

NEVADA STATE BOARD OF OPTOMETRY



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MINUTES

THE NEVADA STATE BOARD OF OPTOMETRY TELEPHONIC MEETING

Thursday, February 23, 2017, at 12:00 Noon

1. Public Comment. No members of the public offered comments.
2. Call to Order, Roll Call, and Confirmation of Proper Posting of Agenda. Present: Sherese Settelmeyer, Dr. Chen Young and Board President William Harvey. Dr. Smith joined the meeting at 12:33 pm during agenda item No. 6. A member of the public, Dr. Tamara Old, called in to participate in agenda item 6.b.

Dr. Harvey called the meeting to order at approximately 12:05 pm. Executive Director Jenkins confirmed proper posting of the agenda.
- *3. **For Possible Action.** Consideration of minutes of January 4, 2017 Board meeting. On a motion made by Ms. Settelmeyer and seconded by Dr. Young, the minutes were unanimously approved as presented.
- *4. **For Possible Action.** Response to presentation at January Board meeting re: licensing of concierge optometry services. Motion by President Harvey, seconded by Ms. Settelmeyer to reject offering licensure for the concierge services concept as presented. Among the reasons discussed were the difficulty in protecting the public and ensuring the quality of care provided; the licensee would have no official practice location, making it difficult to regulate; and, the model presented was much different than the examples provided that offer a mobile clinic housed in a vehicle that travels from site to site. Motion passed unanimously.

*5. **For Possible Action. Revision of Board Policies to reflect Current Practices.** Executive Director Jenkins proposed several changes to the Board Policies to bring the policies in line with current practices. A copy of the proposed changes is attached hereto as **Exhibit A**. Motion made by Dr. Young, seconded by Ms. Settlemeyer to approve all changes, passed unanimously.

*6. **For Possible Action. Discussion of Nevada's acceptance of CE offered by Optocase via Queens University.** (Due to the attendance of Dr. Old at the meeting, the Board considered agenda item 6.b. first under this item.)


*b) Request by **Tamara Old, O.D.** for recognition of CE coursework completed – she was unaware until after completing 12 hours of CE that Optocase training and exams scores would not be accepted as Nevada CE. Dr. Old requested credit for CE completed via Optocase to count toward her required CE for next year's renewal. After taking coursework online over a weekend, she was notified the following Monday by Optocase that the units would not be accepted in Nevada. The NV Board's Newsletter for 2016 clearly stated that Optocase was no longer an approved provider, but the Board's website erroneously stated that all COPE-approved CE would be eligible to count toward the requirements. The Board discussed that all parties had made mistakes – Dr. Old should have been on notice from the newsletter, Optocase should have informed Nevada CE customers before they were permitted to register for courses, and the Board website should have noted that Optocase was no longer accepted for CE. Recognizing that, though every party contributed to the issue, the burden to know and follow the requirements falls on the licensee. Therefore, the Board declined the request, but directed staff to clearly post on the Board website that Optocase CE is not accepted toward the Nevada requirements.

*a) Request for reinstatement as an accepted CE provider, offered by **James Macintosh from Optocase** outlining updated procedures since revocation in 2015. Mr. Mackintosh explained that Optocase immediately responded to Dr. Old's circumstance once it became aware of the issue, and now informs applicants for its CE coursework that Nevada will not accept the CE issued. Dr. Young expressed concern whether Optocase can assure the Board that its customers actually went through the CE. He posited whether a person who purchased 20 2-hour cases could accumulate 40 hours of CE in one day if they simply achieved a 70% on the quizzes. The Board engaged in a discussion with Mr. Mackintosh involving its need for access, cooperation and accountability and to verify that the company will be responsive. Because Optocase had not changed its policies dramatically since the revocation, Dr. Young moved and President Harvey seconded a motion to deny reinstatement. Dr. Smith suggested that rather than deny revocation, the Board simply consider tabling the matter. Thereafter, a unanimous vote in favor of the motion was cast. Optocase was invited to apply for reinstatement in one year.

- *7. **For Possible Action.** Executive Director's report.
- A. Meet & Greet recaps – not well attended but a great effort. This type of outreach should be repeated but not in January with uncertain weather. Perhaps join forces with the Association for a joint reception.
 - B. Website, online renewals, office move, e-fax, cloud-based server & backup – all is functioning as expected, although it will be a bumpy road. More info will be collected and reported at next meeting.
 - *C. Status of license renewals - another item to be discussed in great detail at next meeting
 - 1. Renewals, suspensions, lapses – renewal deadline is 2/28. Huge online response to date.
 - 2. Grace period for new licensees – Perhaps offer new licensees within 90 days of renewal to get the whole year free? Board rejected the concept.
 - 3. Acceptance of TPA hours as CE – Motion by President Harvey, Ms. Settlemeyer to add to the Board Policies. Unanimous.
 - *D. Legislative update (AB 129 – Assemblywoman Tolles) AB 129 will be heard next Friday – authorized Executive Director to speak in favor of the measure.
 - *E. Financial report
 - 1. Nevada State Bank signatory update – Board unanimously approved Dr. Smith's motion and President Harvey's second to authorize Sherese Settlemeyer, Dr. Chen Young and Caren Jenkins as signers on all of the Board's bank accounts, including Nevada State Bank, Heritage Bank, and City National Bank.
 - 2. Heritage Bank signatory update – see above
 - 3. Audit – Steele and Co. CPAs has agreed to undertake the audit.
 - *F. Electronic records proposals to scan historic documents. Executive Director Jenkins informed the Board of the scope and cost to have all paper records of licensure scanned into a digital format and catalogued electronically. The cost is quite prohibitive in light of the next proposal.
 - *G. Proposal to add full-time administrative employee. Motion by Dr. Smith, seconded by Sherese Settlemeyer to authorize the E.D. to add an Administrative Assistant/Licensing Specialist as a full time employee of the Board. Unanimous vote.
 - *H. Nevada Optometric Association CE course – approval of CE credit requested but already part of our policies that such events are approved. No action needed.
8. Announcements and requests for future Board consideration (No action to be taken)
9. Public Comment. None
10. Adjournment. At 1:25 p.m.

These minutes were approved at the April 20, 2017 meeting of the Board.

Date: 4/20/17 Unanimous

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