

Board of Registration of Optometry

Public Session Minutes

Meeting Held by Phone/Video Conference

DATE: January 17, 2024 TIME: 10:00am

A public meeting of the Massachusetts Board of Registration in Optometry (“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 by Phone/Video:

Rhonda Willinger, OD

Everett Sabree, OD

Jeanette Sewell, OD

DPH Staff Present by Phone/Video:

Sheila York, Board Counsel

Thomas F. Burke, Executive Director

Lauren McShane, Chief Investigator

Margaret McKenna, Board Staff

Christian Carl, Intern

Board Members Not Present by Phone/Video:

Marianne Sarkis, Ph.D.

Meeting called to order at 10:01 AM by Dr. Sabree

Meeting called to order:

- Teleconference Procedures

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.

- Roll Call Vote for Attendance

Board chair Dr. Sabree established a quorum via calling attendance: Everett Sabree, Jeanette Sewell and Rhonda Willinger. All members participated remotely via Webex by Cisco.

Board Business:

- Review of Public Session Minutes: December 20, 2023

Dr. Willinger moved to accept the public session minutes as written. Dr. Sewell seconded. The motion passed on a roll call vote: Dr. Willinger – “yes”; Dr. Sabree – “yes”; Dr. Sarkis – “Not Present”; Dr. Sewell – “yes”.

- License renewal period update

Mr. Burke reported that approximately 1300 licensed optometrists have submitted their license renewal applications. Licensees with renewal questions should contact staff by email.

- Policy 17-01 Social Security Numbers and Department of Revenue License Actions – VOTE

The executive director presented a policy for the Board’s consideration that puts in place guidelines for the collection of social security numbers (SSNs) for initial applications and the reporting of SSNs to the Department of Revenue in the processing of license suspensions and reactivations pursuant to Department of Revenue notices.

Dr. Sewell moved to accept Policy 17-01 Social Security Numbers and Department of Revenue License Actions as presented. The motion passed on a roll call vote: Dr. Willinger – “yes”; Dr. Sabree – “yes”; Dr. Sarkis – “Not Present”; Dr. Sewell – “yes”.

- The Medication Access and Training Expansion (MATE) Act Letter for Drug Enforcement Administration (DEA) Registered Practitioners

Correspondence:

- None

Discussion:

- M. Chu glaucoma certification application via dual licensure – VOTE

Dr. Chu was licensed initially in Massachusetts in 2010 and received a license to practice optometry in Illinois in 2021. Both licenses are active and current. Because her out-of-state license includes glaucoma certification, Dr. Chu requests glaucoma certification in Massachusetts via dual licensure. The Board acknowledged that licensees who are actively licensed in other jurisdictions and possess an equivalent scope of practice for the treatment of glaucoma may apply for certification in Massachusetts by dual licensure.

After discussion, Dr. Sewell moved to accept M. Chu’s glaucoma certification application via dual licensure and Dr. Willinger seconded. The motion passed on a roll call vote: Dr. Willinger – “yes”; Dr. Sabree – “yes”; Dr. Sarkis – “Not Present”; Dr. Sewell – “yes”.

- Reviewing glaucoma applications via dual licensure – VOTE

Dr. Sewell offered to replace Dr. Rakusin to review applications from Massachusetts optometrists who seek glaucoma certification by dual licensure. Applications may be presented for full-board review on a case-by-case basis.

Dr. Willinger moved to nominate Dr. Sewell to review glaucoma certification applications by dual licensure. Dr. Sewell seconded. The motion passed on a roll call vote: Dr. Willinger – “yes”; Dr. Sabree – “yes”; Dr. Sarkis – “Not Present”; Dr. Sewell – “yes”.

- Preliminary discussion on changes to 246cmr 2.00 for Topical and Oral Therapeutic Pharmaceutical Agents and Glaucoma Certification

The Board discussed the codification of M.G.L. c. 112, § 66C for the purpose of diagnosing, managing or treating glaucoma into the Board's rules and regulations governing optometrists in Massachusetts. In 2020, the Board approved a policy and application to permit eligible optometrists to upgrade to TPA+GC certification. As a result, approximately 800 optometrists have received glaucoma certification in the Commonwealth. The Board agreed that 246 CMR 1.00 and 2.00 should be reviewed to incorporate requirements for the treatment of glaucoma and the various methods by which optometrists may qualify. The Board instructed the director and counsel to review continuing education (CE) requirements to include CE course requirements on glaucoma and prescriber training. Counsel stated that she and the director will present a redlined version for review at a subsequent board meeting.

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

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 11:07 a.m. Dr. Sewell made a motion, seconded by Dr. Willinger to adjourn the public meeting and 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 roll call vote: Dr. Willinger – “yes”; Dr. Sabree – “yes”; Dr. Sarkis – “Not Present”; Dr. Sewell – “yes”.

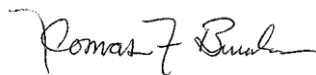
During the closed session, the Board took the following action:

- CASE-2023-0145 – Dismissed.
- CASE-2023-0774 – Provided guidance to the Investigator.

Adjournment:

At 11:30 a.m., Dr. Sewell moved to adjourn the meeting. Dr. Willinger seconded. The motion passed by roll call vote: Dr. Willinger – “yes”; Dr. Sabree – “yes”; Dr. Sarkis – “Not Present”; Dr. Sewell – “yes”.

Respectfully submitted,



Thomas Burke, Executive Director

Documents used in the open meeting:

- Agenda for January 17, 2024 board meeting
- Public session minutes for December 20, 2023
- Glaucoma certification application for M. Chu
- Association of Regulatory Boards of Optometry (ARBO) interstate optometry scope of practice 2023
- 246 CMR 2.00
- Senate Bill 2984 containing M.G.L. c. 112, § 66C
- Policy on Topical and Oral Therapeutic Pharmaceutical Agents and Glaucoma Certification (TPA+GC)