

## BOARD OF EXAMINERS IN OPTOMETRY

### Regular Session Minutes

May 25 2016  
DHMH  
4201 Patterson Avenue #105  
Baltimore, MD 21215  
9:30 a.m.

The regular session of the Board of Examiners in Optometry's meeting was held on Wednesday, May 25, 2016. Board members present were, Phyllis Strickland, O.D., Stephen Kwan, O.D., Brian T. Woolf, O.D., Andrew Doyle O.D., Mesheca Bunyon O.D., and Frederick J. Walsh, Ph.D. Also present were Ari Elbaum, Board Counsel, Patricia G. Bennett, Board Executive Director, Kecia Dunham, Licensing Coordinator, and Arthura Easter, Staff Assistant. Rona D. Pepper was not in attendance.

#### A. Opening of Meeting

Dr. Phyllis Strickland, O.D., Board President, opened the regular session of the Board meeting at 9:45 a.m. She welcomed a licensee who attended the meeting –Claudia Blemard, O.D.

#### Minutes

The regular session minutes of the meeting held on March 30, 2016 were reviewed. A motion was made and seconded to accept the minutes as written. The Board's vote was unanimous.

#### C. Committee Reports

##### 1. Continuing Education - Dr. Woolf

Dr. Woolf reported that there was no information to report.

##### 2. Credentialing- Dr. Kwan

Dr. Kwan reported that there was no information to report. This committee reviews and approves continuing education for applicants applying for diagnostic and therapeutic certification.

##### 3. Budget – Dr. Kwan

Dr. Kwan reported that as of May 6, 2016 the Board's remaining expenditure balance is \$47,773.00. The Board's Special Fund balance as of May 6, 2016 is \$176,557.00.

##### 4. QEI – Dr. Doyle

Dr. Doyle reported that the QEI Committee met in April and completed the 2015 Record Review.

##### 5. Rehabilitation- Dr. Doyle

Dr. Doyle indicated that there was no committee report. The committee handles issues related to impaired professionals.

##### 6. ARBO- Dr. Strickland

Dr. Strickland reported that the Annual ARBO meeting will be held at the Boston Waterfront Westin, Boston, MA June 26-28, 2016. The President and Executive Director attend as delegate and alternate representing the Board. Dr. Strickland reported that on Sunday, June 26, 2016 Patricia Bennett will moderate the Executive Directors' Workshop titled, "What's New in Your Jurisdiction. A copy of the Board's Annual Report is attached.

##### 7. Legislation – Dr. Walsh

Dr. Walsh reported that there was nothing to report.

## D. Old Business

### Regulations

#### Regulatory Review – Dr. Woolf, Chair

The committee's charge is the review of the Board regulations. The committee is deciding how best to conduct the review and include topics, issues and content areas that identify trends in the optometry profession. Dr. Woolf reported that an open public meeting was scheduled following the Board meeting.

#### 2016 Legislative Session

Kristen Neville reported that the session ends on 4/11/16. During the 2016 Legislative session, the Maryland General Assembly considered 2,817 bills and 15 joint resolutions. Bills impacting all Boards are:

**SB 109 Health Occupations Boards-Criminal History Records Check Required.** The bill requires some boards to do a background checks on initial application, while some other boards are required to do checks at license renewal.

**HB 217 Open Meetings Act-Requirements for Agendas** was passed in the final minutes of the session and will be signed at a later date. This bill requires that a public body, before holding an open meeting, make available to the public an agenda containing known items of business or topics to be discussed at the meeting. Effective date October 1, 2016.

**HB245/SB310 Child Abuse and Neglect-Failure to Report.** The bill requires an agency participating in an investigation and has substantial grounds to believe that a person has knowingly failed to file a report of child abuse or neglect, then the agency shall 1) file a complaint with the appropriate licensing board if the individual is a health care practitioner; 2) file a complaint with the appropriate law enforcement agency if the individual is a law enforcement officer; 3) file a complaint with the county board of education or the appropriate agency, institution, or licensed facility where the individual is employed if the individual is an educator or human service worker.

## E. Executive Director's Report – Patricia Bennett

**Board Appointments** – The Board is waiting for the Appointments Office to provide an update about Dr. Doyle's re-appointment and Dr. Strickland's replacement.

**Financial Disclosure** - Board members were reminded that the deadline to file was April 30, 2016

**Online Renewal** – To date, a total of 150 licenses had been renewed since 4/29/16.

**Health IT Environment Scan** – Board received a request from a company contracted by DHMH for a list of licensees to be surveyed for a health IT environmental scan. Several health occupation boards were contacted. The goal of the survey is to gain a better understanding of the adoption of CEHRT in Maryland and clinical data exchange throughout the state. The Board provided an electronic list and waived the \$65 fee.

**Fillable Forms** – All forms on the Board's website have been updated and are in a fillable pdf format. Arthura Easter worked on the project with the Boards' IT staff and did a great job.

**Legislative Audit** – The process has been completed and the Boards are waiting for the final report. The Optometry Board was not singled out for review.

**Online Application Project** – The individual who created the Boards' online renewal system has created an online application system which is currently in test mode by the Board of Physical Therapy. The system will be available for other Boards test. The cost and maintenance of the system is projected to be affordable. The Board of Physicians is working on plans for a fully integrated system and has contacted the smaller Boards to determine any interest.

**Workday Personnel System** – The State has moved to the new system that includes timekeeping, payroll, training and all HR processes and actions.

**Criminal Background Checks** – The Optometry Board is one of 3 Boards remaining that does not have this authority to request these checks. The Board determined that until it was mandated or required by the legislature, the Board would not introduce legislation.

**Farewell Luncheon** – Following the July 27, 2016 Board meeting, Board members and staff will have a luncheon for Dr. Strickland at Linwood’s. The Board plaque, Governor’s Citation and Secretary’s Appreciation Certificate will be presented to her.

There was a discussion about the renewal process and what occurs following the end of the renewal cycle. There is a 30-day grace period, during which time licensees can renew with an additional \$100 late fee. Effective August 1, 2016, licensees who fail to renew will be coded as non-renewed. Dr. Walsh suggested that Board staff send a follow-up survey to determine the reasons for non-renewal. This information would be helpful in looking at population density in the state and the need for and access to licensed optometrists.

#### **F. New Business**

1. **New Licenses Issued** – A motion was made and seconded to accept the 6 newly licensed optometrists since the March 29, 2016 meeting. The Board’s vote was unanimous.
2. **Board Elections** -The Board held an election for the office of President because Dr. Strickland’s second term expires on 5/31/16. Drs. Doyle and Woolf were nominated. Dr. Walsh moved and Dr. Woolf seconded the motion to close the nominations. The Board’s vote was unanimous. There was a tie vote and Dr. Woolf withdrew his name from the slate. Therefore, Dr. Andrew Doyle was elected as the Board’s new President effective June 1, 2016.
3. **Brian Rogoff, O.D.** –The Board received a letter from ARBO indicating that Dr. Rogoff requested to become a COPE Reviewer. ARBO has verified that Dr. Rogoff’s license is active and in good standing. Dr. Rogoff has the Board’s approval.

Dr. Strickland closed the regular session at 10:34 a.m. to move into administrative session in order to comply with specific constitutional, statutory or judicially imposed requirements that prevent public disclosure about a particular proceeding or matter and to discuss the investigation of complaints against specific licensees. Dr. Kwan seconded the motion. The motion passed unanimously.

Respectfully submitted,

Brian T. Woolf, O.D.  
Board Secretary