

NEVADA STATE BOARD OF OPTOMETRY



MINUTES OF PUBLIC MEETING

September 8, 2022

1. **Roll Call, Call to Order, welcome, introductions.** President Mariah Smith, O.D. opened the Zoom meeting at 12:04 p.m. and asked for public comment. President Mariah Smith, O.D., Vice President Jeff Austin, O.D., and Board members Stephanie Lee, O.D., and Drew Johnson were in attendance. Also present were Executive Director Caren C. Jenkins, Board Counsel Asheesh Bhalla, Esq., and Licensing Specialist, Nancy Padilla. Public attendees included Executive Director Terri Ogden of the Nevada Optometric Association, Ken Kopolow, O.D. and Steve Girisgen, O.D.
2. **Public Comment.** No public comments were offered.
3. **Consideration and approval of the proposed minutes of the July 21, 2022, Board Meeting.** Drew Johnson made a motion to accept the minutes from July 21, 2022. Stephanie Lee, O.D. seconded the motion. The motion carried unanimously.
6. ***This agenda item was taken out of order. Update on Bill Sponsor and intended 2023 Optometry BDR. Additional topic for Legislative BDR. Add "citation authority" to Board statutes.*** Drew Johnson reported that he could not reach Senator Donate and asked for the deadline to have a Bill Sponsor secured. Executive Director Caren C. Jenkins clarified that the last day to request a bill draft is February 14, 2023, but that sooner is better. After discussion, President Mariah Smith, O.D. made a motion to add "citation authority" to our legislative package so the Board could levy a citation and fine for minor violations without holding a full hearing. Vice President Jeff Austin, O.D. seconded the motion. The motion carried unanimously.

4. ***This agenda item was taken out of order. Presentation of proposed stipulated settlement imposing discipline to resolve Complaint No. 22-09 regarding the actions of NIDHA NATHANI, O.D., Lic. No. 1118, represented by Lyn E. Beggs, Esq.; Consideration and discussion of possible Board acceptance, modification or rejection of all or part of the proposed resolution.*** Lyn Beggs, Esq. joined the meeting by Zoom at 12:15 p.m. Executive Director Jenkins provided an overview of the Complaint and the Stipulated Settlement Proposal. Stephanie Lee, O.D. asked how we would monitor her probation. Vice President Jeff Austin, O.D. recommended a modification to the Stipulated Settlement Proposal that would require Dr. Nathani retake the state law exam. After discussion of past penalties imposed, President Mariah Smith, O.D. made a motion to reduce the penalty to \$2000.00, a 2-year probation, and the reporting of anyone who approaches her to engage in similar conduct, and retake (and pass within 14 days) the state law exam. Lyn Beggs, Esq. accepted the modification on behalf of her client. Vice President Jeff Austin, O.D. seconded the motion. Motion passed unanimously.
5. **Executive Director's Reports and requests for direction.**
- A. **Continued consideration of complaints presented to licensees with identified deficiencies at 2022 renewal. Acceptance or rejection of stipulations with licensees who agreed to remedy the deficiency immediately and pay a fine as authorized by the Board.** Executive Director Jenkins had nothing new to report. Later in the meeting, Director Jenkins informed the Board that Asheesh Bhalla, Esq. advised that the previously heard violations of existing statutes could be penalized.
 - B. **Discussion and staff direction regarding verifying applicants' status if licensed in other jurisdictions. Possible addition to Board Policies outlining permitted resources for this information.** After discussion, the Board agreed to allow changes to our verification process of licensees from another jurisdiction to include letters of good standing or internet verifications. No motion was necessary.
 - C. **Presentation, discussion, and possible adoption of procedure guide for processing complaints.** Director Jenkins provided an overview of the Complaint procedure and the handing off of a Complaint to the Attorney General's office where appropriate.
 - D. **Other reports/information.** Director Jenkins announced the ARBO annual conference is being held in Alexandria, VA in June 2023 and anyone wanting to attend should get in on the early registration.
7. **Public Comment.** Asheesh Bhalla, Esq. announced his last day as the Optometry Board Counsel would be September 16, 2022. Ken Kopolow, O.D. asked for an update on any BDR concerning private equity firms or remote optometry (telehealth). President Mariah Smith, O.D. provided an update on the additions to the legislative package since the last meeting. Drew Johnson proposed an agenda item for the next meeting to discuss 2-year eye exams and prescriptions for the legislative package.
8. **Adjournment.** Drew Johnson made a motion to adjourn. President Mariah Smith, O.D. seconded the motion. The meeting adjourned at 1:04 p.m.

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FY 2022-2023 Regular meeting schedule

Thurs. October 13 – Reg. Bd. meeting – Noon – Zoom or telephone

Thurs. December 8 – Reg. Bd. meeting – Noon – Zoom or telephone

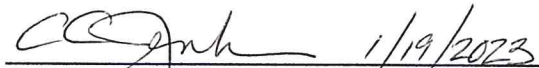
Thurs. February 23 – 8:30 am **ALL DAY** in Las Vegas or by Zoom

Thurs. April 20 -- Reg. Bd. meeting – Noon – Zoom or telephone

Thurs. June 22 – 8:30 am **ALL DAY** in Reno or by Zoom

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These minutes were considered and approved by majority vote of the Nevada State Board of Optometry at its meeting on December 15, 2022.

 1/19/2023

Caren C. Jenkins, Executive Director