

**Board of Registration of Dispensing Opticians**

**Public Session Minutes**

**Date: February 3, 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:**

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

**Members of the Public Present:**

Khanh Nguyen  
Zachary Coles  
Joyce Amaral  
Bernadette Orguaca

Jimmie Melton  
Cynthia Delzell  
Ahhyee R. Ma  
Celina Dias Pendexter (DAS)  
Deborah Cassano (DAS)

**Meeting called To Order:**

- Ms. Kurlowecz 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 December 2, 2020 Meeting: **Mr. Peters moved to accept the minutes. Ms. Kurlowecz seconded. Motion to accept minutes passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.**
- The review of the minutes of January 6, 2021 Meeting: **Ms. Kurlowecz moved to accept the minutes as amended to indicate Mr. Hawley’s absence from the meeting. Mr. Peters seconded. Motion to accept amended minutes passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.**

**Board Business:**

- **Report from Associate Executive Director, Thomas Burke**  
Associate Executive Director Burke announced that Executive Director Michael Hawley will retire effective February 5, 2021. He reminded all present that the Board will shift to electronic renewal and electronic licensure applications.
- **Report from Board Counsel, Jennifer Romeo-Porcaro**  
No report.

## **Apprentice Reinstatement/Extension Requests**

- **Jimmie Melton** – Mr. Melton appeared before the Board to request an extension of his apprenticeship that began on July 22, 2016. Mr. Melton took the ABO exam in February 2020 but did not achieve a passing score; he has not taken the NCLE exam. He is scheduled to retake the ABO exam. He reported that his employer, Warby Parker, has provided better opportunities for training. This is his first apprentice extension request.

**After discussion, Mr. Peters moved to grant Jimmie Melton a one-year extension of his optician apprenticeship on the condition that he take the ABO and NCLE exams every time they are available Ms. Kurlowecz seconded. The motion passed on a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.**

## **Application Review**

At 10:36 a.m., the Board met with five applicants for licensure. Below is a list of the candidates for review and the motion and roll call vote for each:

**Khanh Nguyen – In response to the Board’s request, Ms. Nguyen submitted a letter to demonstrate additional months of supervised training. After discussion, Mr. Fogg moved to approve Ms. Nguyen for licensure. Mr. Peters seconded. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Ms. Kurlowecz: “Yes”. Mr. Bregman was not present for the vote.**

**David Thistle – After review of Mr. Thistle’s application, the Board requested that he provide a letter from his sponsor, Neil Bowman, to document additional contact lens training. The Board tabled the review of his application and instructed staff to follow up with the applicant. No vote was taken.**

**Joyce Amaral – The Board reviewed Ms. Amaral’s application for licensure. Ms. Amaral passed all required exams and provided verification from her supervisor on contact lens training. After discussion, Mr. Fogg moved to approve Ms. Amaral for licensure. 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 met with the Board to request clarification on further requirements for licensure. The Board indicated that Mr. Coles would need additional supervised training hours, and requested advisement from the Division of Apprentice Standards (“DAS”) to assist in this matter. After discussion, Ms. Kurlowecz moved to table Mr. Coles’ application. Mr. Peters seconded. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Ms. Kurlowecz: “Yes”.**

**Cynthia Delzell – Ms. Delzell submitted a notarized letter from her supervisor to document additional hours of contact lens training. After discussion, Mr. Fogg**

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

Mr. Bregman left the meeting at 11:36 a.m.

**Discussion:**

- **Out of State Entities** – Took no action.
- **Consumer Fact Sheet** – Board members agreed to submit revisions of fact sheet to Board staff for review at a subsequent meeting. The topic was tabled.
- **Supervisor Letter/Form** – Tabled.
- **License Update** – The Board discussed ways to attract more applicants into the field of opticianry. The Board expressed an interest in streamlining the application process and developing better communication between applicants and the Board. No vote taken.

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

**Quasi-Judicial Session [Closed session pursuant to G.L. c. 30A, s. 18(b).]**

**At 12:08 p.m., Ms. Kurlowecz moved to enter into Quasi-Judicial Session [Closed Session pursuant to M.G.L. c. 30A § 18D]. Mr. Peters seconded the motion. Motion passed unanimously by all members present.**

During the quasi-judicial session, the Board voted to take the following action:

- 2019-001504-IT-ENF – 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”, Ms. Kurlowecz: “Yes”.**

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

- 2020-001105-IT-ENF – Referred to Investigations.

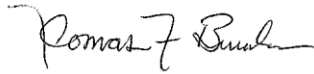
Settlement Conference:

- 2019-001504-IT-ENF – Guidance given to Prosecutor

**Adjournment:**

**At 1:12 p.m., Ms. Kurlowecz moved to adjourn the meeting. Mr. Peters seconded. Motion passed unanimously by members present. Motion passed by a roll call vote: Mr. Peters: “Yes”, Mr. Fogg: “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 February 3, 2021
- Apprentice Extension request for J. Melton
- Applications for K. Nguyen, C. Delzell, Z. Coles, J. Amaral and D. Thistle