



STATE OF NEVADA

BOARD OF DISPENSING OPTICIANS

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Minutes of Board Meeting

Tuesday, February 18, 2014, 5:30 p.m.
Kietzke Plaza; 4600 Kietzke Lane, Suite B-116
Reno, Nevada 89502

Members Present

Joshua Wasson, President (via telephone)
Tamara Sternod, Vice President (in office)
Marilyn Brainard, Treasurer (via telephone)
Marsha Costuros, Member (via telephone)
Sarah Bradley, Deputy Attorney General (in office)
Corinne Sedran, Executive Director (in office)

1. Call to order

Joshua Wasson called the meeting to order at 5:35 p.m.

2. Public Comment

There were no members of the public present and no public comment.

3. Review and decision regarding apprentice applications submitted without sufficient proof of progression (for possible action):

Crystal Donnelly: Tamara Sternod noted Donnelly's renewal application states she only works four hours per week and she has not yet gained ABO or NCLE certifications; her letter to the board requesting an extension does not state what she plans to do this year for career progression. Wasson noted her letter states she only began logging training hours again on January 1, 2014, and she only worked three months in 2013. Sternod moved to approve Donnelly's renewal with the expectation she will take both the ABO and NCLE exams in 2014 and begin logging hours on her Contact Lens Training Record. Marilyn Brainard asked how renewal applicants had been informed of any requirements handed down by the board in the past. Sarah Bradley stated board decisions made at board meetings are generally relayed to individual licensees by the board director. Sternod stated the decisions should be sent to the individual licensees in formal letters. Marsha Costuros seconded Sternod's motion. The motion was carried unanimously.

Kaynett Mitchell: Wasson asked why one of the screening questions regarding child support had been circled on Mitchell's application. Sedran stated Mitchell had forgotten to answer the question. She noted multiple renewal applicants had had trouble answering the screening questions and suggested for the next renewal, the board office adopt a policy of highlighting any missing application information and mailing the incomplete application back to the licensee. She stated the current process of contacting licensees individually to

ask about missing information was extremely inefficient and time consuming. Bradley stated a policy of mailing incomplete applications back to the applicants was reasonable and had been employed by other boards. Sternod moved to approve Mitchell's application with the expectation she take the ABO exam and show progress in the Career Progression Program in 2014. Brainard seconded the motion. The motion was carried unanimously.

Brandi Ledesma: Wasson noted Ledesma had already enrolled in and paid for a class in a dispensing program at CSN for 2014. He stated paying for the class shows an intention of progressing. Sternod noted Ledesma has been apprenticed since 2011 and has failed to show any educational progression for two years. She did, however, take her ABO exam in 2012. Costuros noted Ledesma did not turn in any continuing education credits with her renewal. Bradley explained the new NAC regulations specify apprentices must show proof of educational progression, ABO/NCLE certifications, and a complete Contact Lens Training Record prior to turning in continuing education credits as proof of progression, so Ledesma should not have turned in credits in lieu of other progress.

Bradley noted the new regulations, intended to address the problem of apprentices turning in CE credits in lieu of making educational progress, may have created a new problem. Sternod agreed the board is now faced with the problem of apprentices who have made no progress throughout the year petitioning the board for renewal of their licenses. Sedran stated the board has the option of not renewing the licenses of those who did not make progress, but those who are not renewed have the option of applying for a new license. She noted that addressing these applicants individually at a board meeting, rather than allowing the executive director to approve the renewals, takes time, money, and other resources from the board. Bradley stated the intention behind the requirement is to have applicants who are not making progress be scrutinized more carefully by the board. She suggested, in the future, the applicants might be compelled to actually appear before the board at a meeting.

Sedran asked what the consequence would be for those applicants who do not meet the board's requirements, handed down at this meeting, before their next renewal. Bradley answered the board may choose not to renew their licenses for 2015. Wasson suggested those licensees addressed at this meeting be required to physically appear before the board before their licenses will be renewed in 2015 if they do not meet the requirements set down for them.

