

Board of Registration of Optometry

Public Session Minutes

Meeting Held by Phone/Video Conference

DATE: August 18, 2021 TIME: 10:00am

Board Members Present by Phone/Video:

Rhonda Willinger, OD

Jeanette Sewell, OD

Everett Sabree, OD

Bruce Rakusin, OD

Marianne Sarkis, Ph.D.

DPL Staff Present by Phone/Video:

Peter M. Kelley, Board Counsel

Thomas F. Burke, Executive Director

Meeting called to order at 10:12 AM by Dr. Sabree

Meeting called to order:

- Teleconference Procedures

Mr. Burke reviewed protocols for meeting via electronic means.

Board Business

- Review of Public Session Minutes: July 14, 2021

Dr. Rakusin moved to accept the minutes as written. Dr. Sewell seconded. The motion passed on a roll call vote: Dr. Willinger – “yes”; Dr. Sarkis – “yes.”; Dr. Sabree – “yes”; Dr. Rakusin – “Abstain.”; Dr. Sewell – “yes”.

Discussion:

- Glaucoma Certification – Application Review

Prior to review, Mr. Burke reported that the passage of Article 87 legislation became effective on July 19, 2021. As a result, the Board of Registration in Optometry and twelve other licensing Boards will transfer resources and staff to the Department of Public Health over the next eighteen months. In addition, the agency name has been changed to the Division of Occupational Licensure (“DOL”). Mr. Burke will provide regular updates to the Board.

Mr. Burke reported that Board staff has received approximately ninety applications for glaucoma certification from Massachusetts optometrists. Most optometrists applied based on completion of a postgraduate residency in ocular disease on or after June 30, 2011, and a smaller number of optometrists applied based on current and continuous licensure in another jurisdiction with an equivalent scope of practice in both glaucoma and oral therapeutic agents and authority to treat in that jurisdiction.

Mr. Burke presented applications for Board review based on dual licensure to determine if Massachusetts optometrists meet full requirements according to Board policy. After discussion, the Board agreed that only Massachusetts optometrists who possess current and continuous licensure in other jurisdictions with a substantially equivalent scope of practice meet the criteria for glaucoma certification. If the delegated Board member cannot determine criteria, Massachusetts optometrists should submit an affidavit from the other jurisdiction.

Additionally, the Board reviewed applications for Massachusetts optometrists who completed postgraduate residencies before June 30, 2011. After discussion, the Board agreed that applicants who completed a postgraduate residency prior to June 30, 2011 do not meet criteria for glaucoma certification. The Board also agreed that new applicants for licensure under M.G.L. c. 112, § 68C(a) must be licensed as Massachusetts optometrists on or after June 30, 2021.

- Correspondence – NBEO Announcement

Read and filed.

- Email from L. Palomba to T. Burke, dated 7/14/21, regarding Signatures on optometry rx.

The Board referred the matter to the Office of Investigations.

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

In response to the Board's questions, the Massachusetts Society of Optometrists ("MSO") agreed to safeguard the integrity of exam questions used in the glaucoma certification course by removing questions written by faculty who are also taking the course.

The Board advised Dr. A. Parvis to submit correspondence to the Board for review at the subsequent meeting.

Dr. Sarkis left the meeting at 11:01 A.M.

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

At 11:38 a.m., Dr. Rakusin moved to enter into Investigative Conference [Closed Session pursuant to M.G.L. c. 30A § 18D]. Dr. Sewell seconded. The motion passed on a roll call vote: Dr. Willinger – "yes"; Dr. Sarkis – "Not Present."; Dr. Sabree – "yes."; Dr. Rakusin – "Not Present."; Dr. Sewell – "yes".

During investigative conference, the Board voted to take the following action:

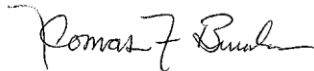
- 2020-001692-IT-ENF – Dismissed with Advisory.

- 2021-000187-IT-ENF – Dismissed. The Board requested that a Board compliant be opened on a matter unrelated to the allegations in the docketed matter..

Adjournment:

At 11:59 a.m., Dr. Sewell moved to adjourn the meeting. Dr. Rakusin seconded. The motion passed on a roll call vote: Dr. Willinger – “yes”; Dr. Sarkis – “Not Present.”; Dr. Sabree – “yes”; Dr. Rakusin – “yes”; Dr. Sewell – “yes”.

Respectfully submitted,



Thomas Burke, Executive Director

Documents used in the open meeting:

- Agenda for August 18, 2021 board meeting
- Public Session Minutes for July 14, 2021 Board meeting
- Glaucoma Certification Applications for review
- Correspondences