

NEVADA STATE BOARD OF OPTOMETRY



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Board Member

DREW JOHNSON
Public Board Member

MINUTES of Telephonic Meeting Tuesday, January 21, 2020 at 12 Noon

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1. **Welcome, Introductions and Public Comment.**

President Chen Young, O.D. opened the floor for comments. Kevin Benson, Esq., offered specific comments related to R066-19 provisions. His comments centered on sections 12 and 34 regarding requirements for facilities, separation of tasks between optometrists and employees or contractors, and representation of optometrists related to due process concerns. Mr. Benson submitted written comments as well.

2. **Call to Order, Roll Call.**

President Young called the meeting to order at 12:12 pm. All Board members were in attendance. Also present were Executive Director Caren C. Jenkins and Deputy Attorney General Asheesh Bhalla. Public attendees included Joe Neville, Kevin Benson, Terri Ogden, Ken Kopolow and Steve Girgsen.

3. ***For Possible Action.** Request for reinstatement of expired license, Mario G. Aguerro, Lic. No. 147, expired Dec. 31, 2019.

Ms. Jenkins explained this request for reinstatement. Dr. Aguerro did not appear. The matter was tabled without action.

4. ***For Possible Action.** Consideration and approval of the **minutes** of December 3, 2019 Optometry Board meeting. (Materials provided)

Dr Austin moved, and Dr. Smith seconded that the minutes be approved as provided. Unanimous approval.

5. ***For Possible Action.** Consideration of regulatory changes in **final R066-19** and input received through public comment. Modification and/or approval of regulatory changes. (Materials provided)

Ms. Jenkins informed the Board that since the Legislative Commission had approved the regulations, the Board's options were to adopt or reject the package. Any revisions at this late date would require the package to be considered by the Legislative Commission again. Various questions arose after Dr. Smith presented a summary of the regulation. Dr. Austin commented about his dismay for Mr. Benson's

comments this late in the regulatory process. Dr. Austin moved and Mr. Johnson seconded approval of R066-19 as written, revised and proposed at this meeting. Unanimous approval.

6. ***For Possible Action.** Discussion of Board Policies in light of changed optometry laws, modification and/or approval of same.

Ms. Jenkins proposed changes to the Board Policies to conform to the current statutory and regulatory position. Motion by Dr. Smith, seconded by Dr. Austin to approve the proposed changes to the Board Policies, effective immediately. Unanimous vote to approve.

7. ***For Possible Action.** Financial Report as of 12/31/2019. (Materials provided.)
A 6-month report was presented showing the budget and revenues/expenditures to date. For information purposes only.

8. ***For Possible Action. Executive Director's report**

a. Staffing changes and office hours. Laura Adair, Licensing Specialist has resigned to accept a full-time position. Ms. Jenkins has offered the position to Nancy Padilla, who will begin work on January 31. The circumstance of the staff change will cause renewal processing to be delayed by at least 2 weeks.

b. Recent Licensee communications: Newsletter and website have changed to reflect current status of the law and the new 2-year license renewals, among other key changes.

c. Status of office repairs and insurance claim. We have received a check from our insurance carrier for damage to our personal property from the flooding. Work should be completed by the end of February.

9. Announcements and requests for future Board consideration (No action to be taken at this meeting). NEXT BOARD MEETING is scheduled for March 19, 2020 at Noon via teleconference. Dr. Austin requested the Board consider Mr. Benson's comments and any other input received as the new regulations are put into place.

10. **Public Comment.** Mr. Benson thanked the Board for its consideration.

11. ***For Possible Action.** Adjournment. Motion to adjourn by Dr. Smith, seconded by Dr. Austin at 12:42 p.m.

These minutes were considered and approved by majority vote at the Nevada State Board of optometry meeting on May 19, 2020.



Caren C. Jenkins, Executive Director