

STATE OF NEVADA



Board of Dispensing Opticians

Minutes of Public Meeting:

February 11, 2016 at 4 p.m.

Teleconference took place at the Office of the Nevada Board of Dispensing Opticians:
4747 Caughlin Parkway, Suite 2; Reno, NV 89519

Board Members Present:

Marsha Costuros, Acting President
Tammy Williams, Member
Jennifer Benavides, Member
Michael Grover, Member
Marilyn Brainard, Treasurer

Board Staff Present:

Corinne Sedran, Executive Director
Louis Ling, Board Counsel

1. Call to order
Marsha Costuros called the meeting to order at 4:04 p.m.

2. Public comment

Peggy Filmore stated she holds a dispenser's license from New York and has been in the optical industry a long time. She would like to open an optical shop in Reno but the state's optical laws prevent her from doing so. She does not want to work with contact lenses or hire a doctor to work in her shop. She feels the licensing laws in Nevada prevent her from serving the public.

There was no further public comment.

3. Approval of previous board meeting minutes (for possible action):
December 9, 2015 Regular Board Meeting

Motion: Tammy Williams moved to approve the minutes as presented.

Vote: Passed, unanimous.

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

- a. **Brunning, Wendy**

Motion: Tammy Williams made a motion to refer Brunning's request to the director of Ophthalmic Studies at the College of Southern Nevada. The director should determine whether Brunning's education is equivalent to the educational requirements at CSN.

Vote: Passed, unanimous.

- b. **Gonzalez, Eric**

Removed from agenda.

- c. **Kekahuna-Lee, Kimberly**

Motion: Williams moved to grant Kekahuna-Lee three years prior experience credit.

Vote: Passed, unanimous.

- d. **Mendoza, Javier**

Removed from agenda.

- e. **Whitford, Dana**

Motion: Costuros moved to grant Whitford two years prior experience credit.

Vote: Passed, unanimous.

5. Review and decision on requests for extension of apprenticeship/apprentice license renewal (for possible action):

Discussion: Sedran stated the applicants on this list could not be renewed upon request because they had exceeded the allowable number of renewals per NRS 637.123. The board must determine good cause for additional renewals.

Motion: Costuros moved to approve the renewal requests of all applicants on the list who have already been approved to take the exam or will be approved at the present meeting.

Vote: Passed, unanimous.

- a. **Arellano, Seyda**
Motion: Jennifer Benavides moved to deny Arellano's request for renewal.
Vote: Passed, unanimous.
- b. **Lee, Patricia**
Covered by umbrella motion.
- c. **Ortega, Edith**
Covered by umbrella motion.
- d. **Oset, Denise**
Motion: Benavides moved to deny Oset's request for renewal.
Vote: Passed, unanimous.
- e. **Sticka, Janice**
Covered by umbrella motion.
- f. **Sunga, Neil**
Motion: Benavides moved to approve Sunga's request for renewal with the expectation he must complete all remaining requirements to take the exam in the next year.
Vote: Passed, unanimous.
- g. **Vianzon, Maggie**
Motion: Williams moved to approve Vianzon's request for renewal with the expectation she will enroll in her contact lens courses by the end of the year.
Vote: Passed, unanimous.

6. Review and decision on delinquent licenses/fees policies (for possible action):

Discussion: Sedran stated the board office has encountered a huge problem with renewal applications being submitted incomplete; almost a quarter of the renewal application submitted this year were incomplete with many remaining incomplete as of the January 31st deadline. Several applications were postmarked just after the January 31st deadline, however, the incomplete applications present a much bigger obstacle to the efficient renewal of licenses. Sedran suggested the board show leniency this year to those licensees whose renewals were postmarked just after the deadline but implement a hardline policy in the future. The licensees should be notified prior to the next renewal that an incomplete application will not be accepted and will result in delinquency fees if submitted near to or after the deadline.

Motion: Costuros moved to show leniency to those licensees whose applications were postmarked just after the deadline and those whose applications were incomplete as of the deadline for this year only. In the future, if any portion of the application is submitted after the deadline, a delinquency fee should be assessed.

Vote: Passed, unanimous.

7. Review and decision on reinstatement of delinquent apprentice licenses/refund of delinquency fees; review and decision on renewal of apprentice license applications sans adequate proof of progress (for possible action):

Discussion: Sedran stated the applicants on this list submitted incomplete or inadequate applications for renewal. Several applicants did not submit sufficient proof of progress per NRS 637.287. In the past, the board has denied the renewal requests of any apprentice who did not demonstrate sufficient progress for the year.

