

Board of Registration of Dispensing Opticians  
1000 Washington St. Room 1C  
Date: February 6, 2019 Time: 10:00 a.m.

Public Meeting Minutes

**Board Members Present:**

Gary Peters  
David Fogg  
Deanna Kurlowecz

**Staff Present:**

Michael Hawley, Exec. Director  
James O'Connor, Board Counsel  
Thomas F. Burke, Associate Exec. Director

**Members of the Public Present:**

James Russo  
Ryan Aylward  
Francine E. Blois  
Ashlie Perkins  
Latanya Ford-Fisher  
Alexis Macneill

**10:03AM: Meeting called To Order:**

- Meeting was called to order at 10:09 a.m. by Mr. Peters.
- Mr. Peters reviewed exit procedures in the case of an emergency.

**Review Meeting Minutes:**

- Minutes of December 5, 2018 Meeting: **Mr. Fogg moved to accept the minutes. Ms. Kurlowecz seconded. The motion passed unanimously.**

**Board Business:**

- Report from Executive Director, Michael Hawley
  - Mr. Hawley reported that the Practical Exam will be offered on April 19<sup>th</sup> and 20<sup>th</sup>, 2019. Letters will be mailed to all eligible applicants with instructions for exam registration. He noted that the agency has installed kiosks in the lobby area to assist with online renewal for dispensing opticians and other licensees. The kiosks will assist the Board in the move toward paperless renewal. In anticipation of the practical exam, Mr. Hawley noted that all completed applications will be brought to the Board for review to ensure eligibility for licensure.
- Report from Board Counsel, James O'Connor
  - No Report.
- CORI Policy
  - Mr. Hawley advised the Board on the implementation of an agency-wide policy to address background checks. The policy permits the Board to review matters at its discretion and delegates approval to Board staff except in matter that require the Board's attention.

**Apprentice Extension Requests:**

**Alexis Macneill** – Ms. Macneill appeared before the board to request an extension of her second apprenticeship which began in 2015. Ms. Macneill has passed the ABO but still has not passed the NCLE. Ms. Macneill took the NCLE in November, 2018 but failed to achieve a passing score. Currently, she has a new sponsor – Mr. David Albro – and is scheduled to take the NCLE on February 15, 2019. This is Ms. Macneill’s first request for an apprenticeship extension.

**Mr. Fogg moved to grant Ms. Macneill a six month extension of her apprenticeship on the condition that she take the NCLE every time it is available. Ms. Kurlowecz seconded. Motion passed unanimously.**

**Latanya Ford-Fisher** – Ms. Ford-Fisher appeared before the Board to request an extension of her apprenticeship. Ms. Ford-Fisher has not passed either the ABO or NCLE exams, although she has taken both exams during her apprenticeship. Ms. Ford-Fisher’s sponsor, Douglass Tamm, did not accompany her to the meeting. She noted that her current place of employment does not have a lab that she may use and explained that her work environment lacks structure that would allow her to study for both exams. Mr. Peters suggested that she locate a lab outside of her employment for study and completion of required hours. This is Ms. Ford-Fisher’s first request for an apprenticeship extension.

**Ms. Kurlowecz moved to grant Ms. Ford-Fisher a one year extension of her apprenticeship on the condition that she take the ABO and NCLE every time they are available. Mr. Peters seconded. Mr. Fogg abstained.**

**Ryan Aylward** – Mr. Aylward appeared before the Board to request an extension of his apprenticeship. Mr. Aylward passed the ABO exam in May, 2018. He appeared before the Board with his sponsor – Ms. Francine Blois – who expressed support for Mr. Aylward and confidence in his ability to complete the apprenticeship program. This is Mr. Aylward’s first request for an apprenticeship extension.

**Mr. Fogg moved to grant Mr. Aylward a one year extension of his apprenticeship on the condition that he take the NCLE every time it is available. Ms. Kurlowecz seconded. Motion passed unanimously.**

#### **Discussion:**

- Review of Continuing Education Course Content – The Board discussed a survey currently offered by ABO/NCLE for continuing education credit. After review the Board directed Mr. Hawley to contact ABO/NCLE regarding the use of a survey as course content for continuing education.
- DO Consumer Fact Sheet - The Board briefly discussed the fact sheet and agreed that a more detailed review is warranted. The Board directed that it should be included on the agenda for a future Board meeting.

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

**At 11:24 a.m. Mr. Fogg moved to enter into Investigative Session to discuss pending cases [Closed Session pursuant to M.G.L. c. 112 §65C]. The motion was seconded by Ms. Kurlowecz. Motion passed unanimously.**

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

During the investigative conference the board voted to take the following action:

- DO-2017-000589-IT-ENF – Provided guidance to the Prosecutor.
- DO-2018-001236-IT-ENF – Tabled.
- DO-2018-001235-IT-ENF – Tabled.
- DO-2018-000268-IT-ENF – Referred to Prosecutions.

At 12:05 p.m. Mr. Fogg moved to exit closed session. The motion was seconded by Ms. Kurlowecz. The motion passed unanimously

**Quasi-Judicial Deliberative Session [Closed Session pursuant to G.L. c. 30A § 18(d)]:**

**At 12:06 p.m. Mr. Fogg moved to enter into quasi-judicial session to consider cases for final decision. Ms. Kurlowecz seconded the motion. Motion passed unanimously.**

**At 12:10 p.m. Mr. Peters moved to exit quasi-judicial session. The motion was seconded by Ms. Kurlowecz. Motion passed unanimously.**

**12:10 p.m. Adjournment:**

**Mr. Fogg moved to adjourn the meeting. Ms. Kurlowecz seconded. Motion passed unanimously.**

Respectfully Submitted,



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Michael Hawley  
Executive Director

**Documents used in the open meeting:**

- Agenda for DO Board Meeting of February 6, 2019
- Apprenticeship extension request of Alexis Macneill, Latanya Ford-Fisher, and Ryan Aylward
- Dispensing Optician Consumer Fact Sheet