

## **Board of Registration in Optometry**

### **Public Session Minutes**

Meeting Held by Phone/Video Conference

DATE: December 21, 2022 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 Chapter 22 of the Acts of 2022, signed into law on February 12, 2022.**

#### **Board Members Present by Phone/Video:**

Rhonda Willinger, OD  
Jeanette Sewell, OD  
Everett Sabree, OD  
Bruce Rakusin, OD  
Lauren McShane, Chief Investigator

#### **DPH Staff Present by Phone/Video:**

Sheila York, Board Counsel  
Thomas F. Burke, Executive Director  
Lauren Nelson, Acting Deputy Director

#### **Board Members Not Present by Phone/Video:**

Marianne Sarkis, Ph.D.

Meeting called to order at 10:06 AM by Dr. Sabree

#### **Meeting called to order:**

- Teleconference Procedures

Mr. Burke briefly reviewed procedures for use of Microsoft Teams. He initiated introductions and invited Board staff and members to do the same.

#### **Board Business:**

- Review of Public Session Minutes: October 19, 2022

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

#### **Discussion:**

- Branch Office Locations

The Board discussed the requirement for optometrists to report the establishment of branch office locations and instructed Board staff to maintain records of branch locations for each licensed provider. The Board acknowledged that although branch office locations may be inspected by Board staff, the inspections are contingent on staffing and resources. The Board agreed that the reporting requirement should be enforced, but inspections may be performed only when there are ample resources. The Board may consider a revision to the regulation in the future. No vote was taken.

- Compliance Monitoring S. Tittl – 2019-000649-IT-ENF 4238-OP-TPA

The Board reviewed Dr. Tittl’s consent agreement and instructed the Executive Director to request evidence of compliance from the licensee and present to the Board at the subsequent meeting. No vote was taken.

- Glaucoma Certification Procedures

- Applications

The Board discussed the current requirement for new licensees in Massachusetts to provide a separate application with evidence of graduation from an accredited school or college of optometry and completion of the national board examination requirements. The Board noted that newly licensed optometrists in Massachusetts already provide an official transcript from the accredited college of optometry and a score report from the National Board of Examiners in Optometry (NBEO) when they apply for licensure to practice in Massachusetts.

**Therefore, after discussion, Dr. Sewell moved to rescind the requirement for new licensees to submit a separate application for glaucoma certification and instead assign the TPA+GC type class to all new graduates who apply for initial licensure in Massachusetts after May 1, 2021. Dr. Willinger seconded. The motion passed on a roll call vote: Dr. Willinger – “yes”; Dr. Sabree – “yes”; Dr. Sarkis – “Not Present.”; Dr. Sewell – “yes”; Dr. Rakusin – “yes”.**

- DEA Registration – Tabled.

- Draft Telepractice Policy

Dr. Rakusin recused himself from discussion of this topic and left the meeting. The Board reviewed the draft telepractice policy with the Board’s Counsel and representatives from the Department of Public Health (DPH). The Board noted that the current draft is a work in progress and requires further review and discussion. Board Counsel acknowledged the work that the Board has conducted in preparing the draft and will provide further guidance in revising the draft policy. No vote was taken.

Dr. Rakusin returned to the meeting.

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

Dr. Wayne Zahka of the Massachusetts Society of Optometrists (MSO) addressed the Board regarding the new licensing system and requested guidance for licensees on how to resolve difficulties. Mr. Burke noted that licensees should contact Board staff with any questions and concerns. Dr. Zahka reported that there are approximately nineteen licensed Massachusetts optometrists who have requested to take the Glaucoma and Orals Certification Course. The next course is being planned and the date is yet to be determined. Dr. Zahka identified the need to update the definition of a licensed optometrist beyond the current statutory definition. Finally, he discussed the possibility of a ballot question on the provision of vision insurance coverage.

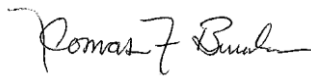
**Cases, Investigative Conference, Settlement Offers [Closed session pursuant to M.G.L. c. 112 §65C]:**

- None

**Adjournment:**

**At 11:34 a.m., Dr. Sewell moved to adjourn the meeting. Dr. Willinger seconded. The motion passed on a roll call vote: Dr. Willinger – “yes”; Dr. Sabree – “yes”; Dr. Sewell – “yes”; Dr. Sarkis – “Not Present.”; Dr. Rakusin – “yes”.**

Respectfully submitted,



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Thomas Burke, Executive Director

Documents used in the open meeting:

- Agenda for December 18, 2022 board meeting
- Public Session Minutes for October 19, 2022
- Consent Agreement for Dr. Steven Tittl
- 246 CMR 3.04
- Proposed language on DEA registration
- Glaucoma Certification application
- Draft Telepractice policy