Motion: Benavides moved to deny the renewal requests of applicants who did not demonstrate sufficient progress for the year.

Vote: Passed, unanimous.

- a. **Brewer, Carlus** Covered by umbrella motion.
- a. **Brooks, Bobbie** Covered by umbrella motion.
- b. **Donato, Victoria** Covered by item 6.
- c. **Dry, Courtenay** Covered by umbrella motion.
- d. **Fleischmann, Adam** Covered by umbrella motion.
- e. **Galvan, Christopher**

Motion: Costuros moved to renew Galvan's license for 2016 with the expectation he will pass the board exam in 2016.

Vote: Passed, unanimous.

- f. **Haury, Rebecca** Covered by umbrella motion.
- g. **Herman, Christa** Covered by item 6.
- h. **Lai, James** Covered by item 6.
- i. **Martin, Christi** Covered by item 6.
- j. **Medlin, Heaven** Covered by item 6.
- k. **Meraz, Diana** Covered by umbrella motion.
- l. **Meredith, Alex** Covered by item 6.
- m. **Moctezuma, Luis** Covered by item 6.
- n. **Munguia, Monica** Covered by item 6.
- o. **Orozco, Xenia** Covered by item 6.
- p. **Owens, Melissa** Covered by item 6.
- q. **Rios, Juan** Covered by item 6.
- r. **Roebing, Kristen** Covered by item 6.
- s. **Rogers, Bryan** Covered by item 6.
- t. **Sandoval, Judith** Covered by umbrella motion.
- u. **Seeley, Rickardo** Covered by item 6.
- v. **Storey, Christer** Covered by umbrella motion.
- w. **Stowers, Nicholas** Covered by item 6.
- x. **Summerson, Hilaire** Covered by umbrella motion.

8. Review and decision on reinstatement of delinquent optician licenses/refund of delinquency fees (for possible action):

a. **Condon, Rene** Covered by item 6.

b. **Cottam, John**

Discussion: Sedran stated Cottam was short one credit for renewal.

Motion: Michael Grover moved to allow Cottam 30 days to obtain the missing credit and to assess a delinquency fee.

Vote: Passed, unanimous.

- c. **Dingson, Alicar** Covered by item 6.
- d. **Donnelly, Crystal** Covered by item 6.
- e. **Fericks, Sean** Covered by item 6.
- f. **Goldsberry, Jolyn** Covered by item 6.
- g. **Gray, Katelyn** Covered by item 6.

- h. **Heiner, Eddie** Covered by item 6.
- i. **Huber, Renee** Covered by item 6.
- j. **Niklaus, Nikolaz** Covered by item 6.
- k. **Pham, Tien** Covered by item 6.
- l. **Repichowski, Shaun** Covered by item 6.
- m. **Sherwood, Travis** Covered by item 6.
- n. **Valle, Gabriel** Covered by item 6.

9. Review and decision on review procedure for applications to take state board exam (for possible action):

Discussion: Sedran stated it would improve efficiency in the board office and at board meetings to process board exam applications in the board office rather than reviewing them at meetings. A board member could be appointed to conduct reviews in the case of problematic applications. This would also allow the board to approve applications submitted after the deadline when there is a legitimate reason for the lateness such as a post office error. Louis Ling stated boards generally do not review these types of applications at meetings once the boards reach a certain size because of time constraints. Boards should spend the majority of meeting time discussing policy matters.

Motion: Costuros moved to allow the board office to review applications to take the board exam and to assign a board member to review any problematic applications.

Vote: Passed, unanimous; the board agreed Costuros will review problematic applications.

10. Review and decision on applications to sit for the Spring 2016 state board exam (for possible action):

Motion: Costuros moved to approve items a, b, d, e, f, g, and h; applicants who did not submit copies of their certificates of completion must do so.

Vote: Passed, unanimous.

- a. **Barroga, Brittany** Covered by umbrella motion.
- a. **Galvan, Christopher** Covered by umbrella motion.
- b. **Herman, Christa**

Motion: Benavides moved to deny Herman's application because it was incomplete as of the deadline.

Vote: Passed, unanimous.

- c. **Lebard, Ciara** Covered by umbrella motion.
- d. **Moctezuma, Luis** Covered by umbrella motion.
- e. **Mueller, Cynthia** Covered by umbrella motion.
- f. **Ramirez, Raquel** Covered by umbrella motion.
- g. **Sticka, Janice** Covered by umbrella motion.
- h. **Taylor, Heather** Covered by umbrella motion.
- i. **Woodson, Denise** Covered by umbrella motion.

