

# NEVADA STATE BOARD OF OPTOMETRY



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## MINUTES OF A REGULAR MEETING

### THE NEVADA STATE BOARD OF OPTOMETRY TELEPHONIC MEETING Thursday, April 20, 2017, at 12:00 Noon

1. Public Comment. No members of the public were in attendance.
2. Call to Order, Roll Call 11:58 am

William Harvey, O.D.  
Sherese Settelmeier  
Mariah Smith, O.D.  
Chen Young, O.D.  
Caren C. Jenkins, Executive Director

- \*3. **For Possible Action.** Consideration of minutes of February 23, 2017 Board meeting. Motion by Settelmeier/Smith to approve with spelling error corrected. Passed.
- \*4. **For Possible Action.** Detailed review of financial matters of the Board. Ms. Jenkins presented a status report. Dr. Harvey requested that Dr. Young coordinate proposed 2017-18 budget and 2016-17 review for presentation at next meeting. No action taken
- \*5. **For Possible Action.** Revision of Board Policies to permit late renewals for 90 days after renewal deadline with \$250 penalty. Current practice is to allow a license to remain in suspended (non-renewed) status through remainder of license year,

and allow renewal with a penalty through December 31 before expiration. PROPOSED: Submission of complete renewal application on-time is the sole responsibility of the licensee. Any suspended licensee who has not renewed and paid the late renewal penalty within 90 days of the renewal date must apply to the Board for reinstatement. Any practice of optometry on a suspended license will be subject to discipline. If a license is not renewed by March 1, the licensee may renew within the remainder of the calendar year by paying a penalty of \$250.00 as authorized by NRS 636.285, plus the renewal fee.

Dr. Harvey expressed concern that if a licensee is out of country for a year and misses the deadline for renewal, it could be burdensome. Dr. Young stated that with renewal available online it is so easy and staff could do it for the licensee. He also asked what penalties are imposed if an optometrist continues practicing after suspended. Ms. Jenkins responded that the matter would come to the Board for discipline and may become a criminal matter.

**Motion by Smith/Settelmeyer** to adopt as presented. Motion passed. Thereafter a **Motion was made and seconded by Young/Harvey** to impose \$500 penalty if renewal posted after 90 days, and allow licensees to reinstate a suspended license without a new application or test if reinstatement posted after 6/30 and before end of calendar year. **Unanimous** vote in favor of both proposals.

6. Discussion of proposal to modify CE reporting requirement and license renewal from annual to biennial, and to require ½ of CE credits to be acquired in live coursework. NRS currently requires annual renewal, and the only provisions the Board can change without legislative approval is Board Policies. Therefore, the Board can change only the proposed requirement for live coursework. Dr. Young proposed waiting to change to ½ live requirement when we go to every 2 year renewal so all licensees have ample notice and to avoid placing an undue burden on rural practitioners. No action taken.

Board agreement to wait for revision until changes are made to statutes and regs.

The Board discussed and agreed to have signature stamps and authorized staff to use them only for Board signatures on License certificates.

\*6.(sic)**For Possible Action.** Executive Director's report.

A. Website report – bugs worked out of online renewals, now focused on beefing up resources and other functionality.

B. Status of license renewals, complaints, suspensions, lapses – Ms. Jenkins provided a report of renewed licensees and those who are currently suspended or dropped. She stated that several complaints have been received about licensees providing patients with incorrect prescriptions, which is outside of Bd. jurisdiction – only have

authority to discipline if unprofessional treatment or unfair dealings with pt., refusal to re-examine. Otherwise a civil matter.

\*C. Legislative update – AB129 dead, other pending bills involve PMP or counsel to boards. No further legislative action expected.

\*D. Policy regarding licensees' direct contact with Board members. Add a policy not to contact Bd. directly to influence issues or agenda or to persuade any Board action. Members should be available, but 1<sup>st</sup> avenue should be the Board's staff/office. If complaint about E.D., then it is appropriate to contact Bd.


\*E. Office hours & telephone practices M-F, 8-5 telephones answered as much as practical.

7. Announcements and requests for future Board consideration. Dr. Young expressed appreciation for staff efforts in the transition. While it has been a challenging time, and staff has set high goals, being responsive to Board and licensees is foremost. Primary focus is to protect the public.

8. Public Comment. No members of the public were present.

9. Adjournment. 1:13 pm Young/Smith

Unanimously  
Approved MAY 18, 2017

  
Caren C. Jenkins, Executive Director