



**STATE OF NEVADA
BOARD OF DISPENSING OPTICIANS**

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Minutes of Public Meeting

Nevada Board of Dispensing Opticians
Wednesday August 12, 2015, 1:00 p.m.

Videoconference between Contractors Board Offices at:
9670 Gateway Drive, Suite 100; Reno, NV 89521, and
2310 Corporate Circle, Suite 200; Henderson, NV 89074

Members Present

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

Others Present

Louis Ling, Board Counsel
Corinne Sedran, Executive Director

1. Call to order

Joshua Wasson called the meeting to order and called roll at 1:06 p.m.

2. Public comment

There was no public comment.

3. Approval of previous board meeting minutes (for possible action):

June 10, 2015 Regular Board Meeting

Motion: Marilyn Brainard moved to approve the minutes as presented.

Vote: Passed, unanimous

July 8, 2015 Closed ABO Exam Review/Regular Board Meeting

Motion: Marsha Costuros moved to approve the minutes as presented.

Vote: Passed, unanimous

4. Review and decision on applications to sit for Ophthalmic Dispenser state licensing exam:

Discussion: Wasson stated approval of applications under this agenda item will be granted with the understanding a license will only be issued upon completion of the applicant's file

(for those applicants awaiting certificates of completion from their schools or certification organizations).

a. **Beaudoin, Ashley**

Motion: Tamara Sternod moved to approve.

Vote: Passed, unanimous.

b. **Cantor, Randy**

Motion: Costuros moved to approve.

Vote: Passed, unanimous.

c. **Carlyle, Christopher**

Motion: Costuros moved to approve.

Vote: Passed, unanimous.

d. **Clausen, Amy**

Motion: Sternod moved to approve.

Vote: Passed, unanimous.

e. **Deputy, Rachel**

Motion: Costuros moved to approve.

Vote: Passed, unanimous.

f. **Esparza, Cristobal**

Motion: Tammy Williams moved to approve.

Vote: Passed, unanimous.

g. **Estrada, Judy**

Motion: Costuros moved to approve.

Vote: Passed, unanimous.

h. **Jenkins-DeVille, Marquette**

Discussion: Sternod noted Jenkins-DeVille did not list dates or times on her Contact Lens Training Record; letters with hand-written signatures should be submitted by those who provided her training verifying she received the requisite hours. Wasson stated the instructions on the Training Record are clear that each line should include a date, time, and signature, even if multiple hours of training take place on a single date.

Motion: Costuros moved to approve the application conditionally; the applicant must submit the missing dates, times, and signatures. Wasson proposed an amendment to the motion: letters must be submitted by each person who signed the Training Record verifying Jenkins-DeVille received the requisite hours of training.

Vote: Passed, unanimous.

i. **Loydi, Hannah**

Motion: Costuros moved to approve.

Vote: Passed, unanimous.

- j. **Magana-Perez, Jose**
Motion: Sternod moved to approve.
Vote: Passed, unanimous.

- k. **Medlin, Darcy**
Motion: Costuros moved to approve.
Vote: Passed, unanimous.

- l. **Moctezuma, Luis**
Discussion: Sternod noted Moctezuma submitted a degree certificate for an AAS degree in General Studies; NRS 637.100(f)(2) specifically requires an AAS Degree in Ophthalmic Dispensing in order to qualify for the reduced, one-year apprenticeship requirement; applicants who do not hold such a degree must be apprenticed for three years to qualify to take the state licensing exam.
Motion: Sternod moved to deny Moctezuma's application because he has not yet been apprenticed three years.
Vote: Passed, unanimous.

- m. **Nguyen, Phi**
Motion: Sternod moved to approve.
Vote: Passed, unanimous.

- n. **Nicolas, Marven**
Discussion: Sternod noted Nicolas did not include dates or times on his training record.
Motion: Costuros moved to approve the application conditionally; Nicolas' application will be approved with the same stipulations given to Jenkins-DeVille (above).
Vote: Passed, unanimous.

- o. **Pecinovsky, Sharon**
Discussion: Sternod noted one of the letters submitted by Pecinovsky's former employer was not signed.
Motion: Sternod moved to approve upon receipt of the missing signature.
Vote: Passed, unanimous.

