

NEVADA STATE BOARD OF OPTOMETRY



MINUTES OF PUBLIC MEETING

January 16, 2023

- 1. Roll Call, Call to Order, welcome, introductions.** President Mariah Smith, O.D. opened the Zoom meeting at 6:31p.m. 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 Rosalie Bordelove, Esq., and Licensing Specialist, Nancy Padilla. Public attendees included Executive Director Terri Ogden of the Nevada Optometric Association, Ken Kopolow, O.D, Steve Girisgen, O.D., Chris Moran, Howard Fried, O.D. of DigitalOptometrics, Burton Fried, Spencer Quinton, O.D., Troy Humphreys, O.D., Joe Neville of the NAOO, and Jeanette K. Belz. lobbyist
- 2. Public Comment.** Troy Humphreys, O.D. provided an overview of his tele-optometry experience as it applies to his California practice. He is contracted with DigitalOptometrics. Howard Fried, O.D. gave an overview of Digital Optometrics abilities in tele-optometry. No other public comment was offered.
- 3. Consideration and final approval of the proposed request for a bill draft, particularly the proposal regarding tele-optometry.** President Mariah Smith, O.D. presented an overview of tele-optometry concepts to be proposed in the BDR. After some discussion, the activities were considered to be of two types: 1) Preventive/wellness (e.g. a comprehensive annual eye examination) where the doctor is remote, the patient is present in the clinic where the data is collected, while the optometrist controls the camera remotely; and 2) Reactive examination where the patient comes to the practice with a complaint or symptoms, and that specific doctor has performed a comprehensive eye examination on that specific patient within the last 2 years. Such an examination is permitted, and the optometrist can prescribe the appropriate medication or course of treatment with a follow-up examination later as needed.

After vigorous discussion President Mariah Smith, O.D. proposed to accept the additions with several limitations. 1) A non-Nevada resident licensed to practice in Nevada must have a Nevada-based resident agent. 2) The “wellness” appointment description must be added to the definition of a tele-optometry examination, and 3) the legislation is to be enacted upon passage and approval. In either instance the optometrist must have the patient sign a disclaimer that any tele-optometry exam might revert to an in-person comprehensive exam if the optometrist is unable to view sufficient detail to meet the minimum standard of care or for any other reason. A doctor performing a remote eye exam must be licensed where the patient appears for the exam. Vice President Jeff Austin, O.D. seconded the motion. The motion passed unanimously with momentary hesitation by Dr. Stephanie Lee.

4. **Presentation of concepts for re-configuration of Board staffing for the next fiscal year.** Caren Jenkins presented an overview of proposed staffing changes to clearly separate the administrative functions and the Licensing Specialist functions. She asked President Mariah Smith, O.D. to appoint a Board member to oversee a proposed reconfiguration of staff and lead the search for approved positions to begin next fiscal year. Mariah Smith proposed the appointment of Stephanie Lee, O.D. Stephanie Lee, O.D. accepted the appointment.
5. **Executive Director’s progress report on license management software via Thentia Cloud for Government, including payment service providers.** Caren Jenkins reported that the Thentia project was delayed a few months. The go-live date now is scheduled for March 2023.
6. **Public Comment.** Caren Jenkins asked if Burton Fried and Howard Fried, O.D. would be willing to make themselves available at future legislative hearings on the Board’s bill. Burton Fried expressed his appreciation to Caren and the Board.
7. **Adjournment.** Drew Johnson moved to adjourn. Jeff Austin, O.D. seconded the motion. The motion passed unanimously. The meeting adjourned at 8:04 p.m.

* * * * *

FY 2022-2023 Regular meeting schedule

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

* * * * *

These minutes were considered and approved by majority vote of the Nevada State Board of Optometry at its meeting on February 23, 2023.



Caren C. Jenkins, Executive Director