

NEVADA STATE BOARD OF OPTOMETRY



MINUTES OF PUBLIC MEETING

October 13, 2020

- 1. Call to Order.** President Chen Young, O.D. opened the telephonic meeting at 12:00 p.m. and asked for public comment. Dr. Steve Girisgen thanked the Board for all their hard work. No other comments were offered.
- 2. Roll Call Board.** President Chen Young, O.D., Vice President Mariah Smith, O.D., Jeff Austin, O.D., and Drew Johnson were all in attendance. Also present were Executive Director Caren C. Jenkins, Board Counsel Asheesh Bhalla, Esq., and Licensing Specialist Nancy Padilla. Public attendees included Steve Girisgen, O.D., and NOA Executive Director, Terri Ogden.
- 3. Minutes. Consideration and approval of the minutes of the May 19, 2020, June 16, 2020, and August 11, 2020 Board meetings.** All members having had an opportunity to consider the proposed minutes, Dr. Smith moved, and Mr. Johnson seconded a motion to adopt the minutes without correction. Unanimous passage.
- 4. *For Possible Action. Discussion and possible adoption of proposed final Board Policies.** Executive Director Caren C. Jenkins explained changes to Policy #3 where we will no longer require undergraduate transcripts from applicants. Additionally, passport photos do not appear as a requirement in statute, so the Board should not deny licensure if a photo is not submitted. However, she recommended keeping the photo requirement in Policy #3 to assist any potential investigations of a licensee. The minimum score of 70% on the OSLE and of CE was changed to reflect our passing grade for other examinations. Dr. Smith moved to adopt the Board Policies with revisions. Dr. Austin seconded and the motion passed. Unanimous.
- 5. *For Possible Action. Request for Declaratory Order submitted by Greg E. Evans, O.D.** Dr. Evans seeks direction on the proper licensing of a traveling "claimant assessment" provider for the Veterans Benefit Administration. Questions were proposed to Dr. Evans by Board members. After discussion, all members agreed that Dr. Evans'

description of his “claimant assessment” practices for the Veterans Benefits Administration, a government agency, fits the Mobile Optometry Clinic requirements. No Board action is required.

6. *For Possible Action. Online State Law Exam update and contract approval.

Ms. Jenkins explained that the correct statutes and regulations are being tested on the OSLE, and that NBEO has requested the Board enter a contract for its’ administration. Dr. Smith motioned to allow the Executive Director Caren C. Jenkins to accept and sign the contract with one modification, reducing the passing grade from 75% to 70%. Dr. Austin seconded. The motion passed. Unanimous.

7. Executive Director’s Report (No action taken at this meeting):

- **The annual audit is in process** and must be submitted to LCB audit division each year by December 1st. Steele CPA is still in the information collection stage and trying to make the LCB deadline. We are providing their requested materials from 2019-2020.
- Report regarding overwhelming response and positive feedback to the CE (Nevada Optometry Laws in Plain English) offered by the NOA, presented by Caren Jenkins, Esq. on August 12, 2020.
- **Polling results** taken during Zoom CE presentation show licensee responses to 10 questions. Approximately 133 respondents participated. President, Young thanked Executive Director Jenkins for proposing the polling questions and commented that we need to be accountable to the public, the Governor’s office and to the licensees. Based on the responses Dr. Young asked Ms. Jenkins to follow up on the website issues/challenges response. Dr. Austin recommended that we ask an open-ended question asking what changes we can make to make compliance with our laws easier for the licensee.
- **The December meeting has been changed from 12/15/2020 to 12/10/2020 at Noon by telephone.**
- **Newsletter content/Web update/ Contact Lens Rule revisions.** Executive Director, Caren C. Jenkins suggested that we create an online survey to be distributed with the newsletter to clarify the polling questions. She asked Board members to send any website changes suggested to Nancy Padilla. Executive Director Jenkins reported on the newly adopted FTC contact lens rule and the burdensome record keeping obligation it imposed. She asked if whether we should accept complaints about the new contact lens rule. Dr. Smith commented that patients could be directed to the FTC website or to call their senators to complain. Director Jenkins asked if we should include the FTC website link and offer the AOA’s summary and forms with the next newsletter. Mr. Johnson agreed that would be a good idea. Executive Director Jenkins indicated that the Newsletter content will provide up to date numbers of licensees, the AOA article, and FTC link, the revised Board policies, general reminders and announce that the new Online Law Exam is live. The Executive Director suggested that the Board members may enjoy taking the new OSLE, even though it is not required. The fee is a mere \$25.00.

8. Announcements/requests for future consideration (No action taken at this meeting). Next meeting is December 10, 2020 at noon by telephone.

9. Public Comment. No public comment was offered.

10. *For Possible Action. Adjournment. Motion to adjourn by Dr. Smith, seconded by Dr. Austin. Unanimous motion carried at 12:59.

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FY 2020-2021 Remaining regular meeting schedule Tuesdays at Noon by telephone:

December 10, 2020, February 9, April 13, June 8, 2021

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These minutes were considered and approved by majority vote at the Nevada State Board of Optometry meeting on December 10, 2020.

Caren C. Jenkins, Executive Director