

Board of Registration of Dispensing Opticians  
1000 Washington St. Room 1C  
Date: February 5, 2020 Time: 10:00 a.m.

Public Meeting Minutes

**Board Members Present:**

Gary Peters  
David Fogg  
Deanna Kurlowecz

**Staff Present:**

James O'Connor, Board Counsel  
Michael Hawley, Executive Director  
Thomas F. Burke, Associate Exec. Director

**Members of the Public Present:**

Kevin Clemons, Sr.  
James Russo  
Camille Pensavalli, Division of Apprentice Standards  
Dibby (Olivia) Bartlett  
Ahhyee R. Ma  
Jim Morris  
Heather Hirtle  
Darcy Costa  
Allison Ratliff  
Chandra Richardson  
Celina Pendexter, Division of Apprentice Standards  
Laura Lee  
Breno Soares  
Kimberly Margolis  
Patricia Pugliesi  
William Lackey  
Shari Syat

**Meeting called To Order:**

- Mr. Peters called the meeting to order at 10:07 a.m.
- Mr. Hawley reviewed exit procedures in the case of an emergency.

**Review Meeting Minutes:**

- The review of the minutes of January 8, 2019 Meeting were tabled until the March 2020 meeting.

**Board Business:**

- **Report from Executive Director, Michael Hawley**  
No Report

**Apprentice Reinstatement Requests:**

- **Breno Soares**

**At 10:18 a.m. Mr. Fogg voted move into Executive Conference to consider Mr. Soares' apprentice extension request [Closed Session pursuant to M.G.L. c. 112 §65C]. Ms. Kurlowecz seconded the motion. Motion passed unanimously.**

**At 10:21 a.m. Mr. Fogg voted move into Open Session to review Mr. Soares' apprentice extension request. Ms. Kurlowecz seconded the motion. Motion passed unanimously.**

At the end of the executive conference, the open meeting resumed. The Board voted to take the following action:

**Mr. Fogg moved to grant Mr. Soares a six-month apprentice extension (for two-testing periods) on the condition that he take the ABO and NCLE exams every time they are available. Ms. Kurlowecz seconded. The motion passed unanimously.**

### **Continuing Education Review:**

- **Vision Expo**

The Board took no action on this matter. The Board stated that it does not approve continuing education courses on a case-by-case basis. The Board noted that CE providers should seek ABO and NCLE approval.

### **Board Discussion:**

- **Reinstatement**

- **H. Hirtle**– Ms. Heather Hirtle met with the Board to request that her license be reinstated due to a default revocation. Mr. Hawley noted that Ms. Hirtle submitted twenty-four continuing education course certificates in support of her request for reinstatement. After discussion, the Board took the following action.

**Mr. Fogg moved to grant Ms. Hirtle's reinstatement request on the condition that she pay back all license fees. Ms. Kurlowecz seconded. The motion passed unanimously.**

- **S. Syat** – Ms. Syat met with the Board to request the reinstatement of her license, which expired in 1999. Ms. Syat was approved by the Board in 2013 to reinstate her license on the condition that she meet all requirements. She submitted continuing education certificates at the time but did not retake the practical exam. She recently contacted the Board to complete her reinstatement and submitted an additional twenty-four continuing education certificates. After discussion, the Board took the following action:

**Mr. Fogg moved to approve Ms. Syat to retake the practical exam, pay back the required licensure fees and complete the reinstatement of her license. Ms. Kurlowecz seconded. The motion passed unanimously.**

- **Problems with Insurance Carriers** – Tabled.
- **Practical Exam Selection** – Ms. Kurlowecz began by reading a letter of support from Professor Blair Wong regarding the ABO practical exam. Mr. Peters then opened the floor to additional comments. Ms. Olivia Bartlett spoke and emphasized the need for uniformity in exam administration as way to aid license mobility for young professionals who may move to other jurisdictions. Mr. Jim Morris stressed the ABO practical exam’s widespread use by other state licensing boards as way to address mobility issues. In response to Board Counsel, Mr. O’Connor, Mr. Morris stated that the ABO exam is offered the months of February, May, August, and November, and he stated that the exam may be offered more frequently if the Board requests. Ms. Ahhyee Ma addressed the Board in support of the ABO practical exam because it is comprehensive in scope and accommodates persons with disabilities and test anxiety. After much conversation and discussion, the Board took the following two actions:

**Mr. Fogg moved to approve both the ABO and JACHPO practical exams to replace the current written practical exam. Mr. Peters seconded. The motion passed unanimously.**

**Ms. Kurlowecz moved to no longer pre-approve and register candidates for the practical exam but to accept score reports showing a passing score as part of the application submission. Mr. Fogg seconded. The motion passed unanimously.**

Ms. Pendexter, of the Division of Apprentice Standards (“DAS”), inquired whether DAS should continue to submit apprentice certificates. The Board Chair, Mr. Peters, acknowledged that certificates showing completion of apprenticeship would be required as part of the application process. Mr. Hawley announced that Board staff would provide current applicants a letter to explain the new exam procedure. He also stated that Board staff will notify the Benjamin Franklin Institute of Technology and other organizations of the change to the practical exam and update the Board website and exam instructions to reflect the Board motion.

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

**Mr. Peters sought and received unanimous consent from the Board to direct Board Counsel to contact corporate entities regarding Board policies as relates to corporate administrative practices.**

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

**At 12:22 p.m., Mr. Fogg moved to enter into Investigative Conference to discuss pending cases. [Closed session pursuant to G.L. c. 112 §65C]. Ms. Kurlowecz seconded the motion. Motion passed unanimously.**

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

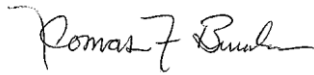
During the closed session, the Board voted to take the following actions:

- DO-2019-001283-IT-ENF – Closed, no action.
- DO-2019-001194-IT-ENF – Dismissed with Advisory.

**Adjournment:**

**At 1:08 p.m., Mr. Fogg moved to adjourn the meeting. Ms. Kurlowecz seconded. Motion passed unanimously.**

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 5, 2020
- Minutes of January 8, 2020 Board meeting
- Vision Expo 2020 CE Provider Submission
- Correspondence for Discussion of Practical Exam