

Board of Registration of Dispensing Opticians  
1000 Washington St. Room 1C  
Date: August 1, 2018 Time: 10:00 a.m.

Public Meeting Minutes

**Board Members Present:**

Gary Peters  
Marty Bregman  
David Fogg  
Deanna Kurlowecz

**Staff Present:**

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

**Members of the Public Present:**

James Russo  
Yomayra Lopez  
Tanaya Taylor  
Sandro Couto

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

- Meeting was called to order at 10:05 a.m. by Mr. Peters.
- Mr. Peters reviewed exit procedures in the case of an emergency.

**Review Meeting Minutes:**

- Minutes of June 5 2018 Meeting: **Mr. Bregman moved to accept the minutes as amended. Mr. Peters seconded. The motion passed unanimously.**

**Board Business:**

- Introduction of new Board Members:
  - Deanna Kurlowecz: This is her first appointment as a member of this board. She introduced herself and indicated that she was pleased to serve.
  - David Fogg: Mr. Fogg previously was a member of the board. He introduced himself and indicated that he was pleased to serve as a member.
- Election of Board Officers:
  - Chair – Mr. Fogg nominated Mr. Peters to serve as chair. Mr. Bregman seconded. Mr. Peters accepted the nomination. The motion passed unanimously.
  - Secretary – Mr. Fogg nominated Ms. Kurlowecz to serve as Secretary. Mr. Bregman seconded. Ms. Kurlowecz accepted the nomination. The motion passed unanimously.
- Report from Executive Director, Michael Hawley
  - Mr. Hawley reported that there have been no new licenses issued in the past month and that other processes have been proceeding with few problems. He revealed that efforts are under way to improve the Board web pages. The changes are being piloted on another board's web page but will eventually be moved to the Dispensing Optician Board web pages. Mr. Hawley discussed the number of

applicants who have been invited to take the practical exam in September. There are approximately 22 at last count and more are expected.

- Practical Exam
  - The board discussed whether there had been any changes to the practical exam. Mr. Hawley indicated that the only change he was aware of was the fact that the exam is now administered by ABO. No substantive changes have been reported to board staff.
- Report from Board Counsel, James O'Connor
  - Mr. O'Connor reported that the RFR for a new computerized practical exam is still in process and should be put out for bids in the near future.

#### **Apprentice Extension Request:**

- **Stephanie McMahon** – Ms. McMahon did not appear at the meeting. Her request will be reviewed at future meeting, if she so requests.
- **Yomayra Lopez** – Ms. Lopez appeared before the board to request an extension of her apprenticeship. Ms. Lopez has passed neither the ABO exam nor the NCLE. She did provide proof of her attempts to take both exams. She indicated that she was ignorant of the requirements to take the exams earlier in her apprenticeship. **Mr. Fogg moved to extend Ms. Lopez's apprenticeship for one year with the requirement that she take the NCLE and ABO exams every time they are available to her. Ms. Kurlowecz seconded. Motion passed unanimously.**
- **Tanaya Taylor** – Ms. Taylor appeared before the board to request an extension of her apprenticeship. Ms. Taylor has passed the ABO but still has not passed the NCLE. She provided to the Board evidence that she took the NCLE once before. Ms. Taylor's Sponsor, Sandro Couto, accompanied her to the meeting in support of her petition. Ms. Taylor indicated that she was Mr. Couto's supervisor at Walmart and they were informed that, per board regulations, an apprentice may not serve as the supervisor for her sponsor. She assured the Board that the situation would be rectified. **Mr. Bregman moved to extend Ms. Taylor's apprenticeship for one year with the requirement that she take the NCLE every time it is available to her. Ms. Kurlowecz seconded. Motion passed unanimously.**

#### **Open session for topics not reasonably anticipated 48 hours in advance of the meeting:**

James Russo inquired about whether an apprentice who completed an apprenticeship, passed the ABO and recently passed the NCLE could be seated for the practical exam. He was advised there was still time and to have the apprentice submit an application for licensure as possible.

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

**At 11:05 a.m., Mr. Fogg moved to enter into Investigative Session to discuss pending cases and settlement offers [Closed Session pursuant to M.G.L. c. 112 §65C]. The motion was seconded by Mr. Bregman. 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 actions:

- Open an investigation into a certain vendor
- 2017-000251-IT-ENF – Provided guidance to the Prosecutor

**11:45 p.m. Adjournment:**

Mr. Bregman moved to adjourn the meeting. Mr. Fogg seconded. Motion passed unanimously.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Michael Hawley", written in a cursive style.

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Michael Hawley  
Executive Director

**Documents used in the open meeting:**

- Agenda for DO Board Meeting of August 1, 2018
- Minutes from the June 6, 2018 Board meeting
- Apprenticeship extension request of Yomayra Lopez
- Apprenticeship extension request of Tanaya Taylor