

## **Board of Registration of Optometry**

### **Public Session Minutes**

1000 Washington 1<sup>st</sup> Floor Room 1C, Boston, MA 02118

DATE: November 20, 2019 TIME: 10:00am

#### **Board Members Present:**

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

#### **DPL Staff Present:**

Michael Hawley, Executive Director  
Sheila York, Board Counsel  
Thomas F. Burke, Associate Exec. Director

#### **Board Members Absent:**

Marianne Sarkis, Ph.D.  
Bruce Rakusin, OD

#### **Members of the Public Present:**

Maggie Cohen

Meeting called to order at 10:06 AM by Dr. Sabree

#### **Evacuation Procedure:**

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

#### **Review Minutes:**

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

#### **Report from Executive Director:**

- Mr. Hawley reported that the conversion to online only renewals has begun. Notices are being sent but renewals will only be allowed online. He suggested to board members that they ought to be able to renew online without having received the paper notices. He also reported the Board's, [optometry@mass.gov](mailto:optometry@mass.gov), now has an automatic reply that contains a link to a web page that has instructions and information for online renewals. One benefit of online only renewals is that the renewals will be halted for review if the licensee attests that s/he has not applied for non-billing or billing provider status with MassHealth or if s/he attests that s/he has not completed the CE requirements for the renewal cycle. A discussion followed about courses of action in those cases. Mr. Hawley indicated that those who indicate that they have not applied to MassHealth will receive a letter and instructions on how to apply to MassHealth. Those who are unable to attest that they have completed their continuing education will be contacted and the results will depend

on the timing (e.g., if the renewal there is still time to complete the CEs before January 1, the licensee will be asked to attest that s/he has done so).

- Mr. Hawley also reported that he received a complaint yesterday afternoon, from a licensure applicant, regarding the service provided to licensure applicants by PCS. The complaint addressed a number of possible concerns ranging from telephone response time to the difficulty in obtaining a license by reciprocity. Board staff has begun investigating and will address specifics of the applicant's application along with more general concerns that were raised.

### **Report from Board Counsel:**

- Attorney York reported that a bill currently before the legislature contains a provision that would move eleven health care related boards from the supervision of the Division of Professional Licensure to the Department of Public Health. This group of boards includes the Optometry board. Division staff has no specific information yet on the progress of the bill.

### **Discussion:**

- Open meeting law and conflict of interest acknowledgement and training: Mr. Hawley reported that Board staff has contacted all board members regarding signing the required acknowledgement of receipt of a copy of the Massachusetts open meeting law and a summary of the Massachusetts conflict of interest laws as well as required online training about the conflict of interest laws. Mr. Hawley indicated that all of these will be required every two years and that DPL, for ease of administration has determined that the deadline for all the submission will be on October 31, at the same time as the training requirement for full time staff. He also announced that all board members present have submitted the required documents for this year.
- Contact lenses from online sources: Pursuant to a request from the Massachusetts Society of Optometrists, the Board discussed concerns that contact lenses, ordered from online sources are not fitted properly. Board Counsel will respond to the MSO.
- Glaucoma training requirements: Glaucoma bill has not passed. There is no new information at this time.

### **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:**

**10:48 am, Dr. Willinger moved to enter into closed session to discuss new cases number 2019-000836-it-enf and 2019-00085-it-enf. Dr. Sewell 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:

- 2019-000836-it-enf: Dismiss.
- 2019-000850-it-enf: Forward to the office of Prosecutions.

**11:20 pm - Dr. Willinger moved to adjourn the meeting. Motion seconded by Dr. Sewell. The motion passed unanimously.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Hawley". The signature is fluid and cursive, with a long horizontal stroke at the end.

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Michael Hawley, Executive Director

Documents used in the open meeting:

- Agenda for November 20, 2019 board meeting
- Draft of Minutes of October 16, 2019 board meeting
- Email from MSO regarding online contact lens purchases.