

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

Date: December 6, 2023 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 section 40 of chapter 2 of the acts of 2023, signed into law on March 29, 2023.

Board Members Present:

Mark Davini, Board Secretary
Jesse Ellis
Deborah Black
Alicja Prachanronarong

Staff Present:

Heather Engman, Chief Board Counsel
Thomas F. Burke, Executive Director
Margaret McKenna, Board Staff

Members not Present by Phone/Video:

William Carleton

Housekeeping:

- Board Secretary Mark Davini called the meeting to order at 10:04 am and established a quorum via calling attendance: Jesse Ellis, Deborah Black, Alicja Prachanronarong, and Mark Davini. All members participated remotely via Cisco Webex.
- Mr. Burke advised members of the public to mute their volume and utilize the raise hand function to address the Board. He asked that members of the public turn off their cameras during the meeting and when not directly addressing the Board.

Board Minutes:

- Public Meeting Minutes from October 30, 2023: **Mr. Ellis moved to accept the minutes and Ms. Black seconded. The motion to accept the October 30, 2023 minutes passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Not Present”, Ms. Prachanronarong: “Yes”.**

Board Business:

- **Report from Executive Director, Thomas Burke:** No report.

Application Review:

- At 10:06 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:

Jessica Joseph – After review of Ms. Joseph’s application, Ms. Black moved to approve her for licensure. Mr. Ellis seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Not Present”, Ms. Prachanronarong: “Yes”.

Discussion:

- **Policy – Delegation of Authority for Staff Actions Relative to Monitoring Licensure Conditions – VOTE**

Mr. Burke presented a proposed policy to the board for the Delegation of Authority for Staff Actions Relative to Monitoring Licensure Conditions. He explained that the goal of the policy is to standardize monitoring procedures and formalize actions that the probation monitor – currently the executive director – may take in consultation with board counsel. The policy would authorize the executive director, for example, to issue notices of violation to the monitored licensee and provide opportunity to cure. If the monitored licensee does not come into compliance, the matter will come before the board for potential disciplinary action. Mr. Burke noted that within one year, the DPH probation monitoring unit may assume responsibility for tracking monitoring. The director will provide further updates.

After discussion, Mr. Ellis moved to approve the policy. Ms. Prachanronarong seconded. Motion passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Not Present”, Ms. Prachanronarong: “Yes”.

- **Reynolds Community College – CEPA Request** – The board reviewed a revised draft of the Reynolds Community College Cooperative Education Program Agreement (CEPA) and welcomed the college dean, Kristina Green. In response to questions, Ms. Green stated that individuals enrolled as online students may complete coursework in place of employment and that distance clinical sites must be approved by the college. She noted that approved clinical sites must be supervised by a licensed dispensing optician, optometrist or ophthalmologist who follow a weekly curriculum administered by the college when evaluating the student’s skills. The supervisor oversees the student’s work, and the college assigns only one student to work under one supervising preceptor. Considering the discussion, Board members expressed concerns about having a dispensing optician supervise one student and two apprentices at the same time. The Board expressed interest in limiting the number of students assigned to a preceptor and that the Board instructed the director to review this proposed limitation with a representative of Franklin Cummings Institute to determine if it would have an adverse effect on the current CEPA agreement. Board counsel agreed to review the regulations in light of this discussion.

After discussion, Ms. Black moved to approve the Reynolds Community College CEPA agreement. Mr. Ellis seconded. The motion failed to pass by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “No”, Mr. Carleton: “Not Present”, Ms. Prachanronarong: “No”. The board instructed the director to bring the topic back for discussion at the subsequent meeting.

- **Dispensing optician apprenticeship policy – introductory discussion**

The board addressed the need to establish a revised dispensing optician apprenticeship policy. The board generally agreed that the policy should explain requirements clearly,

provide a frequently-asked-questions (FAQ) component, and complement the optical theories and concepts laid out in the Division of Apprentice Standards (DAS) apprentice optician curriculum. Board counsel reminded members that the current regulations should guide the process of constructing a policy. The board directed board counsel and executive director to include discussion of policy at regularly scheduled meetings.

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

Professor Blair Wong addressed the board regarding the review of the draft CEPA agreement with Reynolds Community College and offered to attend the subsequent meeting to address their questions.

Margaret Gilligan, program director for the Division of Apprentice Standards (DAS) explained that successful completion of the Massachusetts practical exam is not required to receive the apprentice completion certificate.

James Morrison, Executive Director of the American Board of Opticianry & National Contact Lens Examiners (ABO-NCLE), announced that the ABO-NCLE website is now fully active. The organization will extend membership renewal deadlines for certified dispensing opticians. Because the data transfer to the new website is complete, members may use their license numbers to access their accounts.

Cases, Investigative Conference, Settlement Offers [Closed session pursuant to M.G.L. c. 112 §65C]: Investigative Matters and Settlement Offers- [Closed Session Pursuant to M.G.L. c. 112, § 65C]:

At 11:16 a.m., Ms. Prachanronarong made a motion, seconded by Mr. Ellis 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. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Not Present”, Ms. Prachanronarong: “Yes”.

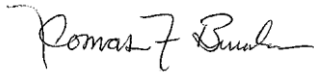
During the closed session, the Board took the following action:

- **CASE 2023-0365** – Referred to prosecutions.
- **CASE 2023-0193** – Open formal complaint.

Adjournment:

At 11:56 a.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: “Not Present”, Ms. Prachanronarong: “Yes”.

Respectfully Submitted,



Thomas F. Burke
Executive Director

Documents used in the open meeting:

- Meeting agenda for December 6, 2023
- Draft public meeting minutes from October 30, 2023
- Applications for J. Joseph (protected personal data redacted)
- Policy on the Delegation of Authority for Staff Actions Relative to Monitoring Licensure Conditions
- Revised Reynolds Community College proposed CEPA agreement
- Reynolds Community College Opticianry Course Curriculum
- Reynolds Community College Opticianry Program Guide and Student Handbook