KANSAS BOARD OF EXAMINERS IN OPTOMETRY

Minutes of the January 15, 2016

1. 8:34 am Called to order by Ron Hansen, OD, Acting President. Members of the Board in attendance were: Drs Rebecca Sparks, Gerard Lozada, and Craig Newland. Also in attendance were Brenda Head, Board Counsel; Jan Murray Executive Officer; Gary Robins, KOA representative, Jeff Gilbert, Novabay representative; Dr Doug Ayre, and Dr Jason Pingel and counsel, Mandee Rowen Pingel.

The agenda was approved by consensus.

1. Review and approval of minutes of last meetings:
   1. Dr Newland moved and Dr Sparks seconded a motion to approve minutes of the October 2, 2015 meeting. Motion carried 4-0.
   2. Dr Lozada moved and Dr Newland seconded a motion to approve the minutes of the October 26, 2015 meeting. Motion carried 4-0.
   3. Dr Newland moved and Dr Sparks seconded a motion to approve the minutes of the November 12, 2015 meeting. Motion carried 4-0.
2. *Report of the President*
   1. The Board welcomed Dr Craig Newland to the Board.
   2. Dr Sparks motioned and Dr Lozada seconded a motion for the Board’s officers to be: Ron Hanson, OD, President, Gerard Lozada, OD, Vice-President and Rebecca Sparks, OD, Secretary/Treasurer. Motion carried 4-0.
3. *Adjudicated Hearing for Jason Pingel, OD*
   1. Dr Sparks motioned and Dr Newland seconded a motion to adjourn into Executive Session for ten minutes to discuss Dr Pingel’s case.

*The Board adjourned into Executive session at 8:54 am*

*The Board reconvened at 9:04 am*

* 1. Dr Sparks motioned and Dr Lozada seconded a motion to re-adjourn into Executive Session for five minutes further discussion on Dr Pingel’s case.

*The Board adjourned into Executive Session at 9:06 am*

*The Board reconvened at 9:11 am*

* 1. Dr Lozada moved and Dr Sparks seconded a motion to approve the trade name: *Mission Eyecare* for Jason Pingel, OD and fine $1,000 for unapproved use of a trade name. Motion carried 4-0.

1. *Report of the Vice-President*
   1. Dr Lozada moved and Dr Newland seconded a motion to ask the Kansas Pharmacy Board to provide an opinion regarding optometrists dispensing Avenova out of offices. Motion carried 4-0.
   2. Dr Lozada discussed inappropriate behavior by optometrists during live continuing education.
   3. Dr Lozada discussed office procedures.
2. *Report of the Secretary-Treasurer* 
   1. Dr Sparks moved and Dr Lozada seconded a motion to approve all COPE courses. Motion carried 4-0.
3. *Report of the Member –At-Large*
   1. No Report
4. *Report of the Public Member*
   1. No Report
5. *Report of the Legal Counsel*
   1. No Report
6. *Report of the Executive Officer*
   1. Trade name applications:
7. Dr Sparks moved and Dr Newland seconded a motion to approve the trade name of *Ridgeview Eye Care,* 33321 Lexington Ave, De Soto, KS for Trent Henderson, OD. Motion carried 4-0.
8. Dr Hansen moved and Dr Lozada seconded a motion to approve the trade name of *Family Eye Care of Onaga*, 310 Leonard St, Onaga, KS for Ryan Kueker, OD. Motion carried 4-0.
9. Dr Newland moved and Dr Sparks seconded a motion to approve the trade name of: *Drs Deutscher, Hefner, & Rottinghaus, Optometrists, PA,* 200 E 6th St, Suite 112 and 4848 SW 21st St, Suite 101, Topeka, KS for Christopher A Deutscher, OD, William F Hefner, OD, and Charles A Rottinghaus, OD. Motion carried 4-0.
10. Dr Lozada motioned and Dr Sparks seconded a motion to approve the trade name of: *Vision Source of St Francis,* 103 W Washington, St Francis, KS for Jeff Morrison, OD, Mark Wahlmeier, OD and Danielle McAttee, OD. Motion carried 4-0.
11. Dr Sparks moved and Dr Newland seconded a motion to approve the trade name of: *Image One Eyecare*, 6932 W 135th St, Overland Park, KS for Justin Weigel, OD and Neal Troyer, OD. Motion carried 4-0.
12. Dr Newland moved and Dr Parks seconded a motion to approve the trade name of: *Drs Cooper and Banninger, LLC ,* 1000 E Cloud, Salina, KS and 112 W Main, Beloit, KS for David Cooper, OD and Christopher Banninger, OD. Motion carried 4-0.
13. Dr Sparks moved and Dr Newland seconded a motion to approve the trade name of: *Epic Vision Center of Leavenworth,* 508 Cherokee St, Leavenworth, KS for Tom Anderson, OD and Ryan Hiesterman, OD. Motion carried 4-0.
14. Dr Newland moved and Dr Lozada seconded a motion to approve the trade name of: *Adventure Vison,* 980 S Oliver St, Wichita, KS for Michael G Pharris, OD. Motion carried 4-0.
    1. Ms Murray reported on the trade name audit that she conducted. She mailed 46 letters her first request, 7 letters in the second request and had only one not respond. Dr Sparks said she would contact the doctor not responding.
    2. Ms Murray asked for clarification on what constitutes a trade name. The Board informed any use of descriptive words such as *vison, optometry, eye care* or any other unique term (with the exclusion of a doctor’s name) would be considered a trade name and need Board approval.
    3. Dr Sparks moved and Dr Hansen seconded a motion to deny reciprocity licensure to Antwan P Randolph, OD. Motion carried 4-0.
    4. Reinstatement/Reciprocity was tabled until the April Board meeting
    5. The Board instructed Ms Murray to renew KBI RapBacks on any applicant that has yet to be licensed when the first year is up.
    6. Ms Murray discussed the budget.
15. *Comments from the Public*

Mr Robins discussed the Impaired Provider Program.

1. *Next Board Meeting*
   1. March 7, 2016 at 7:00 pm Teleconference
   2. April 28, 2016 at 3:00 pm at the Capital Plaza Hotel , Topeka, KS
   3. June 10-11, 2016 Board Meeting / Exam, Topeka / Lawrence
2. Executive Session:
   1. Dr Hansen moved and Dr Lozada seconded a motion to move into Executive session to discuss the annual exam for 30 minutes. Motion carried 4-0.

*The Board adjourned into Executive Session at 12:31pm*

*The Board reconvened at 1:00 pm*

* 1. Dr Hansen moved and Dr Lozada seconded a motion to move into Executive session to discuss the annual exam for 15 minutes. Motion Carried 4-0.

*The Board adjourned into Executive Session at 1:00 pm*

*The Board reconvened at 1:09 pm*

1. Adjournment
   1. Dr Lozada moved and Dr Newland seconded a motion to adjourn. Motion carried 4-0. The board adjourned at 1:09pm