Wasson moved to approve Ledesma's renewal with the requirement she complete the class in which she's currently enrolled and take the NCLE exam in 2014. Marsha seconded the motion. The motion was carried unanimously.

Hannah Loydi: Sedran stated she had not yet received a signed waiver form from Loydi allowing the board to review her file at the meeting. She suggested the board skip over Loydi and return to her if they received the form via fax before the end of the meeting.

4. Review and decision regarding apprentice applicants renewing beyond a fourth renewal:

Tina Berry-Pescatori: Sternod noted Berry-Pescatori has been an apprentice since 2009 and has not yet obtained her ABO or NCLE certifications. She moved to renew Berry-

Pescatori's license with the expectation she take the ABO exam and finish her contact lens course in 2014. She amended her motion to require Berry-Pescatori complete the entire contact lens portion of her education and take the ABO exam in 2014. Brainard seconded the motion and noted it is not unusual for apprentices to have difficulty getting past the apprenticeship stage and to take several years to do so.

Sedran requested clarification on the educational requirements for apprentices, as there appeared to her to be two different program options for those taking classes at CSN – a degree program and an ophthalmic certificate program. Brainard asked if there is a way to determine the particular program in which a student is enrolled. Sedran stated she marks on a renewal cover sheet the courses and program type in which each apprentice has made progress for the year. The board carried Sternod's motion unanimously.

Wasson suggested the use of a form outlining apprentice progress and progression plans for the upcoming year for those renewing beyond a fourth time. The form would have to be notarized. Sedran suggested a regulation change may be in order and she will look at options in the upcoming months. Bradley stated the board does have some leeway in determining its policies regarding processing applications, and this issue may not require an official regulation change.

Hilda Dehne: Sternod moved to approve Dehne's renewal with the requirements she complete the contact lens portion of her education and take the state board exam in fall of 2014. Costuros seconded the motion. The motion was carried unanimously.

Adreanna Elliot: no waiver form received

Sandra Ganski: Costuros noted Ganski is planning to sit for the state board exam in September 2014 and moved to approve her renewal with the expectations she will take the ABO and NCLE exams and take the state board exam in fall 2014. Brainard seconded the motion. The motion was carried unanimously.

Adrianna Houseweart: Sternod noted Houseweart had already completed the Career Progression Program and moved to approve her renewal with the expectation Houseweart will take the ABO exam in spring 2014 and order both volumes of the Contact Lens Home Study Program this year. Brainard seconded the motion. The motion was carried unanimously.

Kimberly Kekahuna-Lee: Sedran noted Kekahuna-Lee is renewing for a seventh time and has already paid the exam retesting fee. Bradley clarified apprentices do not need board approval to retake the state board exam, but do need board approval for renewal of their apprentice licenses beyond a fourth renewal. Costuros moved to approve Kekahuna-Lee's renewal with the expectation she will retake the state board exam in March 2014. Brainard seconded the motion. The motion was carried unanimously.

Reyanna Kirby: Wasson noted Kirby turned in numerous continuing education credits that do not count as career progression for renewal purposes. Sternod moved to renew Kirby's license with the expectation she will complete the Career Progression Program and begin

logging hours on her Contact Lens Training Record. Costuros seconded the motion. The motion was carried unanimously.

Lauren Newman: no waiver form received

Johnathan Parra: Wasson moved to reject Parra's request for license renewal. He noted Parra's letter to the board states he is a laboratory manager and does not plan to renew his apprenticeship beyond 2014 if he does not complete his apprenticeship this year. Wasson suggested Parra is not committed to becoming a licensed optician. Costuros noted Parra had allowed his ABO certification to expire. Sternod added Parra has a history of receiving warnings for non-progression and has not shown improvement, and he did not submit a complete application (the application was not signed). Wasson amended his motion to include the comments of the other board members. Sternod seconded the motion. The motion was carried unanimously.

