

**Board of Registration of Dispensing Opticians
Public Session Minutes**

Date: January 4, 2023 Time: 10:00 a.m.

A public meeting of the Massachusetts Board of Registration of Dispensing Opticians (“the Board”) was held via Videoconference and Conference Call pursuant to Chapter 22 of the Acts of 2022, signed into law on February 12, 2022.

Board Members Present:

William Carleton, Board Chair
Mark Davini, Board Secretary
Jesse Ellis
Deborah Black
Alicja Prachanronarong

Staff Present:

Sheila York, Board Counsel
Lauren McShane, Chief Investigator
Lauren Nelson, Deputy Bureau Director
Thomas F. Burke, Executive Director

Board Chair, William Carleton, called the meeting to order at 10:05 am and established a quorum via calling attendance: William Carleton, Jesse Ellis, Deborah Black, Alicja Prachanronarong, and Mark Davini. All members participated remotely via Microsoft Teams.

Housekeeping:

- Mr. Burke advised members of the public to mute their volume and utilize the raise hand function to address the Board. He asked that members of the public turn off their cameras during the meeting and when not directly addressing the Board.

Board Business:

- **Report from Executive Director, Thomas Burke:** Mr. Burke announced that the new eLicensing system is undergoing updates and access will be restored by Thursday, January 5, 2023.

Board Minutes:

- Public Meeting Minutes from December 7, 2022: **Mr. Ellis moved to accept the minutes and Dr. Davini seconded. The motion to accept the December 7, 2022 minutes passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.**

Apprentice Extension Request:

Rachel Miller – Ms. Miller met with the Board at the November 2, 2022 meeting for review of her application for licensure. The Board instructed Ms. Miller to correct her verification of hours and provide additional evidence of training. The Board granted her an apprentice extension until January 31, 2023. Ms. Miller appeared before the Board to request a second extension so that she may receive additional apprentice training. **After discussion, Ms. Black moved to grant Ms. Miller an extension of her apprenticeship until April 30, 2023. Mr. Ellis seconded. Motion passed by a roll call vote: Ms.**

Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Application Review:

At 10:25 a.m., the Board was scheduled to meet with applicants for licensure and reviewed applications and additional documentation. Below is a list of the candidates for review and the motion and roll call vote for each:

Lindsey Fortin – After review of Ms. Fortin’s application, Dr. Davini moved to approve her for licensure. Ms. Prachanronarong seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Kristen Gallon – After review of Ms. Gallon’s application, Mr. Ellis moved to approve her for licensure. Dr. Davini seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “No”, Ms. Prachanronarong: “Yes”.

Kendra Cervantes – After review of Ms. Cervantes’ application, Mr. Ellis moved to approve her for licensure. Ms. Black seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Luke Cameron – After review of Mr. Cameron’s application, Mr. Ellis moved to approve him for licensure. Ms. Black seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Kate Misler – After review of Ms. Misler’s application, Mr. Ellis moved to approve her for licensure. Dr. Davini seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Morgan Shehan – After review of Ms. Shehan’s application, Dr. Davini moved to approve her for licensure. Ms. Black seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Correspondences:

- Letter from James M. Morris, General Counsel & Executive Director American Board of Opticianry & National Contact Lens Examiners, dated 10/31/22, re: ABO & NCLE Concerns Regarding Unvetted Training Programs

Mr. Morris met with the Board to address the concerns he raised in his letter. He explained that the current ABO-NCLE examinations used by Massachusetts applicants to prepare for licensure underwent significant scrutiny by both the Board and outside professional organizations prior to their approval. He noted that his organization continues to receive ongoing scrutiny through regular audits and analyses. He encouraged the Board to apply the same level of scrutiny to other training programs seeking Board approval to ensure that their coursework and examinations meet the same professional standard of quality. In response, Ms. York distinguished between the Board's application requirements for licensure, which includes the taking of the ABO and NCLE exams, and additional classroom learning and exam preparation that may be considered related technical instruction. No vote was taken and the Board thanked Mr. Morris for his correspondence.

- Email from Professor Blair Wong, Director of Opticianry Benjamin Franklin Cummings Institute of Technology, dated 11/2/22, re: Comment on Apprentice Training Programs

Read and filed.

Discussion:

- Massachusetts optometrists as supervising mentors for apprentice opticians pursuant to 235 CMR 4.07

Ms. York offered the Board guidance on 235 CMR 4.07 as it relates to how an optometrist can feasibly provide direct and on-site supervision to apprentice opticians while practicing as an optometrist. She noted that on-site supervision is described as supervision that occurs "on the premises" of the optometrist's office where the apprentice optician is performing a function or service. The Board then discussed how optometrists may or may not fulfill the requirements of supervision as defined by regulation. Ms. York queried the Board on how they might provide clear guidance to both optometrists and the Division of Apprentice Standards (DAS) on the topic of supervision. The Board responded that supervision by optometrists should include specific hours dedicated to the training of the apprentice optician, and that additional hours should be scheduled if the optometrist is unavailable during regular business hours. The Board will work on identifying standards that enable optometrists to provide direct, on-site supervision as required by the Board's regulations. There was no vote taken and the Board agreed to review further at subsequent Board meetings.

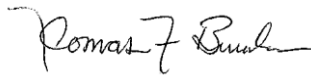
Open session for topics not reasonably anticipated 48 hours in advance meeting

- The Chair invited members of the public to provide comment to the Board.
 - Melissa Dias inquired about the status of her application for licensure. The Board instructed staff to follow up with Melissa Dias regarding the status of her application.

Adjournment:

- **At 12:43 p.m. Mr. Ellis moved to adjourn the meeting. Ms. Prachanronarong: seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.**

Respectfully Submitted,



Thomas F. Burke
Executive Director

Documents used in the open meeting:

- Agenda for DO Board Meeting of January 4, 2023
- Draft Public Meeting Minutes from December 7, 2022
- Apprentice Extension request for R. Miller
- Applications for L. Fortin, K. Gallon, K. Cervantes, L. Cameron, K. Misler and M. Shehan (protected personal data redacted)
- Letter from James M. Morris, General Counsel & Executive Director American Board of Opticianry & National Contact Lens Examiners, dated 10/31/22, re: ABO & NCLE Concerns Regarding Unvetted Training Programs
- Email from Professor Blair Wong, Director of Opticianry Benjamin Franklin Cummings Institute of Technology, dated 11/2/22, re: Comment on Apprentice Training Programs