

FLORIDA BOARD OF OPTICIANRY GENERAL BOARD MEETING

May 26, 2021 at 9:00 A.M. EST



Paul Wilford, Acting Chair

Janet E. Hartman, Executive Director



I. CALL TO ORDER

The meeting was called to order on Wednesday, May 26, 2021 at 5:36 p.m. ET by Paul Wilford, Acting Chair.

A. Roll Call

Roll call was conducted by Janet Hartman, Executive Director. Those present for all or part of the meeting included the following:

MEMBERS PRESENT

Paul Wilford, Acting Chair
Jeffrey Taylor, ABO Master Optician
Irene Stavros, RDH

MEMBERS ABSENT

Richard Williams - Excused

STAFF PRESENT

Janet Hartman, Executive Director
Eric Pottschmidt, Program Operations
Administrator

BOARD COUNSEL

Timothy Frizzell, Assistant Attorney
General

PROSECUTING ATTORNEY

Kimberly Marshall, Assistant General
Counsel

COURT REPORTER

For the Record
850-224-0728

II. RECOGNITION OF SERVICE

John B. Girdler III

Janet Hartman presented a recognition of service award for Mr. Girdler. Mrs. Hartman extended her appreciation to Mr. Girdler for his years of service.

III. NEW BOARD MEMBER INTRODUCTION

Jeffrey Taylor, ABO Master Optician

Mr. Taylor greeted the Board and stated he looks forward to being a part of the process.

IV. REVIEW AND APPROVAL OF MINUTES

January 15, 2021

Motion: by Jeffrey Taylor to approve the meeting minutes.

Second: by Irene Stavros.

Vote: Passed Unanimously.

V. DISCIPLINE

David A. Bressette, L.D.O. - DOAH Case NO.: 20-3419PL; DOH Case NO.: 2017-21540
Petitioner's Response to Respondent's Exceptions to The Recommended Order
(PCP: Stavros & Calvo)

Due to lack of quorum, this case will be postponed to the next scheduled meeting.



VI. PETITION FOR VARIANCE OR WAIVER (TS 00:02:15)

Laura Del Valle – Rule s.64B12-16.008(3), F.A.C.

Tim Frizzell, Esq. reviewed what a variance or waiver is and what qualifies for a variance or waiver to refresh the Board and inform new members with the process.

Ms. Del Valle spoke to her past and explained why she is looking for approval for the variance or waiver.

Jeffery Taylor spoke to Ms. Del Valle that their experience and professionalism is not what is in question, but why the large gap in filing the paperwork to become licensed. Mr. Taylor sought clarity on how frequent a variance or waiver for this rule. Janet Hartman addressed his question about variances or waivers on the rule from previous meetings.

After discussion the Board voted on the following:

- Motion:** by Irene Stavros to approve the Petition for Variance or Waiver.
- Second:** by Jeffery Taylor.
- Vote:** Passed Unanimously.

VII. PROSECUTOR’S REPORT (TS 00:20:00)

Kimberly Marshall, Esq., Assistant General Counsel

CASE INVENTORY	
TOTAL CASES OPEN/ACTIVE IN PSU	4
CASES IN EMERGENCY ACTION UNIT	0
CASES UNDER LEGAL REVIEW	2
CASES WITH PROBABLE CAUSE RECOMMENDATION	0
TOTAL CASES WHERE PROBABLE CAUSE HAS BEEN FOUND	2
CASES IN HOLDING STATUS	0
CASES PENDING BEFORE DOAH	0
CASES IN INTAKE STATUS	0
CASES AGENDAED FOR BOARD	0
CASES ON APPEAL	0
Total Number of Cases Older Than One Year (Does not include cases on current Board agenda):	2

The Department requests that the Board authorize the continued prosecution of the year and older cases.

- Motion:** by Jeffery Taylor to allow PSU to continue to prosecute 1 year and older cases.
- Second:** by Irene Stavros.
- Vote:** Passed Unanimously.

VIII. REPORTS (TS 00:21:25)

A. Acting Chair’s Report – Paul Wilford

No report.

B. Executive Director’s Report – Janet Hartman



Financial Report

The Financial Report is attached to the end of the minutes.

Proposed Summer / Fall Meeting Date

Board members present agreed to the August 6, 2021 meeting date in the Daytona area for the next in-person General Business Meeting.

Proposed 2022 Meeting Dates

Board members present agreed unanimously to the proposed meeting dates presented, preferably with a Friday at 2:00 p.m. ET schedule.

Renewal

Janet Hartman addressed the executive order to extend renewals till June 30, 2021

Legislation

Janet Hartman addressed the previous legislative session. While there were no law changes directly to the profession; there are two bills that Mrs. Hartman and Mr. Frizzell will be reviewing in-depth with the Board during their next meeting.

Board Counsel's Report – Timothy Frizzell

Rules Report

Timothy Frizzell reviewed the rules report with the Board. All previous standing rules as of April have been approved except for 64B12-9.001 concerning addition of the NCSORB exam. Mr. Frizzell reviewed staffing updates in his office.

IX. RATIFICATIONS (TS 00:28:50)

Licenses Issued

Motion: by Irene Stavros to accept the ratification list for 2001 and 2002.
Second: by Jeffery Taylor.
Vote: Passed Unanimously.

CE Broker Courses Reviewed

Motion: by Irene Stavros to accept the ratification list of CE courses
Second: by Jeffery Taylor.
Vote: Passed Unanimously.

X. CONTINUING EDUCATION (TS 00:30:30)

Courses Requiring Review

- *Optical Seminars - #20-812350 - Strategies for Second-Pair Sales*
- *Optical Seminars - #20-812336 - Spectacle Lens Solutions for Digital Eye Strain*

Motion: by Jeffery Taylor to accept the courses.
Second: by Irene Stavros.
Vote: Passed Unanimously.



XI. ELECTION OF OFFICERS (TS 00:33:00)

Election of Officers was tabled until the August meeting.

XII. NEXT SCHEDULED MEETING DATE (TS 00:34:15)

August 6, 2021 – Daytona, FL

XIII. OLD BUSINESS/NEW BUSINESS (TS 00:34:22)

No report.

XIV. PUBLIC COMMENTS (TS 00:34:45)

Mr. Morris addressed the Board about cost of exam is changing to \$175.00 and combined exams will now be \$225.00. Also spoke to the new virtual exam that has been implemented and reported no breaches of security to the exam.

XV. ADJOURNMENT @ 6:16 p.m. ET

Motion: by Irene Stavros to Adjourn.

Second: by Jeffery Taylor.

Vote: Passed Unanimously