

MINUTES

**UTAH
Optometrist Licensing Board
MEETING**

March 12, 2008

**Room 210 – 2nd Floor – 9:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:10 a.m.

ADJOURNED: 10:34 a.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Jacky Adams

Board Members Present:

Dane F Dansie, OD - Chairperson
Russell W Purdy, OD
D Lee Tanner, OD
Jeffrey H Seeholzer, OD
Wendy D Gibbs
Michael L Cohen, OD

Board Members Absent:

Bonnie Barker Rice

Guests:

David Stanley, Division Director
Larry Gooch – DOPL Investigative Supervisor

DOPL Staff Present:

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Minutes from the August 1, 2007

Dr. Tanner seconded by Dr. Seeholzer made a motion to approve the minutes from the August 7, 2007 Board Meeting, the motion carried unanimously.

Dr. Dansie then introduced Dr. Cohen, and welcomed him to his first Board Meeting.

DISCUSSION ITEMS

Epilation

Dr. Dansie explained that this issue has been discussed several times in the past. He then added that the Medicare billing code system, classifies Epilation (removal of a hair from the eye), as a surgical procedure. 58-16a-102 (11) (e) allows an Optometrist to remove a foreign body from the eye, however, 58-16a-601 (2) (a) prohibits an Optometrist from performing surgery.

After a detailed discussion it was determined that the Division will review 58-16a and R156-16a to determine if changes need to be made to better define an Optometrist's scope of practice.

Certified Orthoptist – Licensure

The Division received a letter from Joseph McMurtrey, Certified Orthoptist, on February 4, 2008. The letter explained the scope of practice for an Orthoptist, and requested approval as a physician extender.

After a detailed discussion it was determined that Mr. McMurtrey's request could not be granted. Orthoptist may work only under direct and immediate supervision. A letter will be sent to Mr. McMurtrey explaining that 58-16a would need to be amended to allow for licensure.

Current Rules

Mr. Ormond questioned the Board regarding if they knew of any areas of the current Rule, which may need to be amended or rewritten to better define 58-16a.

After a brief discussion it was determined that: Practitioner should be further defined; and All Board members would review R156-16a to determine if there are any other sections, which may need to be amended or rewritten.

This issue will be discussed again at the July 30, 2008 Board Meeting.

Contact Lens Expiration Dates

Dr. Dansie explained that the Federal Statute requires that a Contact Lens prescription expires one year from the date the prescription was written, Utah's

requirements are for two years. He felt that statute change may be needed.

After a brief discussion Dr. Dansie suggested for this issue to be further discussed at the July 30th meeting.

CORRESPONDENCE:

Review Summary of Investigation Activity;
2006-2007

Mr. Gooch attended the meeting to explain the “Summary of Investigation Activity” report for 2006 and 2007. Mr. Gooch explained that Optometry is fairly compliant, in the past two years the Division has investigated eighteen complaints.

Dr. Cohen questioned the Board regarding how often they had been consulted on complaints. Dr. Tanner stated that he has consulted on several occasions, since 2001, and then added that he felt that the Division has done a good job of investigating complaints.

Dr. Cohen then expressed his concern that the Board is not more active. Dr. Dansie then reminded Dr. Cohen that the Boards are advisory to the Division, and that in the case of a hearing the Board acts as the presiding officer, and can not be made aware of any investigations prior to the hearing.

Dr. Purdy requested to be notified of the total number of licensees. The Division will supply this information at the July 30, 2008 Board Meeting.

Association News – December 2007

Reviewed with no further action taken.

The Green Sheet – December 2007

Dr. Dansie explained that ARBO’s (Association of Regulatory Boards of Optometry) next conference will be in Seattle, Washington on June 22nd – 24th, 2008. Dr. Dansie then added that he and Dr. Cohen will be attending the conference. Mr. Ormond will determine if Dr. Dansie’s expenses could be paid by the Division.

MWCO – April 2008 Conference

Reviewed with no further action taken.

CAC – CE Workshop

Reviewed with no further action taken.

ADJOURN: 10:34 a.m.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

July 30, 2008	(ss) Dane F Dansie
Date Approved	Chairperson, Optometrist Licensing Board

July 30, 2008	(ss) Clyde Ormond
Date Approved	Bureau Manager, Division of Occupational & Professional Licensing