

Board of Registration of Dispensing Opticians

Public Session Minutes

Date: January 6, 2021 Time: 10:00 a.m.

A regularly scheduled open public meeting of the Massachusetts Board of Dispensing Opticians (“the Board”) was held via Videoconference and Conference Call due to the Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20.

Board Members Present:

Gary Peters
David Fogg
Deanna Kurlowecz
Marty Bregman

Staff Present:

Sheila York, Board Counsel
Jennifer Romeo-Porcaro, Board Counsel
Thomas F. Burke, Associate Exec. Director

Members of the Public Present:

Kerri Bosi
Heather Platt
Patricia Mateus
Khanh Nguyen
Zachary Coles
Jay Ledoux
Mary Duggan
Joyce Amaral
Maksymiak Glenn
Michelle Castle

Alicia Parachan
Jennifer Stec
Cynthia Delzell
Patricia McIntyre
Anne Marie Mosco
Ahhyee R. Ma
Blair Wong
Olivia Bartlett
Celina Dias Pendexter (DAS)
Deborah Cassano (DAS)

Meeting called To Order:

- Ms. Kurlowecz called the meeting to order at 10:06 a.m.
- Exit and Evacuation procedures were tabled.

Review Meeting Minutes:

- Tabled.

Board Business:

- **Report from Executive Director, Michael Hawley**
Associate Executive Director Burke reminded all present that the Board will shift to electronic renewal and electronic licensure applications in the coming year. In light of the pandemic, the preferred contact for Board staff is by email at dispensing.opticians@mass.gov.
- **Report from Board Counsel, Sheila York**
 - **Penn Foster Review**
In response to a request for review of a course of study at Penn Foster, Attorney York noted that acceptable degree programs must be accredited by the Commission on Opticianry Accreditation (“COA”). Two individuals – Ms. Platt and Ms. Owen – do not

meet the criteria for licensure in 235 CMR 2.07 (1) (b), but may submit an application for licensure when they satisfy the criteria under 235 CMR 2.07 (1) (c).

After discussion, Mr. Fogg moved to approve Attorney York’s report. Mr. Peters seconded. The motion passed on a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

Apprentice Reinstatement/Extension Requests

- **Kerri Bosi** – Ms. Bosi met with the Board to request reinstatement of her apprenticeship, which expired in February 2019. Ms. Bosi reported that she passed the practical exam in December 2020.

Mr. Fogg moved to allow Ms. Bosi to extend her apprenticeship (or reinstate as appropriate) until June 1, 2021 on the condition that she take the NCLE exam every time it is offered. Mr. Peters seconded. The motion passed on a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

- **Joyce Amaral** – Ms. Amaral appeared before the Board to report that she passed the Massachusetts practical exam on December 11, 2020. She noted that she submitted an application for licensure and contacted the Division of Apprentice Standards (“DAS”) to request an apprentice completion certificate. The Board instructed staff to request an apprentice completion certificates from DAS for Ms. Amaral in support of her application for licensure.

Application Review

At 10:27 a.m., the Board met with nine applicants for licensure. Below is a list of the candidates for review and the motion and roll call vote for each:

Mary Duggan – Mr. Fogg moved to approve Ms. Duggan for licensure. Mr. Peters seconded. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

Patricia Mateus – Mr. Peters moved to approve Ms. Mateus for licensure. Mr. Fogg seconded. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

Michelle Castle – Mr. Fogg moved to approve Ms. Castle for licensure. Mr. Peters seconded. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

Allison Hennigan – Mr. Fogg moved to approve Ms. Hennigan for licensure. Ms. Kurlowecz seconded. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

Dawn Marshall – Mr. Fogg moved to approve Ms. Marshall for licensure. Ms. Kurlowecz seconded. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

Jenna Cunha – Ms. Kurlowecz moved to approve Ms. Cunha for licensure. Mr. Bregman seconded. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

Khanh Nguyen – Ms. Nguyen addressed the Board’s questions about the number of months of supervised training. After discussion, Mr. Peters moved to direct Ms. Nguyen to submit an additional four months of supervised training and submit notarized letter to staff for Board review. Mr. Fogg seconded. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

Cynthia Delzell – Ms. Delzell responded to the Board’s questions about her contact lens training. After discussion, Ms. Kurlowecz moved to table Ms. Delzell’s application until she can submit a notarized letter from a licensed optometrist regarding contact lens insertion training. Mr. Peters seconded. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

Zachary Coles – Mr. Coles answered the Board’s questions about the calculation of his training hours. After discussion, Mr. Fogg moved to table Mr. Coles’ application until he submits additional letters showing additional training hours received outside of his work as manager. Ms. Kurlowecz seconded. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

Heather Platt – Ms. Platt addressed the Board regarding her request for review of her course of study at Penn Foster. The Board advised Ms. Platt that Attorney York will provide a letter in response to her request. No vote was taken.

Discussion:

- **FAQ/Scope of Practice Update** – Tabled.
- **Consumer Fact Sheet** – Tabled.
- **Supervisor Letter/Form** – Tabled.
- **Impact of COVID-19** – No discussion.

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

Closed session pursuant to G.L. c. 30A, s. 18(b).

Tabled.

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

At 1:00 p.m., Ms. Kurlowecz moved to enter into Investigative Conference to discuss open investigative matters. [Closed session pursuant to G.L. c. 112 §65C]. Mr. Peters seconded the motion. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

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

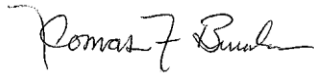
During the closed session, the Board voted to take the following actions:

- 2020-000528-IT-ENF – Referred to prosecutions.
- 2020-001105-IT-ENF – Tabled.
- Investigative Intake – Open complaint.

Adjournment:

At 3:16 p.m., Ms. Kurlowecz moved to adjourn the meeting. Mr. Fogg seconded. Motion passed unanimously. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.

Respectfully Submitted,



Thomas F. Burke
Associate Executive Director

Documents used in the open meeting:

- Agenda for DO Board Meeting of January 6, 2021
- Apprentice Reinstatement request for K. Bosi
- Applications for K. Nguyen, C. Delzell, Z. Coles, M. Duggan, P. Mateus, M. Castle, A. Hennigan, D. Marshall and J. Cunha