

Board of Registration of Dispensing Opticians

Public Session Minutes

Date: May 5, 2021 Time: 10:00 a.m.

A regularly scheduled open public meeting of the Massachusetts Board of Dispensing Opticians (“the Board”) was held via Videoconference and Conference Call due to the Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20.

Board Members Present:

David Fogg
Deanna Kurlowecz, Board Chair
Marty Bregman
Gary Peters

Staff Present:

Jennifer Romeo-Porcaro, Board Counsel
Thomas F. Burke, Associate Exec. Director

Meeting called To Order:

- Ms. Kurlowecz called the meeting to order at 10:06 a.m.
- Exit and Evacuation procedures were tabled.

Review Meeting Minutes:

- The review of the minutes of April 7, 2021 Meeting: **Mr. Fogg moved to amend the minutes, under Discussion topic NCLE practical, to read: “Mr. Fogg moved to delegate the Board chair to work with Board counsel...”; to change the wording in the adjournment of public session to read, “Ms. Kurlowecz made a motion, seconded by Mr. Bregman...”; and under Adjournment to read as follows: “At 1:11 p.m., Ms. Kurlowecz moved to adjourn the meeting. Mr. Bregman seconded. Motion to accept amended minutes passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”. Mr. Peters abstained.**

Board Business:

- **Report from Associate Executive Director, Thomas Burke**
Mr. Burke provided an update on apprentice extensions, listed below.
 1. Albert Odei-Boateng was granted a six month extension on September 2, 2020 on the condition that he take the Massachusetts Practical exam and NCLE every two months or when available, no exam results have been received by Board staff...
 2. Jocelyn Amaral was approved for licensure on February 3, 2021.
 3. Trisha Fike was approved for reinstatement and licensed on December 2, 2021.
 4. Jimmie Melton was granted a one year extension on February 3, 2021 2 on the condition that he take the ABO and NCLE exams every time they are available. As of the date of the meeting, no exam results have been received by Board staff.
 5. Kerri Bosi was granted an extension on January 6, 2021 until June 1, 2021 on the condition that she take NCLE each time it is available. Ms. Bosi took the NCLE..

Mr. Burke reminded all present that Board staff continues to work remotely during most regular office hours.

Application Review

At 10:13 a.m., the Board met with two applicants for licensure and reviewed three applications. Below is a list of the candidates for review and the motion and roll call vote for each:

Thomas Scotti – After review of Mr. Scotti’s application, Ms. Kurlowecz moved to table until he provides documentation of training in the fitting of contact lenses (insertion and removal) at the June 2, 2021 Board meeting. Mr. Bregman seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Did not respond.”

Sayma L. Polanco del Rosario – After review of Ms. Polanco del Rosario’s application, Ms. Kurlowecz moved to approve her for licensure. Mr. Fogg seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Did not respond.”

David Thistle – After review of Mr. Thistle’s application, Mr. Bregman moved to table until August for him to provide documentation of 200 hours of training in the fitting of contact lenses Mr. Fogg seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.” The Board instructed Mr. Burke to notify applicant of Board motion.

Discussion:

- **FAQ Scope of Practice** – Ms. Kurlowecz moved to approve the “Frequently Asked Questions” regarding scope of practice for opticians as amended. Mr. Peters moved to delegate Mr. Fogg to discuss further with Board Counsel. Ms. Kurlowecz seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.” Board Counsel indicated that she will make changes and re-submit for final approval prior to posting.
- **Consumer Fact Sheet Revisions** – The Board tabled discussion. Board members will submit additional revisions to Board staff and Board counsel to assemble for further discussion at subsequent Board meeting.
- **NCLE Practical Exam** – The Board discussed the merits of implementing the NCLE practical exam as a requirement for licensure. Jim Morris of ABO-NCLE addressed questions regarding pricing and the feasibility of offering the NCLE practical in Massachusetts. Board counsel encouraged the Board to consider inserting a cut-off date for exam requirements following the required review of regulations. After further discussion, Mr. Peters moved to delegate Mr. Fogg to discuss further with Board Counsel. Ms. Kurlowecz seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”

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

- The Board instructed Board Counsel to meet with staff at the Division of Apprentice Standards (“DAS”) regarding the feasibility of receiving updated lists of current apprentice opticians and their sponsors. Celina Pendexter of DAS reported that her staff would provide informational seminars on the requirements of apprentice training to all sponsors in Massachusetts. The Board delegated Mr. Peters to work with Ms. Pendexter on this project. Professor Blair Wong of the Ben Franklin Institute of Technology (“BFIT”) and executive director at the Opticians Association of Massachusetts (“OAM”) reported that OAM would be willing to provide instructions as needed

At 11: 48 a.m., Ms. Kurlowecz made a motion, seconded by Mr. Fogg, to adjourn the public meeting and to enter into executive session under G.L. c. 30A, s. 21(a)(7) to comply with G.L. c. 4, s. 7, para. 26(c) and G.L. c. 214, s. 1B – adhering to the public records law and to preserve the confidentiality of medical record information; then, 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. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”

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

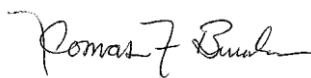
During the closed session, the Board voted to take the following action:

- 2020-001692-IT-ENF – Closed, no action - send to Optometry Board for review.

Adjournment:

- **At 12:24 p.m., Mr. Peters moved to adjourn the meeting. Mr. Fogg seconded. Motion passed by a roll call vote: Ms. Kurlowecz: “Yes”, Mr. Fogg: “Yes”, Mr. Bregman: “Yes”, Mr. Peters: “Yes.”**

Respectfully Submitted,



Thomas F. Burke
Associate Executive Director

Documents used in the open meeting:

- Agenda for DO Board Meeting of May 5, 2021
- Applications for T. Scotti, S. Polanco del Rosario, D. Thistle
- Public Session Minutes for April 7, 2021
- FAQ Scope of Practice
- Draft Consumer Fact Sheet