

Board of Registration of Dispensing Opticians

Public Session Minutes

Date: October 5, 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:

William Carleton, Board Chair
Mark Davini, Board Secretary
Jesse Ellis
Deborah Black
Alicja Prachanronarong

Staff Present:

John High, General Counsel
Sheila York, Board Counsel
Thomas F. Burke, Executive Director

Board Chair, William Carleton, called the meeting to order at 10:06 am and established a quorum via calling attendance: William Carleton, Jesse Ellis, Deborah Black, Alicja Prachanronarong, and Mark Davini. All members participated remotely via Microsoft Teams.

Housekeeping:

- Mr. Burke advised members of the public to mute their volume and utilize the hand function to address the Board. Attorney York asked that members of the public turn off their cameras during the meeting and when not directly addressing the Board.

Board Business:

- **Report from Executive Director, Thomas Burke:** Mr. Burke reminded the Board members that Board staff and resources will be transferred to the Bureau of Health Professions Licensure (“BHPL”) in the Department of Public Health, pursuant to the Article 87 legislation, on November 6, 2022. The new office will be located at 250 Washington Street. Ms. York reported that she has been asked to be part of the transfer to BHPL and will be leaving her position at the Division of Occupational Licensure (“DOL”) by the end of the week. As a result, she will not serve as counsel for the Board until the transfer is complete on November 6, 2022. She introduced General Counsel John High, who will assist the Board during the interim period.

Board Minutes:

- Public Meeting Minutes from September 7, 2022: **Dr. Davini moved to accept the minutes amended by Ms. Black to correct a Scrivener’s Error in the last names of applicants approved for licensure. Mr. Ellis seconded. The motion to accept the amended September 7, 2022 minutes passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.**

Application Review:

At 10:18 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:

Theresa Vu – After review of Ms. Vu’s application, Mr. Ellis moved to approve her for licensure. Ms. Black seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Benjamin LeMaine – After review of Mr. LeMaine’s application, Ms. Black moved to approve him for licensure. Mr. Ellis seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Melissa Brin – After review of Ms. Brin’s application, Dr. Davini moved to approve her for licensure. Ms. Black seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Jamie Chaffee – After review of Ms. Chaffe’s application, Mr. Ellis moved to approve her for licensure. Dr. Davini seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Christine Howard – After review of Ms. Howard’s application, Mr. Ellis moved to approve her for licensure. Ms. Prachanronarong seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Chris Huxtable – After review, the Board instructed Mr. Huxtable to obtain supervised work hours in the area of lens hardening, including drop ball testing. Ms. Prachanronarong moved to table review of the application until on-the-job training is complete. Mr. Ellis seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Cynthia Berghman – After review of Ms. Berghman’s application, Mr. Ellis moved to approve her for licensure. Ms. Black seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Abstain”.

Heather Platt – After review of Ms. Platt’s application, Mr. Ellis moved to approve her for licensure. Dr. Davini seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

Donna Gelinas – After review of Ms. Gelinas' application, Mr. Ellis moved to approve her for licensure. Ms. Black seconded. Motion passed by a roll call vote: Ms. Black: "Yes", Mr. Ellis: "Yes", Dr. Davini: "Yes", Mr. Carleton: "Yes", Ms. Prachanronarong: "Abstain".

Discussion:

- **Board Meeting Schedule 2023** - Tabled.
- **Board Elections** - Board members held yearly elections for Board Chair and Board Secretary.
 - **Mr. Ellis nominated Mr. Carleton as the Board Chair and Dr. Davini seconded. Mr. Carleton accepted the nomination. The motion passed by a roll call vote: Ms. Black: "Yes", Mr. Ellis: "Yes", Dr. Davini: "Yes", Mr. Carleton: "Yes", Ms. Prachanronarong: "Yes".**
 - **Dr. Davini nominated himself as the Board Secretary and Ms. Black seconded. Dr. Davini accepted the nomination. The motion passed by a roll call vote: Ms. Black: "Yes", Mr. Ellis: "Yes", Dr. Davini: "Yes", Mr. Carleton: "Yes", Ms. Prachanronarong: "Yes".**
- **Five-Year Dispensing Optician Policy** – The Board reviewed its current policy that allows apprentice opticians to pursue a management track in an optical goods establishment, as long as they do not manage their own supervisors. Although the Board agreed that the policy may provide a helpful way forward for apprentices who qualify, clarification is needed in several areas. The Board identified specific areas for discussion such as: the responsibilities and expectations of the apprentice manager; the inclusion of a conflict of interest form; concerns about the role and responsibilities of the corporate entity; and, whether other states have a similar policy for apprentice opticians. **After a discussion of the policy, Dr. Davini moved to table further discussion of the policy until the transfer of the Board to DPH is completed. Mr. Ellis seconded. The motion passed by a roll call vote: Ms. Black: "Yes", Mr. Ellis: "Yes", Dr. Davini: "Yes", Mr. Carleton: "Yes", Ms. Prachanronarong: "Yes".**

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

None.

At 12:06 p.m., Mr. Ellis made a motion, seconded by Ms. Black 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. The motion passed by a roll call vote: Ms. Black: "Yes", Mr. Ellis: "Yes", Dr. Davini: "Yes", Mr. Carleton: "Yes", Ms. Prachanronarong: "Yes".

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

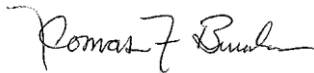
During the closed session, the Board took the following action:

- 2021-000642-IT-ENF – Provided guidance to the Prosecutor.
- 2022-000663-IT-ENF – Provided guidance to the Investigator.
- 2022-000665-IT-ENF– Provided guidance to the Investigator.

Adjournment:

- **At 12:43 p.m. Ms. Black moved to adjourn the meeting. Ms. Prachanronarong seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.**

Respectfully Submitted,



Thomas F. Burke
Executive Director

Documents used in the open meeting:

- Agenda for DO Board Meeting of October 5, 2022
- Public Meeting Minutes from September 7, 2022
- Applications for T. Vu, B. LeMaine, M. Brin, J. Chaffee, C. Howard, C. Huxtable, C. Berghman, H. Platt, D. Gelinas (protected personal data redacted)
- Board Meeting Schedule 2023
- Five-Year Dispensing Optician Policy