

**KANSAS BOARD OF EXAMINERS IN OPTOMETRY**  
**Minutes of the 17 October 2018 Meeting**

- I. 1:02 pm called to order by Ron Hansen, OD, President. Members of the Board present were Drs. Gerard Lozada, Craig Newland, Rebecca Sparks and public member Gary Slimmer. Also in attendance were Randy Forbes, Board Counsel, and Jan Murray, Executive Officer, Todd Fleischer, KOA representative, Mindy Abbey, OD, Matthew Broberg, OD, Grant Gordon, Payit, and Ted Smith, Kansas Department of Revenue.
- II. Dr Newland motioned, and Dr Lozada seconded a motion to approve the minutes from the June 8-9, 2018 meeting. Motion carried 5-0.
- III. Dr. Lozada moved to go into executive session to return to open session at 1:18 pm the justification being to engage in discussions protected by the attorney-client privilege and the topic being potential litigation. The motion was seconded by Dr. Newland. The motion passed.

*The Board adjourned into Executive Session at 1:07 pm.*

*The Board reconvened at 1:18 pm.*

- IV. *The Board held the adjudicative hearing for Mindy Abbey, OD, Case 2017-2.*
  - A. Mr Slimmer motioned, and Dr Newland seconded a motion to remove the employment restriction on Dr Abbey's license, with the stipulation that she be required to divulge her licensure disciplinary history to any prospective employer prior to the onset of employment. Motion carried 5-0.
- V. *Report of the President*
  - A. Dr. Sparks moved to go into executive session to return to open session at 1:50 pm the justification being to engage in discussions protected by the attorney-client privilege and the topic being potential litigation. The motion was seconded by Dr. Newland. The motion passed.

*The Board adjourned into Executive Session at 1:37 pm.*

*The Board reconvened at 1:50 pm.*

- B. Dr. Hansen moved to go into executive session to return to open session at 2:10 pm the justification being to engage in discussions protected by the attorney-client privilege and the topic being potential litigation. The motion was seconded by Dr. Lozada. The motion passed.

*The Board adjourned into Executive Session at 1:50 pm.*

*The Board reconvened at 2:10 pm.*

- C. Dr Hansen tabled the discussion on 360 Care until the January 2019 meeting
- D. The Board discussed holding the 2019 annual exam in Hutchinson, KS. Dr Hansen agreed to hold the practical examination at his office, and make arrangements for a location for the written examinations, applicant interviews, and a meeting of the board.
- E. Ms Murray described the process for activating an inactive license. Dr Sparks moved and Dr Hansen seconded a motion to authorizing Ms Murray authority to activate inactive licenses when the qualifications have been met. Motion carried 5-0.

VI. *Report of the Vice President*

- A. Dr Lozada discussed inviting the North Carolina State Board of Examiners in Optometry to the Kansas annual exam in June 2019.
- B. Dr Lozada discussed using the Board's travel credit card.
- C. Dr Lozada discussed the Dale Atkinson presentation from the June 2018 meeting of ARBO.
- D. Dr Lozada discussed the outcome of the Bunny's Beauty Supply hearing.
- E. Dr. Lozada moved to go into executive session to return to open session at 4.00 pm the justification being to engage in discussions protected by the attorney-client privilege and the topic being potential litigation. The motion was seconded by Dr. Hansen. The motion passed.

*The Board adjourned into Executive Session at 3:30 pm.*

*The Board reconvened at 4:00 pm.*

- F. Dr. Lozada moved to go into executive session to return to open session at 4:08 pm the justification being to engage in discussions protected by the attorney-client privilege and the topic being potential litigation. The motion was seconded by Dr. Newland. The motion passed.

*The Board adjourned into Executive Session at 4:00 pm*

*The Board reconvened at 4:08 pm.*

VII. *Report of the Secretary-Treasurer*

- A. Dr Hansen moved and Mr. Slimmer seconded a motion to accept the COPE courses from 06/10/2018-10/17/2018. Motion carried 5-0
- B. Dr Sparks discussed the American Academy of Optometry's 2018 Scientific Program

VIII. *Report of the Member-At-Large*

- A. No report

IX. *Report of the Public Member*

- A. Mr Slimmer discussed the Lion's Club Screening.

X. *Report of the Executive Director*

- A. Mr Gordon and Mr Smith gave the Board a demonstration of the new online driver's license renewal program.
- B. Reciprocity:
  - 1. Dr Lozada moved and Dr Newland seconded a motion to approve the reciprocity application of Angie Baker, OD. Motion carried 4-0 (Mr. Slimmer was absent for this vote).
  - 2. Dr Sparks moved and Dr Newland seconded a motion to approve the reciprocity of Matthew Broberg, OD. Motion carried 5-0.
- C. Dr Lozada moved and Dr Sparks seconded a motion to approve the reinstatement of Erik Zingler, OD. Motion carried 4.0 (Mr. Slimmer was absent for this vote).
- D. Trade Names:
  - 1. Dr Newland moved and Dr Sparks seconded a motion to approve the trade names of:
    - a. *Eye Care Direct*, 2012 Vanesta Place, Manhattan for Kyle Wainwright, OD,
    - b. *Epic Vision Eye Center of Manhattan*, 1400 Beechwood Terrace, Manhattan for Ryan Hiesterman, OD,
    - c. *Osage Vision Clinic*, 131 W Market St, Suite A, Osage City for David Jacoby, OD,
    - d. *Drs Deutscher, Rottinghaus, & Oxendale*, 1140 SW Fairlawn Rd, Topeka for Chris Deutscher, OD, and Charles Rottinghaus, OD, and
    - e. *20/20 Optix*, 12221 Blue Valley Parkway, Overland Park for Susan Poe, OD.Motion carried 5-0.
  - 2. Dr Hansen moved and Dr Sparks seconded a motion to approve the trade name of *Bridge Hill Eye*, mobile office for Matthew C Broberg, OD. Motion carried 5-0.
  - 3. Dr Sparks moved and Dr Hansen seconded a motion to authorize Ms Murray to approve location updates for approved trade names. Motion carried 5-0.
- E. Ms Murray was instructed to classify the new COPE categories of Alternative Learning and Interprofessional as general optometry.
- F. Dr Sparks moved and Dr Lozada seconded a motion to allow temporary licenses for 18 months after application is approved for military spouses per KSA 48-3406. Motion carried 5-0.
- G. The Board discussed malpractice insurance for VA doctors. A VA doctor may practice within the VA system and not possess a Kansas optometry license. All Kansas licensees must carry malpractice insurance per KSA 65-1505 (b).
- H. Ms Murray discussed collaborating with KDHE on Vaping.

XI. *Comments from the Public*

- A. Mr Fleischer discussed items that may be coming up in the 2019 legislature session.

XII. *Next meeting*

- A. The next meeting will January 16, 2019. 1:00 pm at the Law Offices of Frieden, Unrein, & Forbes, LLP. 1414 Ashworth Place, Suite 201, Topeka, KS

*XIII. Adjournment*

Dr Lozada moved and Mr Slimmer seconded a motion to adjourn the meeting. Motion carried 5-0. The meeting was adjourned at 5:11 pm.