

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

**Date: March 2, 2022 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:**

David Fogg  
Deanna Kurlowecz, Board Chair  
Marty Bregman  
Gary Peters

**Staff Present:**

Sheila York, Board Counsel  
Thomas F. Burke, Executive Director

**Meeting called To Order:**

- Ms. Kurlowecz called the meeting to order at 10:07 am and established a quorum via calling attendance: Gary Peters, Deanna Kurlowecz, David Fogg participating via video, and Marty Bregman participating via audio.
- Exit and Evacuation procedures were tabled.

**Review Meeting Minutes:**

- Public Meeting Minutes from February 2, 2022: **Mr. Fogg moved to accept the minutes and Ms. Kurlowecz seconded. Motion to accept February 2, 2022 minutes passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Peters: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”.**

**Board Business:**

- **Report from Executive Director, Thomas Burke**  
Mr. Burke reported that the open meeting law permitting the Board to continue to meet remotely was extended by Governor Baker until July 15, 2022. Mr. Burke will provide an update on apprentice extensions at the subsequent meeting.

**Application Review:**

At 10:13 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:

**Melissa McClure – After review of Ms. McClure’s application, Mr. Peters moved to approve her for licensure. Mr. Bregman seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”**

**Jenna Rizzotto – After review of Ms. Rizzotto’s application, Mr. Fogg moved to approve her for licensure. Ms. Kurlowecz seconded. Motion passed by a roll call**

**vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”**

Meaza Bulbula – After review of Ms. Bulbula’s application, Ms. Kurlowecz moved to approve her for licensure. Mr. Fogg seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”

Charlotte Miller – After review of Ms. Miller’s application, Mr. Fogg moved to approve her for licensure. Mr. Peters seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”

Justin Holt – After review of Mr. Holt’s application, Mr. Fogg moved to approve him for licensure. Mr. Peters seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”

O’Neill Wright –

Mr. Fogg recused himself from review of this application.

After review of Mr. Wright’s application, Ms. Kurlowecz moved to direct applicant to submit additional hours to make up for hours worked prior to the start of his apprenticeship, which could not be counted as apprenticeship hours. Mr. Wright may resubmit his hours of supervision after a period of six months. Mr. Peters seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.” Mr. Fogg was recused and did not vote.

### Correspondence:

- Zachary Coles – The Board reviewed a letter from the supervising sponsor for Mr. Coles documenting additional training hours since March 2021. **After discussion, Mr. Fogg moved to direct Mr. Coles to resume one additional year of training as an apprentice optician through the Division of Apprentice Standards (“DAS”) and provide an updated letter of supervised training hours on the new verification of hours form. He should submit the form with his updated application in March 2023. Mr. Peters seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”**

### Discussion:

- **Verification of Hours Form** – The Board discussed the updated supervisor form for documenting apprentice hours in different tasks and duties. Board will review and send the Director revisions.
- **DAS Tools for Apprentice Opticians** – The Board discussed the form and stressed the importance of requiring apprentice opticians to acquire or seek access to additional equipment. Board Counsel cautioned Board to consider if equipment purchases present an undue burden on opticians.
- **Identification of Opticians at place of employment** – The Board stressed the need to have identification badges reflect the same accurate licensure information that is posted in optical goods stores. The regulations currently require licensees to wear an

“identification badge or tag which sets forth in large print his or her name and license number” and the badge should be “conspicuously visible” (235 CMR 5.04 (2)). The regulation states “name” and Board Counsel opined that it is reasonable for the Board to interpret that language to require both first and last name. Board Counsel will review and advise Board on policy statement to educate licenses that the name tag requirement requires first and last name on identification badges.

- **Corporate Updates** – Gary Peters provided an update to the Board. Roy Hebert of Warby Parker expressed interest in addressing issues raised in the discussion. **Mr. Peters moved to make Gary Peters a liaison to Warby Parker. Ms. Kurlowecz seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.” Mr. Fogg: “Abstained.”**
- **Update on proposed amendment to 235 CMR 2.07 to require NCLE practical exam** – Board Counsel stated that the review process is continuing and there are no updates at this time.

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

**At 12:13p.m., Mr. Fogg made a motion, seconded by Ms. Kurlowecz, to adjourn the public meeting and to enter into closed session to conduct investigatory conferences, pursuant to G.L. c. 112, §65C, and at the conclusion of the closed session, not return to the public meeting. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”**

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

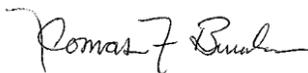
During the closed session, the Board took the following action:

Procedural Update on Existing Cases – Received procedural update on open cases.

**Adjournment:**

- **At 1:03 p.m. Ms. Kurlowecz moved to adjourn the meeting. Mr. Peters seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”**

Respectfully Submitted,



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Thomas F. Burke  
Executive Director

**Documents used in the open meeting:**

- Agenda for DO Board Meeting of March 2, 2022

- Draft Minutes of the February 2, 2022 meeting
- Report on Approved Licensed Opticians
- Applications for M. McClure, J. Rizzotto, M. Bulbula, J. Holt, C. Miller, O. Wright (protected personal data redacted)
- Correspondence from supervisor for Z. Coles
- DAS Tools for Apprentice Opticians