



STATE OF NEVADA

BOARD OF DISPENSING OPTICIANS

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Minutes of Public Meeting (with Closed Exam Review)

Nevada Board of Dispensing Opticians
Wednesday July 8, 2015, 10:00 a.m.
NVBDO Office – Caughlin Square
4747 Caughlin Parkway, Suite 2; Reno, NV 89519

Members Present

Joshua Wasson, President
Tamara Sternod, Vice President
Marsha Costuros, Secretary
Marilyn Brainard, Treasurer
Tammy Williams, Member

Others Present

James Morris, representative from (ED, General Counsel for ABO/NCLE)
Louis Ling, Board Counsel
Corinne Sedran, Executive Director

1. Call to order
Joshua Wasson called the meeting to order at 10:29 a.m.
2. Public comment
There was no public comment
3. Review of ABO Advanced Certification Exam; discussion and decision on adopting ABO Advanced Exam as board licensing exam (for possible action)

Motion: Wasson moved to close the meeting JW closed meeting pursuant to NRS 241.030 (1)(b): *a public body may hold a closed meeting to prepare, revise, administer or grade examinations that are conducted by or on behalf of the public body.*

Vote: Passed, unanimous

Motion: Marilyn Brainard moved to reopen the meeting at 1:48 p.m.

Vote: Passed, unanimous

Board Counsel, Louis Ling, joined the meeting at this time.

4. Review of financial impact of adopting ABO Advanced Exam as board licensing exam (for possible action)

Discussion: Sternod stated the board would no longer receive exam fees if the board adopts the ABO/NCLE written and practical exams as its licensing exams, however, it may still charge application fees. Wasson stated the board will still collect fees from apprenticeship applications and renewals. Sternod stated the regulations should specify that ABO/NCLE certifications must be current at the time of application for a dispenser's license. Ling stated the board should be charging fees to cover the costs of administering its exam, with a small reserve, but should not make a significant profit from exam fees.

Sternod noted if the board adopted the ABO's certification exams, apprentices would be able to take the exams at any point during their apprenticeships. Jim Morris stated the board's regulations would supersede the ABO's restrictions on taking the advanced written and practical exams; apprentices would be allowed to take the advanced exams after passing the standard exams without waiting three years as normally required by the ABO. Ling stated passage of the ABO's exams would demonstrate competency; the board should not need to place restrictions on when the apprentices take the exams.

Ling noted the current law structures the apprenticeship as a three-year program with an exam at the end of that period to prove competence, however the board is not currently operating the program that way. Apprentices are being given multiple extensions to complete their apprenticeship requirements. This is an issue the board needs to address. Wasson stated the board needs to adopt a regulation that prevents a person from reapplying for licensure over and over again. Ling suggested the board implement a mandatory waiting period before persons may reapply after they are denied licensure or their licenses expire. Good cause for exceptions should be defined in the regulations.

Motion: Sternod moved to make the necessary regulation changes so the board may move forward with adopting the ABO/NCLE Advanced Written and Practical Certification Exams as the Nevada State licensing exam. A Nevada laws portion of the exam would need to be administered as part of the ABO examination process.

Vote: Passed, unanimous

5. Review and revision of proposed regulation changes; scheduling of legislative workshop (for possible action)

Discussion: Ling stated the adoption of a different licensing exam scheme will require a reworking of the board's regulations. A review of the proposed revised language should be scheduled for the August meeting. Once the language is acceptable to the board, a workshop may be scheduled. The purpose of the workshop is to invite public comment. After the workshop is held, the board will submit its proposed language to the Legislative Counsel Bureau. Once the LCB issues its response to the board, a hearing must be held to formally adopt the new regulations.

6. Discussion and decision on hiring retired licensees to perform workplace inspections; review of costs (for possible action)

Motion: Brainard moved to implement the hiring of retired licensees, at an hourly rate plus mileage, to perform workplace inspections for the board; the executive director should establish the noticing and application process and review the candidates with the board president.

Vote: Passed, unanimous

7. Review and decision on increasing executive director's pay to offset costs of PERS (for possible action)

Motion: Costuros moved to increase the director's pay by enough to cover the increased costs of required PERS contributions.

Vote: Passed, unanimous

8. Review of correspondence with PERS re: interest fees charged to board (for possible action):

Discussion: Ling stated the interest charged by PERS is set by statute; the penalties assessed against the board for nonpayment were waived but PERS lacks statutory authority to waive interest charges. There is an appeals process, but it will not be helpful in this instance.

9. Review and decision on apprentice application/letter of intent: **Werner Gruber** (for possible action):

Motion: Wasson moved to approve Gruber's Apprentice Application conditionally: he must enroll in the Career Progression Program within 30 days and complete Volume I of said program in order to be eligible for renewal in 2016; Wasson moved to deny Gruber's request for prior experience credit.

Vote: Passed, unanimous

Wasson called for public comment. There was none.

10. Adjournment

Wasson adjourned the meeting at 3:56 p.m.