11. Review and decision on providing continuing education credit for board meeting attendance (for possible action)

Discussion: Sedran stated the board's policy of offering of CE credits for attendance at board

meetings has become a problem logistically. Videoconferencing equipment is not readily available and traveling creates an unreasonable expense when the board is discussing routine business. The board meetings have become an important source of “live” CE credits because there is a shortage of other options. Ling stated the board’s policy of offering credit for meeting attendance is not covered in the NAC. Costuros stated the New York licensing board accepts online credits for all of its CE requirements; the board’s requirement that seven credits be “live” is outdated. Brainard stated the board should not be offering CE credits for meeting attendance as they do not present a genuine educational opportunity and are mainly administrative in nature. Benavides agreed with Brainard that licensees should obtain their CE credits in other ways; if CE credits are offered for meeting attendance, the licensees should be required to stay for the entire meeting and the number of credits offered should be reduced. Ling suggested the board is not ready to vote on a new policy at this time. A board member should discuss a proposed policy with the executive director and bring the suggestion to the next meeting for a vote. Williams offered to prepare a proposed policy for the next board meeting; the board members agreed.

12. Scheduling of 2016 meeting dates; scheduling of board member training (for possible action)

The board agreed upon the following meeting dates for 2016:

April 1st (closed examination review/prep meeting): Las Vegas

April 13th: Reno

June 14th

August 10th

October 12th

December 14th

13. Board Counsel’s Report (for possible action):

a. Overview of board member roles/responsibilities

This item will be discussed at the April 13th meeting.

b. Discussion of adoption of electronic licensing exam

Discussion: Sedran stated there has been some resistance from the licensees to the move to a national exam. Prior board member Tamara Sternod researched various options for moving to an electronic exam, including computerizing the board’s current exam; all options far exceeded the board’s budget. In order to create a legally defensible exam, a panel of experts would need to develop and test each question and the entire exam would need to be updated every five years. The benefit of a national exam is the national organization would absorb the expense of exam development. Ling stated the board does not want to be in the position of having to defend its own exam; a national organization would have to defend the exam if it were challenged in court. Once a licensed profession reaches a certain size, it is standard for the licensing board to move to national certifications as a way of legitimizing the profession. Most professional licensing boards, including those that license health care professionals, utilize national exams that are administered entirely electronically. Williams stated most of the objection has been in regards to the practical portion of the exam; she was able to review the practical portion of the national exam and was very impressed with how well it replicated optical machinery. Costuros noted the Florida licensing board recently adopted an electronic examination and it is known to be a state

with very high licensing standards.

- c. Discussion of proposed regulation changes
Sedran stated there had been additional comments from board members on the proposed regulations. Benavides suggested extending the allotted time for a new apprentice to enroll in an education course to six months; apprentices are sometimes forced to enroll in the home study program rather than the program at CSN because of the three month deadline. Costuros stated she would like the regulations to allow people to take online courses rather than attending meetings in order to obtain CE credits.

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

- a. Overview of board member roles/responsibilities
Will be discussed at the April 13th meeting.
- b. Discussion of adoption of electronic licensing exam
Discussed under item 13b.
- c. Overview of examination process and scheduling of exam prep meeting
Discussed under item 12.

15. Financials (for possible action):

- a. Review and acceptance of **December 2015 and January 2016** financial statements
Motion: Brainard moved to accept the financial statements as presented
Vote: Passed, unanimous.
- b. Review and decision on employing computer service to develop online forms
Sedran stated she will obtain a proposal/estimate from a computer service to bring to the next meeting.
- c. Review and decision on investment of savings account funds
Brainard stated the board will need to hold officer elections at its next meeting in order to move forward with investment decisions. This item should be added to the next meeting agenda.

16. Public Comment

Janice Sticka and Denise Oset asked questions pertaining to their license renewals.

Temma Chaparro stated it is important for all licensees to be up-to-date on and aware of the topics discussed at board meetings; she feels it is fair that the board offer continuing education credit for meeting attendance; if the board no longer offers this credit, licensees should be able to earn all of their continuing education credits online. Chaparro is not in agreement with the board's decision to show leniency towards licensees whose renewal applications were incomplete as of the deadline; licensees are aware of the deadline all year and create extra costs for the board when they wait until the last minute and submit incomplete applications.

Costuros adjourned the meeting at 6:53 p.m.