

Board of Registration of Optometry

Public Session Minutes

1000 Washington 1st Floor Room 1C, Boston, MA 02118

DATE: August 21, 2019 TIME: 10:00am

Board Members Present:

Everett Sabree, OD
Jeanette Sewell, OD
Rhonda Willinger, OD

DPL Staff Present:

Michael Hawley, Executive Director
Sheila York, Board Counsel
Thomas Burke, Assoc. Executive Director

Board Members Absent:

Marianne Sarkis, Ph.D.
Bruce Rakusin, OD

Members of the Public Present:

Wayne Zahka
Howard Purcell
Gary Chu
Tony Cavellerano
Jay Gardiner

Evacuation Procedure:

Mr. Hawley discussed safety procedures in the event of emergency.

Review Minutes:

Minutes of June 16, 2019 meeting – **Dr. Sewell moved to accept the minutes as written. Dr. Willinger seconded the motion. Motion passed unanimously.**

Report from Executive Director:

- Licensing Update: Mr. Hawley reported that DPL has a newly appointed Chief Inspector, Lauren McShane.

Report from Board Counsel:

- Attorney York reported that she has updated the draft policy regarding the use of intense pulsed light therapy (“IPL”) to incorporate Board comments from last meeting. The Board discussed a change to the draft policy regarding the training requirement. The Board agreed to remove the word “certified” from the training requirement.
- **Dr. Sewell moved to adopt the policy as amended and have it posted to the board web site. Dr. Willinger seconded. The motion passed unanimously.** A board member inquired about the apparent change in DPH Laboratory Waiver requirements. Attorney York agreed to get more information and address the topic at a future meeting.

Discussion:

- Glaucoma training requirements: Dr. Zahka, of the Massachusetts Society of Optometrists (“MSO”) along with Dr. Purcell, Dr. Chu and Dr. Cavellerano of the New England College of Optometry (“NECO”) gave a brief update on the status of Glaucoma related legislation in Massachusetts and a presentation on the plans to address the training requirements outlined in the legislation.

As before, Dr. Zahka expressed optimism that the legislation will be adopted in the near future, citing a decline in opposition in the Massachusetts House of Representatives where it is now before the Ways and Means committee. The legislation has already been passed in the Massachusetts Senate.

The training requirement in the legislation consists of 40 hours of didactic training and 20 hours of clinical training. Dr. Zahka indicated that the MSO has opposed the clinical component of the training as unnecessary and retains some hope that the requirement might be modified or even removed from the legislation before its final passage. However, for the purposes of the discussion at this meeting the clinical requirement is assumed to exist.

The representatives of NECO presented information about their current and planned glaucoma training. The school already offers 12 hours of COPE approved training in glaucoma treatment. They described a process of conducting training sessions in a classroom setting but also allowing individuals to view the courses remotely at the time the courses are being conducted (“synchronous participation”) or to view recordings of the courses at another time (“asynchronous participation”). Synchronous participants would be able to ask questions and participate in the class electronically in real time. Asynchronous participants would be provided with the ability to submit questions electronically after the class. With regard to the clinical training the NECO representatives proposed a similar approach using a telemedicine type format. The pros and cons of these approaches were discussed. With regard to clinical training, board members recognized that the proposed approach would help deal with possible limited availability of patients. Dr. Zahka noted that unavailability of ophthalmologists to conduct clinical training has been a problem in other states.

NECO has conducted similar training in the past for other subject matter and advocated strongly for the allowance of both synchronous and asynchronous participation. However, before committing money and resources to prepare and establish new training programs, the NECO representatives wanted to obtain some official opinion from the Board on the acceptability of synchronous and asynchronous remote participation for didactic and clinical training.

The Board asked Board Counsel and the Executive Director to draft a document on the subject for review at a future meeting.

Open Session for topics not reasonably anticipated by the chair within 48 hours of the meeting:

None

Closed Session per M.G.L. c. 112, section 65C:

11:39 am, Dr. Sewell moved to enter into closed session to discuss investigative materials relating to Nantucket Superior Court C.A. No. 187CV00031. Dr. Sabree seconded. The motion passed unanimously.

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

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

Notice of Suffolk Superior Court C.A. No. 187CV00031: Tabled

11:57 pm - Dr. Sewell moved to adjourn the meeting. Motion seconded by Dr. Willinger. The motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Hawley", with a stylized flourish at the end.

Michael Hawley, Executive Director

Documents used in the open meeting:

- Agenda for August 21, 2019 board meeting
- Draft of Minutes of June 19, 2019 board meeting
- Draft of Intense Pulse Light policy
- Copy of Senate Bill 2296, dated July 18, 2019
- Proposed Glaucoma/Oral Anti-Infective Certification Course from NECO