

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

Date: September 1, 2021 Time: 10:00 a.m.

A regularly scheduled open public meeting of the Massachusetts Board of Registration of Dispensing Opticians (“the Board”) was held remotely by video conference and telephone pursuant to Chapter 20 of the Acts of 2021: *An Act Extending Certain COVID-19 Measures Adopted During the State of Emergency* signed into law on June 16, 2021.

Board Members Present:

David Fogg
Deanna Kurlowecz, Board Chair
Marty Bregman

Staff Present:

Lynn Read, Board Counsel
Jenna Hentoff, Board Counsel
Thomas F. Burke, Executive Director

Board Members Not Present:

Gary Peters

Meeting called To Order:

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

Review Meeting Minutes:

- Public Meeting Minutes from June 2, 2021: **Mr. Fogg moved to accept the minutes and Ms. Kurlowecz seconded. Motion to accept June 2, 2021 minutes passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Peters: “Not Present”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”.**
- Public Meeting Minutes from August 4, 2021: **Mr. Bregman moved to accept the minutes and Mr. Fogg seconded. Motion to accept August 4, 2021 minutes passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Peters: “Not Present.”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”.**

Board Business:

- **Report from Executive Director, Thomas Burke**
Mr. Burke reported that as of August 27, 2021, Board staff is complying with the health order for facemasks as required in all indoor public settings in the City of Boston. He noted that the Board would continue to meet remotely until April 1, 2022. Mr. Burke reminded the Board that staff continues to work in person while maintaining remote work as needed. Mr. Burke introduced Lynn Peterson Read as Board Counsel for this meeting and welcomed Jenna Hentoff to observe the meeting.

Application Review

At 10:22 a.m., the Board met with five applicants for licensure and reviewed five applications. Below is a list of the candidates for review and the motion and roll call vote for each:

Johnny Prieto – After review of Mr. Prieto’s application, Mr. Fogg moved to approve him for licensure. Mr. Bregman seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Not Present.”

Joel Calo – After review of Mr. Calo’s application, Ms. Kurlowecz moved to approve him for licensure. Mr. Bregman seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Not Present.”

Karla Hakala – After review of Ms. Hakala’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: “Not Present.”

Molly Reardon – After review of Ms. Reardon’s application, Mr. Fogg 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: “Not Present.”

Patricia Trafton – After review of Ms. Trafton’s application, Mr. Fogg directed applicant to submit revised supervisor letter to the Executive Director subject to review by delegated Board member for approval. Ms. Kurlowecz seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Not Present.”

Discussion:

- **Consumer Fact Sheet Revisions** – Tabled until October 6 meeting.
- **Corporate Updates – G. Peters** – The Board discussed ways to address corporate compliance with the Board’s regulations through ongoing outreach and education.
- **CMR 5.02** – Tabled until October 6 meeting.
- **CE Proposal** – The Board instructed staff to notify licensee of Board approval of two hour continuing education course per the terms of consent agreement.
- **2018-42-DO-DO-APP** – On the advice of Board counsel, the topic was moved to investigative conference.

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

The Board discussed the inclusion of the NCLE practical exam as additional exam requirement for Massachusetts applicants to address deficiencies in contact lens training. The Board expressed hope that the additional exam would also remove an obstacle to reciprocal licensing for applicants to and from Massachusetts. Board counsel advised that the inclusion of an additional exam requirement prior to licensure would need to be reviewed.

At 12:03 p.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: “Not Present.”

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

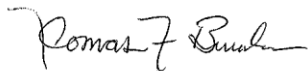
During the closed session, the Board voted to take the following action:

- 2018-42-DO-DO-APP – Tabled.

Adjournment:

- **At 12:30 p.m., Mr. Fogg moved to adjourn the meeting. Ms. Kurlowecz seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Not Present.”**

Respectfully Submitted,



Thomas F. Burke
Executive Director

Documents used in the open meeting:

- Agenda for DO Board Meeting of September 1, 2021
- Report on Approved Licensed Opticians
- Applications for P. Trafton, J. Prieto, J. Calo, K. Hakala and M. Reardon
- CE Proposal 2019-001408-IT-ENF