

Board of Registration of Dispensing Opticians

This meeting will be held by conference call. Please participate by Phone at:  
United States (Toll Free): 1 877 568 4106 or United States: +1 (312) 757-3129  
Access Code: 746-148-877  
Date: May 6, 2020 Time: 10:00 a.m.

Public Meeting Minutes

**Board Members Present:**

David Fogg  
Deanna Kurlowecz  
Marty Bregman

**Staff Present:**

Sheila York, Board Counsel  
Michael Hawley, Executive Director  
Thomas F. Burke, Associate Exec. Director

**Board Members Absent**

Gary Peters

**Members of the Public Present:**

Jim Morris  
Patricia Ramanauskas  
Kerri Bosi  
Kelly Finnerty  
Camille Pensavalli, Division of Apprentice Standards  
Ahhyee R. Ma  
Blair Wong

**Meeting called To Order:**

- Ms. Kurlowecz, Acting Chairperson, called the meeting to order at 10:04 a.m.
- Exit and Evacuation procedures were tabled.

**Review Meeting Minutes:**

- The review of the minutes of April 1, 2020 Meeting: **Ms. Kurlowecz moved to accept the minutes. Mr. Bregman seconded. Motion passed by a roll call vote: Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.**

**Board Business:**

- **Report from Executive Director, Michael Hawley**  
Mr. Hawley reported that Board staff continues to work remotely in light of the emergency order; however, mail is being processed on a weekly basis. Licensees and members of the public are encouraged to contact the Board by email regarding applications and general concerns. Mr. Hawley noted that Board staff has recently updated the FAQs and will present to the Board at a future date.

**Apprentice Reinstatement/Extension Requests:**

- **Kerri Bosi** – Ms. Kerri Bosi appeared by telephone before the Board with her employer and supervisor, Ms. Patricia Ramanauskas. Ms. Bosi began her apprenticeship in September 2014 until it was cancelled in February 2019. Ms. Bosi reported to the Board that she began working for TLC in January 2020 and would like to resume her apprenticeship so she may work as an apprentice optician. Because Ms. Bosi has completed the minimum three years of apprenticeship training, Ms. Kurlowecz reminded Ms. Bosi that she should may no longer dispense because of her expired apprenticeship. Ms. Bosi noted that she took the ABO exam but did not achieve a passing score; she has not yet taken the NCLE exam. Ms. Ramanauskas stated that TLC has a full contact lens dispensary and finishing lab in which Ms. Bosi may work and that the doctors on staff at TLC are willing to instruct and guide Ms. Bosi.

**After discussion, Mr. Fogg moved to allow Ms. Bossi to extend her apprenticeship (or reinstate as appropriate) until the September board meeting, provided that she take either the ABO or NCLE exam during that period. If Ms. Bossi wants to extend her apprenticeship again, she must submit another request and appear before the board at that time. Ms. Kurlowecz seconded. The Motion passed on a roll call vote: Mr. Fogg – “Yes”; Ms. Kurlowecz – “Yes”; Mr. Bregman – “Yes”**

#### **CEPA Extension Requests:**

- Kelly Finnerty – Ms. Finnerty appeared before the Board to request an extension of her CEPA agreement so that she may take the practical exam in May 2020.

**After brief discussion, Mr. Fogg moved to extend Ms. Finnerty’s CEPA agreement until August 31, 2020. Mr. Bregman seconded. Motion passed by a roll call vote: Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.**

#### **Board Discussion:**

- **Impact of COVID-19** –
  - Test Center Closures
  - Governor’s Executive Order
  - Renewal Extensions
  - Continuing Education Extensions
  - Other Impacts

Mr. Jim Morris of ABO addressed the Board about testing availability. He reported that the exams scheduled for this week have been cancelled and the seven candidates in Massachusetts and that ABO will assist candidates to work with Prometric to reschedule. He noted that the current seating configuration at the testing center is designed so that every other seat is left empty per social distance recommendations. ABO will be able to administer a proctored practical exam remotely by June 1. Mr. Hawley asked if there is an additional expense to take the “proctored exam” remotely versus the in-house “test center” exam. Mr. Morris responded that ABO has absorbed the additional cost of the exam, so that there is no additional cost to the applicant.

**After discussion, Mr. Fogg moved to accept the remotely proctored practical exam until the emergency order is lifted. Mr. Bregman seconded. Motion passed by a roll call vote: Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.**

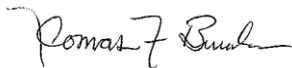
Ms. Kurlowecz requested that the Board review the matter of optical stores that remain open during the emergency order. Attorney York noted that entities other than the Board have jurisdiction on this matter and she will request their input. Ms. York will update the Board at a future meeting and advise on how to proceed. Ms. Kurlowecz inquired whether a letter may be sent to optical stores regarding Board regulation of licensed practices that fall within the definition of Dispensing Optician in the Board’s statute M.G.L. c. 112 sec. 73C and within the definition section of regulation 235 CMR 2.04. Ms. York will review and report back to the Board. Ms. Kurlowecz also requested that the Board review the scope of practice “frequently asked questions” that were initially discussed at the January 2020 meeting. She instructed Board staff to include this topic on the June meeting agenda.

Finally, the Board agreed to send a letter of thanks to Attorney James O’Connor for his years of service as Board Counsel. Mr. Kurlowecz will compose the letter and present to the Board for review.

**Adjournment:**

**At 11:13 a.m., Mr. Fogg moved to adjourn the meeting. Ms. Kurlowecz seconded. Motion passed unanimously. Motion passed by a roll call vote: Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.**

Respectfully Submitted,



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Thomas F. Burke  
Associate Executive Director

**Documents used in the open meeting:**

- Agenda for DO Board Meeting of May 6, 2020
- Minutes of April 1, 2020 Board meeting
- Apprentice Extension Request for Kerri Bosi
- CEPA Agreement Extension for Kelly Finnerty