

## **Board of Registration of Optometry**

### **Public Session Minutes**

Meeting Held by Phone/Video Conference

DATE: May 15, 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:**

Jaqueline Petrillo, Board Counsel

Thomas F. Burke, Executive Director

Lauren McShane, Chief Investigator

Margaret McKenna, Board Staff

Christian Cark, Board Intern

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

Marianne Sarkis, Ph.D.

Meeting called to order at 10:05 AM by Dr. Sabree

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

- Teleconference Procedures

Mr. Burke informed panelist members of the meeting about the new WebEx meetings, and public members will be pulled into the discussion rooms when their topic is due on the agenda.

- 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: March 20, 2024

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

- Review of Public Session Agenda: May 15, 2024

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

Mr. Burke informed the Board that the Massachusetts Society of Optometrists (MSO) will offer the glaucoma and orals course in 2024 using the same format as originally approved.

**Discussion:**

- 246CMR 1.00 Purposes and Definitions and 246CMR 2.00 Examination and Licensure - Review

The Board discussed amendments to 246CMR 1.00, *Purposes and Definitions* and 246CMR 2.00 *Examination and Licensure*. The Board advised that a definition of distance-based learning be added based on the December 2021 approved Interpretation of Continuing Education Requirements for Massachusetts Optometrists. Board Counsel will draft language for review at a subsequent meeting. The Board noted that optometrists whose licenses have expired for more than five years and who are not actively licensed in another jurisdiction should take a clinical proficiency examination prior to reactivation. The Board identified the Part III examination administered by the National Board of Examiners in Optometry (NBEO) as a suitable proficiency examination and instructed the executive director to contact NBEO regarding registration procedures. The Board generally agreed that optometrists in lapsed status for more than five years should complete a maximum of ninety (90) continuing education hours as part of license reactivation. Optometrists in lapsed status for less than five years should complete continuing education hours for each year of lapsed status. No vote was taken.

**Correspondence:**

- ARBO Annual Meeting Correspondence

Read and Filed.

**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 10:57 a.m. Dr. Sewell motioned 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. Dr. Willinger seconded. Motion passed by roll call vote: Dr. Willinger – “yes”; Dr. Sabree – “yes”; Dr. Sarkis – “Not Present”; Dr. Sewell – “yes”.**

- Review of Closed Session Agenda: May 15, 2024

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

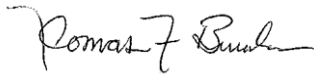
During the closed session, the Board took the following action:

- INV7475 – Dismissed.
- INV8886 – Referred to the Board of Dispensing Opticians
- CASE-2023-0155 – Dismissed.

**Adjournment:**

**At 12:10 p.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,



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Thomas Burke, Executive Director

Documents used in the open meeting:

- Agenda for May 15, 2024 board meeting
- Public session minutes for March 20, 2024
- Letter from the Association of Regulatory Boards of Optometry (ARBO) for Annual Meeting
- Interpretation CE Requirements for Massachusetts Optometrists
- 246 CMR 1.00 & 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)