

Board of Registration of Dispensing Opticians
1000 Washington Street 1st Floor Room 1C, Boston, MA 02118
Date: February 3, 2016 Time: 10:00am

Meeting Minutes

Board Members Present:

William Carleton (WC)
Gary Peters (GP)
Martin Bregman (MB)

Staff Present:

Michael Hawley, Executive Director
Monique Brown, Administrator
James O'Connor, Board Counsel

Members of the Public Present:

Ashlie Perkins
Thomas Merrill
Anthony Rebello
Raquel Vieira
Michael Allen
James Russo

Lorraine O'Connor
Mary Ann Buonomo
George Bevicone
Nicole DePalma
Blair Wong

10:04 AM: Meeting called To Order:

- Meeting was called to order at 10:04 am by WC
- WC reviewed exit procedures in the case of a fire

Review Meeting Minutes:

- MB moved to accept the Public Session minutes from December 2, 2015 meeting. WC seconded. Motion passed. MB – Yes, WC – Yes, GP – abstaining.

Board Business:

- Introductions of new Board member, John Gary "Gary" Peters. Mr. Peters replaces Mr. Thomas Merrill as a board member. The Board welcomed Mr. Peters and also took a moment to express appreciation for the contributions of Mr. Merrill.
- Report from Executive Director, Michael Hawley.
 - E-Licensing Update – Mr. Hawley indicated that the configuration requirements have been reviewed and test conditions and data conversion testing is being prepared. There will be many types and phases of testing. The target date for implementation is still August of 2016.

- Report from Board Counsel, James O'Connor.
 - Executive Order 562 Update – Mr. O'Connor indicated that the regulation changes drafted by the board have been sent to the Office of Consumer Affairs and Business Regulation for further review and approval. There are additional levels of review before a public hearing can be held.
 - Supreme Court Decision on the North Carolina Dental Board – Mr. O'Connor reviewed the decision and provided some background. The Board members discussed the Board's history with regard to anti-trust issues.

- Report from Chief Investigator, Christopher Carroll.
 - No Report.

Discussion:

- Sheila Moores apprenticeship hours request – Ms. Moores submitted what appear to be payroll reports indicating that she had worked for an optician. However the hours did not appear to have been worked in the context of an approved apprenticeship program. **GP moved to deny the use of the hours toward the apprentice hours requirement. MB seconded. Motion passed unanimously.**

- Reinstatement question from Rob Fitzgerald – Staff sought guidance from the Board to answer two reinstatement questions from Rob Fitzgerald. Mr. Fitzgerald emailed the board about the requirements for reinstating his licensed.
 - He wanted to know, since he was licensed before the NCLE exam was required for licensure, whether he would need to pass the exam to be reinstated. The Board advised that Mr. Fitzgerald should not be required to take the NCLE exam.
 - Mr. Fitzgerald also wished to know whether he would have to show proof of taking contact lens related CEs for the period he was unlicensed. The Board advised that he would be so required.

- NCSB – The board was informed by staff that NCSB has submitted information about its practical exam. The Board determined to consider practical exam selection at its March meeting.

- Vision Expo Conference 2016 – International vision expo sent three documents with details of their 2016 conference to be held in April in New York. Documents read and filed.

Apprenticeship Extension Requests:

Nicole DePalma – Ms. DePalma appeared before the board. She has taken and failed the NCLE twice since the board granted her an extension a year ago. The Board advised Ms. DePalma to seek assistance and suggested the Benjamin Franklin institute as a possible source of additional training and preparation.

MB Moved to grant a one year extension with the condition that Ms DePalma continue to take the NCLE exam each time it is available until she passes. GP seconded. Motion passed unanimously.

Raquel Vieira – Ms. Vieira appeared before the board. She has been unable to pass the NCLE since the board granted her an extension a year ago. The Board also advised Vieira to seek assistance and suggested the Benjamin Franklin institute as a possible source of additional training and preparation.

MB Moved to grant a one year extension with the condition that Ms Vieira continue to take the NCLE exam each time it is available until she passes. GP seconded. Motion passed unanimously.

Andrea Schurgin – Ms. Schurgin appeared before the board. She terminated her apprenticeship in 2000 and was looking for an extension. The Board told Ms. Schurgin that, at this point, she must apply for a new apprenticeship.

Christine Pinero – Ms. Pinero did not appear. The matter was tabled for consideration at another time.

Lisa Tomaszewski – Ms. Tomaszewski is not due to appear until the April Board Meeting. The Board will consider her apprenticeship at that time.

Open session for topics not reasonably anticipated 48 hours in advance of the meeting:

Blair Wong discussed an Opticianry Awareness Campaign that is occurring this month. Mr. Wong indicated that this will be a national campaign and will include advertising with the aim of drawing attention to the importance of the practice of opticianry. The Board expressed enthusiasm and support for the effort.

Cases, Investigative Conference [Closed session pursuant to G.L.c. 112 §65C]:

MB moved to enter investigative session to discuss pending cases [Closed Session pursuant to G.L.C. 112 §65C]. GP seconded. Motion passed unanimously.

At the end of the investigative session, the open meeting resumed.

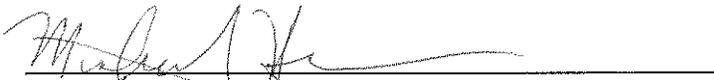
During the investigative conference the board voted to take the following action:

- SA-DO-16-004 – Close staff assignment and open complaint.
- DO-16-002 – Forward case to Office of Prosecutions
- DO-16-007 – Forward Case to Office of Prosecutions

11:40 a.m. Adjournment:

GP moved to adjourn the meeting. MB seconded. Motion passed unanimously.

Respectfully Submitted,



Michael Hawley
Executive Director

Documents used in the open meeting:

- Agenda for DO Board Meeting of February 3, 2016
- Draft Minutes from the December 2, 2015 meeting.
- Sheila Moores payroll documents from Optometrist employer
- Reinstatement question in e-mail from Rob Fitzgerald
- Documents from International vision expo describing their annual conference in New York.
- Nicole DePalma apprenticeship extension request
- Raquel Vieira apprenticeship extension request
- Andrea Schurgin apprenticeship extension request
- Christine Pinero apprenticeship extension request
- Lisa Tomaszewski apprenticeship extension request