- p. **Ramirez, Raquel**
Discussion: Sedran stated Ramirez submitted proof of obtaining the 2,000 hours of required on-the-job training to qualify to take the exam, however, she has not yet been apprenticed three years. The Nevada Revised Statutes require an apprentice to be licensed three years if she does not hold an AAS Degree in Ophthalmic Dispensing.
Motion: Wasson moved to deny Ramirez' application because she has not yet met the three-year apprenticeship requirement.
Vote: Passed, unanimous.

- q. **Taylor, Heather**
Discussion: Wasson noted Taylor has not yet met the three-year apprenticeship requirement. Sternod noted Taylor's educational requirements had not been met as of the application deadline.

Motion: Wasson moved to deny Taylor's application.

Vote: Passed, unanimous.

r. **Thompson, Sheena**

Motion: Sternod moved to approve.

Vote: Passed, unanimous.

s. **Upperman, Kim**

Motion: Sternod moved to approve.

Vote: Passed, unanimous.

t. **Woodson, Denise**

Discussion: Wasson noted Woodson has not yet met the three-year apprenticeship requirement.

Motion: Wasson moved to deny Woodson's application.

Vote: Passed, unanimous.

u. **Zakeri, Mehrdad**

Motion: Williams moved to approve.

Vote: Passed, unanimous.

5. Review and decision on requests for prior experience credit (for possible action):

a. **Almanza, Hermenegildo**

Item removed from agenda.

b. **Ashley, Bonnie**

Item removed from agenda.

c. **Azevedo, Randee**

Motion: Sternod moved to grant Azevedo two years prior experience credit towards her apprenticeship requirement.

Vote: Passed, unanimous.

d. **Berry-Pescatori, Tina-Marie**

Item removed from agenda.

e. **Loydi, Hannah**

Item removed from agenda.

f. **Manuzon, Aljen**

Item removed from agenda.

g. **Seicuic, Daniela**

Item removed from agenda.

- h. **Whitford, Dana**
Item removed from agenda.

6. Review and decision on continuing education course applications (for possible action):

- a. **Henderson Nevada Association of Ophthalmic Dispensers** (sponsored by NAOD)
October 25, 2015; 8 a.m. to 5 p.m.

Fiesta Henderson; 777 West Lake Mead Parkway; Henderson, NV 89015

Eight (8) CE credits offered

Discussion: Sedran explained the application requests approval of eight CE credit offerings, however, only four course descriptions were submitted with the application.

Motion: Sternod moved to approve the four credit offerings for which information was supplied. The remaining credit offerings must be reviewed by the board at a later meeting.

Vote: Passed, unanimous.

- b. **Sunstar Optical Laboratories**

September 13, 2015

5960 Edmond Street; Las Vegas, NV 89118

Four (4) CE credits offered

Motion: Brainard moved to approve all four credit offerings.

Vote: Passed, unanimous.

Joshua Wasson called for a break at 2:24 p.m.

7. Review and decision on retaining **Louis Ling** as board general counsel (for possible action):

Motion: Wasson moved to retain Louis Ling as general counsel for the board.

Vote: Passed, unanimous.

8. Review, decision on modifications to draft regulations; scheduling of workshop (for possible action):

Discussion: Louis Ling explained the present draft of the board's regulation changes will need to be altered in light of the board's decision to adopt an electronic licensing exam. Ling will need to meet with Sedran to make changes to the draft. He suggested scheduling the legislative workshop to take place during the October meeting. The workshop is the first step in pursuing regulation changes; the purpose is to invite public comment. After the workshop takes place, the board will schedule a hearing to adopt the proposed changes. If the changes are approved, the draft regulations will be sent to the Legislative Commission for review. Once the Legislative Commission approves the new regulations, they become law.

The board members agreed Ling and Sedran should meet to finalize changes to the draft regulations; the legislative workshop will take place during the October 2015 meeting.

9. Review of open complaints/workplace inspections (for possible action):

a. Open complaints: **2015-02**

Sedran stated this complaint pertains to a wrongful termination claim. The board does not have jurisdiction over this matter.

b. Workplace inspections: progress on hiring of inspectors

Sternod stated she is concerned inspectors may not be impartial if they were recently employed by an ophthalmic company. Ling suggested the board determine a length of time applicants must have been retired before they will be considered for the position; if an applicant has not been working six months to a year, there should not be an issue with partiality towards a former employer. The board members agreed hires should have been retired from the profession at least six months to a year. Sedran and Ling will determine qualifications for the position and develop a process of candidate selection and interviews. Wasson and Sedran will review the applicants together and make the hiring decisions.

