider taking off the requirement for a photo with the apprentice optician application and in the application instructions.

Following discussion, the following action was taken:

Motion: by Ms. Slattery to omit the photograph requirement from the apprentice optician application and in the instructions.

Second: by Ms. Stavros.

Vote: unanimous.

Motion: by Ms. Slattery that a SERC is not required – no adverse impact.

Second: by Ms. Stavros.

Vote: unanimous.

64B12-16.003, F.A.C.: 32 Hour Contact Lens Course

The Board of Opticianry reviewed proposed revisions to this rule submitted by Mark Miller, Professional Opticians of Florida (POF) regarding a Board-approved course equivalent to 32 hours as a substitute for working experience with contact lenses. POF proposes 9 areas of study: Introduction to Contact lenses (6 hours); Prefit and Assessment (2 hours); Diagnostic Fit & Evaluation (2 hours); Lens Dispensing and Patient Evaluation (1 hour); Follow-up Visits with the Patient (1 hour); Administrative Procedures (1 hour); Slit lamp and Pathology (3 hours); Florida and Federal laws/rules related to contact lenses and dispensing (3 hours); and a Practical Component (13 hours).

Following discussion, the following action was taken by the Board:

Motion: by Ms. Slattery to approve the draft language with amendments discussed regarding course vs. training program and capitalization of Contact Lens Training Program.

Second: by Mr. Feroce.

Vote: unanimous.

Motion: by Ms. Slattery that a SERC is not required, no adverse impact on businesses.

Second: by Ms. Stavros.

Vote: unanimous.

OTHER BUSINESS

2013-2014 Annual Regulatory Plan

Follow review and discussion, the Board took the following action:

Motion: by Ms. Slattery to approve the plan with discussed amendments.

Second: by Ms. Stavros.

Vote: unanimous.

INFORMATIONAL ONLY – NO ACTION TAKEN

Budget Information

NCSORB Updated Candidate Handbook and Checklist

ADJOURNMENT

The meeting was adjourned at 9:51 a.m.