

KANSAS BOARD OF EXAMINERS IN OPTOMETRY
Minutes of the 8-9 June 2018 Meeting

- I. 8:30 called to order by Ron Hansen, OD, President. Members of the Board present were Drs. Gerard Lozada, Craig Newland, and Rebecca Sparks. Also, in attendance were Randy Forbes, Board Counsel, and Jan Murray, Executive Officer, Todd Fleischer, KOA representative, Michael Gordon, OD, Wade Abbey, OD, Luke Drury, analyst, Division of Budget, Chris Boaldin, OD and Robert Gosnell, OD.

The agenda was approved by consensus.

- II. Dr Newland motioned, and Dr Sparks seconded a motion to approve the minutes from the April 16, 2018 board meeting. Motion carried 4-0.
- III. *Consideration of the reinstatement of the optometry license of Dr M.D. Gordon.*
A. The Board approved the reinstatement of the optometry license of Dr Gordon.
- IV. *Report of the President*
A. The Board discussed practicing in Free Clinics. The Board saw no issues with Kansas law for licensees volunteering with Free Clinics.
B. Dr Hansen discussed Essilor Experts. Further discussion was tabled until the October 17, 2018 meeting.
- V. *RECIPROICITIES*
A. Dr Newland motioned, and Dr Sparks seconded a motion to approve the reciprocity of Christopher B Boaldin, OD. Motion carried 4-0
B. Dr Lozada motioned, and Dr Newland seconded a motion to approve the reciprocity of G. Robert Gosnell, OD. Motion carried 4-0.
- VI. *The Board held the adjudicative hearing for Wade Abbey, OD, Case 2017-1.*
A. Dr Sparks motioned, and Dr Lozada seconded a motion to lift the employment restriction on Dr Abbey's license. Motion carried 4-0.
- VII. *Report of the Vice President*
A. Dr Lozada discussed violations of KSA 65-1504 and KSA 65-4967.
B. Dr. Lozada moved to go into executive session to return to open session at 10:24 am 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 9:44 am.

The Board reconvened at 10:24 am.

- C. Dr Lozada motioned, and Dr Newland seconded a motion to approve the CPT code of 76512 B-Scan. Motion carried 4.0

VIII. *Report of the Secretary/Treasurer*

- A. Dr Sparks motioned, and Dr Hansen seconded a motion to approve all the COPE CE from 04/17/2018-06/09/2018. Motion carried 4-0.

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

- A. Dr Newland discussed Intense Pulsed Light. The Board decided that this procedure is considered therapy for treating certain conditions of the eye.

X. *Report of the Public Member*

- A. No Report

XI. *Report of the Legal Counsel*

- A. Dr Hansen moved to go into executive session to return to open session at 11:30 am 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 11:15 am

The Board reconvened at 11:30 am

- B. Dr Lozada moved to go into executive session to return to open session at 11:45 am 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 11:30 am

The Board reconvened at 11:38 am

XII. *Report of the Executive Officer*

- A. Ms. Murray told the Board that 327 optometrists had renewed their licenses, 13 had retired and 6 had yet to renew.

- B. Ms. Murray and Mr. Drury discussed the FY2020 and 2021 budget schedule.

- C. Trade Names:

1. Dr Hansen moved, and Dr Lozada seconded a motion to approve the trade name of *Drs Deutscher, Rottinghaus, & Oxandale Optometry*, 4848 SW 21st St, Suite 101, Topeka, KS. Motion carried 4.0

2. Dr Newland moved, and Dr Lozada seconded a motion to approve the trade name of *Wichita Optometry*, 415 SE Louis Blvd, Mulvane, KS and 1211 W Maple

St, Suite 125, Wichita KS for Jeffrey Yarrow, Chadwin Fleming, Ashley Blasi, Drew Heide, Mela Nguyen, ODs

3. Dr Lozada moved, and Dr Sparks seconded a motion to approve the trade name of *eyeSmile Vison*, 1300 A Main St, Hays, KS for Stacey Jones, OD. Motion carried 4-0.

D. Dr Lozada motioned, and Dr Newland seconded a motion for Ms. Murray to start the process to update KAR 65-4-4 to include 'Principal address'. Motion carried 4-0.

E. Ms. Murray discussed the phone call that she had from an optometry office concerning contact lens prescription refills.

F. Ms. Murray discussed the email request concerning the CE requirement of 24 hours each year. The Board took no action.

G. Dr. Newland moved and Dr. Sparks seconded a motion for Ms. Murray to start the process to update KAR 65-4-3 to reduce the biennial renewal fee to \$400. Motion carried 4-0.

H. Ms. Murray discussed email that she received from Kansas Board of Healing Arts concerning fees for services. The Board took no action.

I. The Board set the 2019 exam dates: June 28 and 29, 2019. Location to be determined.

XIII. *Comments from the Public*

A. There were no comments from the public.

XIV. *Next Meeting*

A. The next meeting will October 17, 2018. 1:00 pm at the Law Offices of Frieden, Unrein, & Forbes, LLP. 1414 Ashworth Place, Suite 201, Topeka, KS

B. The 2019 Annual Exam will be June 28-29, 2019.

The Board recessed until the completion of the annual exam on Saturday, June 9, 2018 at 12:13 pm.

XV. *Exam Scores*

Dr Lozada motioned, and Dr Newland seconded a motion to pass 13 candidates for licensure to practice optometry in the State of Kansas, and for one to retake the law exam in 30 days. Motion carried 4-0.

XVI. *Adjournment*

Dr Sparks motioned, and Dr Lozada seconded a motion to adjourn the meeting. Motion carried 4-0. The meeting was adjourned at 12:58pm.