

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

Date: February 7, 2024 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:

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

Staff Present:

Sheila York, Chief Board Counsel
Lauren McShane, Chief Investigator
Thomas F. Burke, Executive Director
Margaret McKenna, Board Staff
Christian Carl, Board Staff

Housekeeping:

- Board Chair William Carleton called the meeting to order at 10:02 am and established a quorum via calling attendance: Jesse Ellis, Deborah Black, Alicja Prachanronarong, Mark Davini, and William Carleton. 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.

Mr. Ellis joined the meeting at 10:06 a.m.

Board Minutes:

- Public Meeting Minutes from January 3, 2024: **Dr. Davini moved to accept the minutes and Ms. Black seconded. The motion to accept the January 3, 2024 minutes passed by a roll call vote: Ms. Black: “Yes”, Mr. Ellis: “Yes”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.**

Board Business:

- **Report from Executive Director, Thomas Burke:** Mr. Burke reported that he and his staff are engaged in a project to scan all existing paper applications into an electronic, digital format. Scanned applications will be uploaded to the new licensing system and attached as a record in the dispensing optician’s license account.

Application Review:

- At 10:09 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:

Jason Gomez-Lopez – **After review of Mr. Gomez-Lopez’s application, Ms. Black moved to approve him 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”.**

Lindsay McDermott – Ms. McDermott met with the Board to review her application for licensure. Upon request, she submitted a letter to board staff signed by a Massachusetts dispensing optician attesting to the applicant’s off-site lab training. **After review, 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”.**

Discussion:

- **Plano lenses**

The board discussed the manufacturing of plano lenses by dispensing opticians and whether a prescription is required. Board members generally agreed that although plano lenses have no corrective power, optometrists may prescribe them to patients in need of safety eyewear or for personal use. Board counsel noted that the production of plano lenses is not explicitly addressed in the standards of professional practice or definitions. Board members acknowledged that a dispensing optician may manufacture plano lenses, such as sunglasses, without a prescription but cautioned that the optician should exercise professional discretion in doing so. The board agreed that requests for plano lenses should be considered on a case-by-case basis. Board counsel advised the board that it may seek to clarify the matter by issuing a policy statement or include it in a “frequently asked questions” format. The Board tabled further discussion to a future meeting.

- **Prescription requirements for spectacles and contact lenses.**

The board discussed requirements for filling prescriptions prior to expiration. They acknowledged that contact lens prescriptions typically expire at one year from the date the prescription issued unless the prescribing optometrist assigns a different expiration date, and prescriptions for spectacles will also contain an expiration date. Dispensing opticians may not extend expiration dates and should direct patients to request a new prescription from an optometrist.

- **Dispensing optician apprenticeship policy**

The board reviewed a draft dispensing optician apprenticeship policy that would provide apprentices guidance on exam requirements and subject matter areas required for on-the-job training and technical instructions. The board inquired whether a policy on apprenticeship training would require changes to the regulations. Board counsel responded that if the board is providing clarification on requirements, the regulations do not need to be revised. The board noted, however, that creating a policy that includes discussion of the subject matter area requirements in 235 CMR 4.04 may require

changes to the regulations to reflect recent developments in training and technical instruction. The board agreed that regulatory changes to these requirements may be helpful to future apprentices. The board tabled further discussion on this topic.

Apprentice Extension Request:

- Christopher Lake – Tabled.

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

Board members noted that optical goods stores and corporate sponsors should contact the Division of Apprentice Standards (DAS) for guidance on registering apprentice opticians. A representative from DAS reported that she received one inquiry from a newly licensed optician on registration requirements.

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 11:35 a.m., Ms. Prachanronarong made a motion, seconded by Dr. Davini 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: “Not Present”, Dr. Davini: “Yes”, Mr. Carleton: “Yes”, Ms. Prachanronarong: “Yes”.

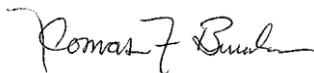
During the closed session, the Board took the following action:

- **CASE 2023-0475** – Provided guidance to the investigator.

Adjournment:

At 12:20 p.m. Ms. Prachanronarong moved to adjourn the meeting. 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”.

Respectfully Submitted,



Thomas F. Burke
Executive Director

Documents used in the open meeting:

- Meeting agenda for February 7, 2024
- Draft public meeting minutes from January 3, 2024
- Applications for J. Gomez-Lopez and L. McDermott (protected personal data redacted)
- Apprentice Extension Request for C. Lake
- Draft Dispensing Optician Apprentice Training Policy