



FLORIDA BOARD OF OPTICIANRY GENERAL BOARD MEETING FULL BOARD MINUTES

Telephone Conference Call

July 26, 2019 @ 12:00 P.M.

Dial-in #: 1 (888) 585-9008

Participation Code: 744-469-610

TAB 1. CALL TO ORDER

The meeting was called to order on Friday, July 26, 2019, at 12:00 P.M. ET by Board Chair, John B. Girdler.

Roll Call – Janet Hartman, Executive Director

Those present for the meeting included the following:

Members Present:

John B. Girdler, Chair
Irene Stavros, RDH
Richard Williams

Members Absent:

Paul Wilford, Vice-Chair – Excused Absence
Byron D. Shannon – Excused Absence

Motion: by Irene Stavros to excuse Paul Wilford from missing the board meeting.

Second: No Board member seconded the motion

Vote: Does not pass – Absence is unexcused for Paul Wilford

Motion: by Richard Williams to excuse Byron D. Shannon from missing the board meeting.

Second: by Irene Stavros

Vote: Passes unanimously

Staff Present:

Janet Hartman, Executive Director
Eric Pottschmidt, Program Operations Administrator
Timothy Frizzell, Assistant Attorney General, Board Counsel
Court Reporter: For The Record
Rose Garrison, Esq., Senior Attorney
Chad Dunn, Assistant General Counsel

TAB 2. REVIEW AND APPROVAL OF MINUTES

Motion: by Irene Stavros to approve the minutes as presented from the April 26, 2019, General Business Meeting.



Second: by Richard Williams
Vote: Passed Unanimously

TAB 3. DISCIPLINE – VOLUNTARY RELINQUISHMENT (TS – 3:30 Minutes)

VR-01 Rosa M. LaPace, L.D.O. Case# 2017-15868 - Ms. LaPace is not present.

Motion: by Richard Williams to accept the voluntary relinquishment.

Rose Garrison requests a count be conducted of board members as Irene Stavros is recused from voting.

General Counsel and the Board determine insufficient quorum to take vote on this case. Tabling until November 15, 2019 meeting.

Rose Garrison's presents the prosecutor's report and case history and requests that the Board Chair for a motion to allow Prosecuting Services Unit to continue prosecuting 1 year and older cases.

Motion: by Richard Williams to accept and continue to approve prosecuting 1 year and older cases.

Second: by Irene Stavros
Vote: Passed Unanimously

TAB 4. HEARING REQUEST (TS – 6:50 Minutes)

Deborah M. Norris. File # 7777, s. 120.569 and 120.57, F.S.

Deborah Norris is not present. John Girdler reviews her history, previous case, and her request to reconsider a previous motion.

Motion: by Richard Williams to deny the reconsideration.

Second: by Irene Stavros
Vote: Passed Unanimously

TAB 5. REPORTS - (TS – 11:00 Minutes)

Chair's Report – reviews various points surrounding inspectors and investigators and what they do. Reads rules into the record.

Vice Chair's Report – nothing to report.

Executive Director's Report – Janet Hartman, Executive Director.

Janet Hartman reviews new application redesign effort and program. She presents four applications for review but is requesting to table the Apprentice Optician Application until the next board meeting in November. Is requesting board to review for consideration and promulgation of an Initial Opticianry Application, Opticianry Licensure Examination Application, and an Optician Board Certification Application.



Timothy Frizzell, Assistant Attorney General, Board Counsel comments on the Initial Opticianry Application.

Janet Hartman announces new Surgeon General Appointment, Dr. Scott A. Rivkees.

Janet Hartman updates on the new ABOP and NLCEP National Practical Examination. Also announces that NCSORB is interested in having their written examination verified by psychometrics professionals for consideration of the Board.

Board Chairs/Vice Chairs Annual Long-Range Planning Meeting – 10/18/19 – A survey will be e-mailed that will ask for response to several statements that will be reviewed at the Chairs/Vice Chairs Annual Long-Range Planning Meeting. The statements (6) required by section 456.005, Florida Statutes, were read to the members. The Board members have not received the survey.

John Girdler inquires about update on new Board appointments by the Governor's Office.

Legislative Update – Janet Hartman reviews HB 23 Telehealth bill and related topics. Also announced the January 14, 2020, start of Legislative Session.

Timothy Frizzell, Assistant Attorney General, Board Counsel review previously discussed application issues. The Initial Opticianry Application requires review and will be ready for presentation at the November 15th board meeting.

Opticianry Licensure Examination Application, and the Optician Board Certification Application are prepared to move-forward today.

Motion: by Richard Williams to accept the new Opticianry Licensure Examination Application

Second: by Irene Stavros

Vote: Passes Unanimously

Motion: by Richard Williams to accept the new Opticianry Board Certification Application.

Second: by Irene Stavros

Vote: Passes Unanimously

Timothy Frizzell, Assistant Attorney General, Board Counsel notes that a vote to amend rules is required.

Motion: by Irene Stavros to amend rules 64B12-9.0015 and 64B12-14.002 for the new Opticianry Licensure Examination Application and for the new Opticianry Board Certification Application.

Second: by Richard Williams

Vote: Passes Unanimously



SERC Questions will be asked that apply to both 64B12-9.0015 and 64B12-14.002.

Will the proposed rule amendments have adverse impact on small business?

Motion: by Irene Stavros votes “NO”
Second: by Richard Williams on “NO” motion
Vote: Passes Unanimously

Will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000 in the aggregate in Florida within one year after implementation?

Motion: by Irene Stavros votes “It will not”
Second: by Richard Williams “It will not” motion
Vote: Passes Unanimously

Should a violation of this rule or any part of this rule be designated as a minor violation?

Motion: by Irene Stavros votes “NO”
Second: by Richard Williams on “NO” motion
Vote: Passes Unanimously

John Girdler asks Timothy Frizzell, Assistant Attorney General, Board Counsel what, if any, affects the telehealth bill will have on the Opticianry profession.

Timothy Frizzell, Assistant Attorney General, Board Counsel reviews rules report.

TAB 6. RATIFICATIONS (2/7/2019 to 7/2/2019) (TS – 37:50 Minutes)

Motion: by Irene Stavros to accept the ratification list for Opticians
Second: by Richard Williams
Vote: Passes Unanimously

Motion: by Irene Stavros to accept the ratification list for Optician Apprentice
Second: by Richard Williams
Vote: Passes Unanimously

TAB 7. OLD BUSINESS/NEW BUSINESS – No old or new business.

TAB 8. NEXT MEETING DATE is November 15, 2019 @ 9:00 a.m. at The Westin Fort Lauderdale Beach Resort



TAB 9. PUBLIC COMMENTS – No public comments.

John Girdler brings case of Deborah M. Norris. File # 7777, s. 120.569 and 120.57, F.S. back to the table for review and consideration.

Motion: by Richard Williams to reconsider the denial of the vote held on April 26, 2019.

Second: by Irene Stavros

Vote: Passed Unanimously

Motion: by Irene Stavros to accept petition of waiver or variance and allow to her to take the national practical examination.

Second: by Richard Williams

Vote: Passed Unanimously

TAB 10. ADJOURNMENT – 12:56 P.M.

Motion: by Richard Williams to adjourn at 12:56 P.M.

Second: by Irene Stavros

Vote: Passed Unanimously