Amber Reyes (now Amber Fitzgibbon): Sedran stated Fitzgibbon had already submitted her fee to retake the state board exam in March 2014. Sternod moved to approve Fitzgibbon's renewal request with the expectation she will retake the state board exam in March 2014. Costuros seconded the motion. The motion was carried unanimously.

Shona Wilson: Costuros stated she is Wilson's supervisor and recused herself from the discussion and decision on her renewal. Sternod moved to approve Wilson's request for renewal with the expectation she will take the ABO exam in spring 2014 and the NCLE exam in fall 2014. Brainard seconded the motion. Costuros abstained. The motion was carried 3 to 0.

Sedran suggested the board make a motion to require any of the aforementioned licensees who do not meet the requirements laid down for them by the board at this meeting to physically come before the board at a future meeting to renew their licenses for 2015. Bradley agreed the board should make the motion. Sternod made the motion. Wasson seconded the motion. The motion was carried unanimously.

The board office received **Hannah Loydi's** waiver form via fax during the meeting and returned to her renewal request. Sedran stated Loydi had asserted in a phone call she was under the impression enrolling in a course was enough to demonstrate career progression for renewal. Sedran noted the instructions on the renewal application clearly state the requirements for license renewal. Sternod noted Loydi had made a similar request for license extension without sufficient progression in 2011 and had not followed through with her stated plans in 2012. Wasson moved to deny Loydi's request for renewal due to Loydi's failure to follow through with the progression plans stated in her prior letter to the board. Costuros seconded the motion. The motion was carried unanimously.

5. Review and decision on new apprentice license applications:

Adetaye Adeseye: Sternod moved to approve Adeseye's application for an apprentice license. Costuros seconded the motion. The motion was carried unanimously.

Adam Fleischmann: Sternod moved to approve Fleischmann's application for an apprentice license with the requirement he complete the current version of the licensure application. Costuros seconded the motion. The motion was carried unanimously.

6. Review and decision on proposed continuing education courses

HOYA Vision Care

Presentation by Tom Sullivan – 2 hours

Sternod noted the materials submitted with the application are vague and do not meet the current standard for course descriptions and other required materials. Costuros asked whether the course had already taken place. Sedran confirmed it had and the applicant was aware the course would not be approved for credit until after it had taken place. Brainard noted the board has a responsibility to the state to ensure all approved courses have been thoroughly reviewed by the board and all required course materials have been submitted for review. Costuros moved to reject the application until the requisite materials are submitted to the board office for review and have the application added to the next meeting agenda. Brainard seconded the motion. The motion was carried unanimously.

7. Discussion and decision on opening checking account/transferring funds to First Independent Bank of NV

Sedran stated a First Independent bank representative requested the board approve the opening of a new checking account at one of its meetings, include the approval in its minutes, and have the minutes signed by a board officer. Brainard moved to grant Sedran the authority to open the new checking account on behalf of the board and transfer funds from the board's current account into the new. Sternod and Costuros both seconded the motion. Wasson asked for discussion and addressed the requirements for closing the current account and removing the current signatories. Sedran stated she does not personally have the ability to close the account, as she is not a signatory. Brainard requested Sedran determine all requirements for opening the new account and obtaining a debit card. Sedran inquired who would be signers on the account. Bradley suggested there are rules regarding who can withdraw money from a state board account. Brainard directed Sedran to contact the board auditor regarding what is required when setting up a new account and the rules governing signatories. The motion was carried unanimously.

8. Discussion on PERS/PEBP membership/requirements

Sedran stated she has been receiving communications from a representative of PERS who indicated the board, as a state agency, may not be able to opt out of the program. Bradley asserted the board does not have a legal obligation to pay into the PERS or PEBP programs on behalf of its employees, however, because its previous employee was enrolled, it may have to make remaining payments on her behalf. She stated these are opt-in programs. She directed Sedran to send a formal letter to PERS and PEBS regarding the board's decision to opt out of both programs.

9. Public Comment

Brainard requested a future agenda item for possible action on opening an investment account at another institution offering better returns on the board's saved assets.

There was no other public comment

Wasson adjourned the meeting at 7:18 p.m.