

# NEVADA STATE BOARD OF OPTOMETRY



## **AGENDA & NOTICE OF PUBLIC MEETING**

The Nevada State Board of Optometry will hold a **telephonic** meeting on  
**Thursday, November 11, 2021, at 12 Noon.**

The public is invited to attend telephonically.

**Dial (681) 999-0164 and, when prompted, enter Access code: 596891#**

## **NOTICE OF PUBLIC MEETING AND AGENDA**

**\*Indicates action may be taken.**

1. Welcome, Introductions and **Public Comment**.
2. **Call to Order**, Roll Call.
3. **\*For Possible Action**. Consideration and approval of the proposed **minutes** of the July 13, 2021, Board meeting.
4. **\*For Possible Action**. Requests for Declaratory relief.
  - A. Prescribing *Acthar Gel* injections
  - B. Time permitted to transfer practice ownership after death of optometrist
5. **\*For Possible Action**. Potential Changes to Legislation, Regulation and Policy.
  - A. Overview to propose changes to statutes, regulations and policies: timeline, information and process. (Rosalie M. Bordelove, Esq., Chief Deputy Attorney General and Counsel to the Board)
  - B. Presentation of conceptual changes received. (Caren C. Jenkins, Esq., Executive Director)
    - a. Regulation of optometrist supervision of students v. assistants/employees
    - b. Optometrist inclusion in Professional Entities (PC/PLLC) under Chapter 89
    - c. Require post-CE test for non-live CE, and extend COPE Policy through 7/1/2022.
    - d. Revise requirement for Opioid CE/CS Number to prescribe only Categories 3-5.
    - e. Optometrist CLIA waiver access.
    - f. 2-year expiration for glasses Rx/no lensometry repro without valid Rx.
    - g. Can a non-optometrist own any portion of an optometry practice?
  - C. Board discussion and determination of next steps.

6. **\*For Possible Action.** Executive Director’s report.
- A. Budget and finance matters
- a. FY 2021 Audit status
  - b. FY 2022 Budget proposal and determination of “adequate” reserves
  - c. Potential spend-down of excess reserves
    - i. OE Tracker Access for each licensee (approx. \$8,000/ biennium)
    - ii. ARBO CE Auditing Services (approx. \$10,000/biennium after initial set-up)
    - iii. One-time \$200 per licensee credit toward renewal 2022 (\$112,000)
    - iv. Ratification of President Smith’s 10/29/21 approval to eliminate processing fees for credit card use (approx. \$8,000/biennium)
    - v. Other ideas
- B. Announcements
7. **Public Comment.**
8. **\*For Possible Action.** Adjournment.

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**FY 2021-2022 Regular meeting schedule** Tuesdays at Noon by telephone:  
 January 27, 2022, March 24, 2022, and May 19, 2022 (possible live meeting),  
 July 21, 2022, September 22, 2022, and November 17, 2022.

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- ❖ The Board is pleased to make reasonable accommodations for any member of the public who has a disability and wishes to attend the meeting. If special arrangements for the meeting are necessary, please notify the Nevada State Board of Optometry, in writing at P.O. Box 1824, Carson City, Nevada 89702; via email at [admin@nvoptometry.org](mailto:admin@nvoptometry.org) or call 775-883-8367 as far in advance as possible.
- ❖ To request an advance copy of the supporting materials for any open session of this meeting, contact Executive Director Caren Jenkins. at [admin@nvoptometry.org](mailto:admin@nvoptometry.org) or call 775-883-8367.
- ❖ This Agenda and supporting materials are posted and are available not later than the 3rd working day before the meeting from the Board’s website at <https://nvoptometry.org/>.

This Notice of Public Meeting and Agenda was posted in compliance with NRS 241.020, as amended by Assembly Bill 253, adopted in the 81st (2021) Legislative Session of the Nevada Legislature (effective on May 31, 2021), before 9:00 a.m. on the third working day before the meeting at the following locations:

- Nevada State Board of Optometry, P.O. Box 1824, Carson City, NV 89702
- Nevada State Board of Optometry’s website: <https://nvoptometry.org/>
- Nevada Public Notice Website: <http://notice.nv.gov>