

Vermont Secretary of State  
Office of Professional Regulation  
**BOARD OF OPTOMETRY**  
89 Main St, 3<sup>rd</sup> Fl, Montpelier, VT 05620-3402  
**UnApproved Minutes**  
Meeting of March 6, 2015

1. **Call to Order**

The meeting was called to order at 8:37 A.M.

Board Members Present: Daniel M. DaPolito, OD, Chair; Bonnie Liberty, Public Member, Secretary; Albert Pristaw, OD, Vice Chair; Francis Pinard, OD; and Jean Peterson, Public Member

OPR Staff present: Larry Novins, Board Counsel and Aprille Morrison, Licensing Board Specialist

2. **Approval of Minutes**

Dr. DaPolito called for approval of the Minutes of the October 15, 2014 meeting. Ms. Liberty made a motion, seconded by Dr. DaPolito, to approve the minutes of the October 15, 2014 meeting as presented. Motion passed.

3. **Case Manager's Report:**

Carla Preston reported to the Board that they have two cases, one is currently under investigation and one is being presented as a closing report at today's meeting.

Report of concluded investigation in the matter of 2014-521. Ms. Peterson made a motion to accept the report as presented. Ms. Liberty seconded the motion. Motion passed. Dr. Pristaw did not participate in the vote as he was the Investigative Team member.

4. **Election of Officers**

Dr. Pristaw made a motion for Dr. DaPolito to be Chair of the Board. Dr. Pinard seconded the motion. Motion passed.

Dr. DaPolito made a motion for Dr. Pristaw to be Vice Chair of the Board. Dr. Pinard seconded the motion. Motion passed.

Dr. Pinard made a motion for Ms. Liberty to remain Secretary for the Board. Ms. Peterson seconded the motion. Motion passed.

5. **Formal Application Approval**

Dr. DaPolito made a motion to formally approve the following applicants for licensure in Vermont. As there were no objections to the motion, motion passed.

Catherine Vishton

Sandra Lehman

6. **Continuing Education Approvals:** None

7. **Discussion Item(s):**

Colin Benjamin, Director of the Office of Professional Regulation, addressed the Board regarding the Office using an Administrative Law Officer for all matters needing adjudication for the 46 professions the Office regulates. The Board supports review and selection by the case manager of cases which should be heard by the Board. Dr. DaPolito made a motion that Unprofessional Conduct cases that **do not involve** practice issues, scope of practice issues, determination of what the standards of practice are or should be, or the role of optometrist may be heard by an Administrative Law Officer. The Board authorizes utilization of title 3§ 129(f) for those cases. Dr. Pinard seconded the motion. Motion passed.

Office Closures. Dr. Pristaw discussed with the Board the proper procedures for closing an office. The Board agreed that at a minimum, records retention of seven years, with patient access to records, and notification to all patients and the public were basic procedures, however the Board does not have Statutes or Rules regarding this procedure and it is left up to the licensee to meet minimum requirements.

Kiosks and “Online” Examinations. Dr. Dean Barcelow contacted the office and requested the Board’s opinion regarding the use of kiosks and online eye examinations. Ms. Morrison and Mr. Novins will respond to Dr. Barcelow.

Injectables Examination (ISE). The Board clarified that the requirement for full licensure, including all endorsements, is the passage of all national examinations. Administrative Rule 2.3(c) states:

**2.3 Licensure by Examination:** To be eligible for licensure as an optometrist by examination (c) successfully complete all parts of the National Board of Examiners in Optometry Examination.

A licensee must pass the ISE portion to obtain the glaucoma endorsement on their Optometrist license.

8. The next scheduled meeting of the Board will be Friday, June 5<sup>th</sup> at 8:30 am.

9. **Adjournment:** Dr. Pristaw made a motion to adjourn the meeting at 10:34 am. Ms. Peterson seconded the motion. Motion passed.