10. Executive Director's Report (for possible action):

a. Review of NCSORB correspondence re: certification exams

Discussion: Sedran stated she had received correspondence from a NCSORB representative; NCSORB is a national committee of state ophthalmic licensing boards. The organization is interested in sending a representative to Nevada to give the board an opportunity to review its electronic certification exam. Wasson stated the board had already had an opportunity to review the NCSORB exam and determined it was insufficient for its licensing purposes. The board members agreed it would not be necessary to have a NCSORB representative present its exam to the board.

b. Application/form updates, review

Discussion: Sedran stated she created a new Apprentice Application form; she does not believe it is necessary to require notarization of these applications, as employers are required to perform background checks and collect W-2 forms from their apprentices. Ling stated a board should only require notarizations if it is having problems with applicants submitting false signatures; the purpose is to verify the identity of the person signing the form. The board members agreed a notarization of the Apprentice Application is not necessary.

Sedran stated she also created a new Continuing Education Course Approval form, as requested by the board.

- c. Review of hours worked, update on hours required/office support required/office priorities

Discussion: Sedran stated the board is growing and issuing more licenses each month, and the workload in the office is expanding accordingly. She would like to make complaint investigations and workplace inspections a bigger priority for the board, but this will also increase the office workload. The board may need to consider hiring an additional staff member on a part-time basis to keep up with ongoing tasks. Sternod stated she would prefer Sedran work additional hours to hiring another staff member at this point. The previous director often worked additional hours to keep up with the workload, so an increase in staff hours is not out of the ordinary for the board. The director is accountable to the treasurer for hours worked and tasks completed, so an increased workload is always verified. The board members agreed the director may work additional hours as necessary.

- d. Review and decision on changes to application processing

Discussion: Sedran stated the current process of reviewing license applications eats up a lot of staff hours due to having to obtain board member reviews. The process of scanning and submitting all application materials for review could be avoided if the board allowed the director to complete reviews in-office. Ling stated the majority of boards conduct application reviews as an administrative process in-office, with only problem applications being presented to the board. The process of reviewing applications is fairly routine: so long as an applicant meets all requirements, a license may be issued. Sedran stated she would like to develop a comprehensive checklist for application reviews, so the board can be sure only qualified applicants are issued licenses.

Motion: Brainard moved to overturn the current application review process and allow Sedran to develop a more refined method of application review. The board should review the proposed procedure at the next meeting.

Vote: Passed, unanimous.

- e. Review and decision on moving to Office 360 email service

Discussion: Sedran stated she would like the board to switch from the state's email service to a Microsoft email account. The state service does not supply the board with adequate storage for archiving purposes and the service goes down regularly, preventing Sedran from being able to send or retrieve messages. She has also been unable to obtain IT assistance to use the state's Listserv service to send out mass emails to the board's licensees; this makes it very difficult to deliver important notices to the licensees.

Motion: Wasson moved to switch to Microsoft email service.

Vote: Passed, unanimous.

11. Financials (for possible action):

Review and decision on **June and July 2015** financial statements

Sedran stated she created a proposed FY 2015-16 budget based on the FY 2014-15 actuals. Board members should review the proposed budget and bring any suggestions or requests to the October meeting for finalization of the budget.

Motion: Brainard moved to accept the June and July 2015 financial statements.

Vote: Passed, unanimous.

12. Rescheduling of **October 2015** meeting date; future agenda items (for possible action):

Sternod asked that the board reschedule the October 14th meeting date, as two board members will be unavailable on that date. The board rescheduled the meeting for October 20, 2015 at 1 p.m.

Future agenda items: Sternod asked that the board's membership in NCSORB be reevaluated at the October meeting. Brainard would like the board to review options for investing surplus funds. Wasson stated a vote on board member positions must take place at the October meeting.

13. Public Comment

Howard Adler, License #246, asked for clarification on the board's policy on continuing education hours. His understanding is the board will only approve CE credit hours if the courses are made available to all licensees. Wasson stated the board does not have such a policy; courses are approved so long as they meet the board's educational standards; the course sponsors may determine whether to offer the courses to all licensees or a select group.

Wasson adjourned the meeting at 3:42 p.m.