

STATE OF NEVADA



Board of Dispensing Opticians

Draft Minutes of Public Meeting

August 23, 2016 at 6 p.m.

Teleconferenced regular meeting took place at:
Office of the Nevada Board of Dispensing Opticians
4747 Caughlin Parkway, Suite 2
Reno, Nevada 89519

Board Members in Attendance:

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

Board Staff and Guests in Attendance:

Corinne Sedran, Executive Director
Louis Ling, Board Attorney
Luke Hermann, representing inLumon

1. Call to order

Board President Marsha Costuros called the meeting to order and called roll at 6:03 p.m. Treasurer Marilyn Brainard noted that Michael Grover was not in attendance.

2. Public comment

There was no public comment.

3. Approval of previous board meeting minutes:

July 8, 2015 Regular Board Meeting (revised)

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

Vote: Passed, unanimous

4. Review and decision on exam applications/requests for prior experience credit:

Discussion: Executive Director Corinne Sedran suggested the Board grant leniency with regard to the exam application deadline for the September exam due to the regulation hearing at the last meeting. Applicants may have been uncertain of how the Board would proceed with administering its exam.

Motion: Brainard moved to grant Sedran discretion to extend the application deadline a few days out from the original deadline of July 18th.

Vote: Passed, unanimous

a. **Kekahuna-Lee, Kimberly**

Motion: Benavides moved to approve Kekahuna-Lee's application.

Vote: Passed, unanimous

b. **Madrid, Samuel**

Motion: Benavides moved to deny Madrid's application because he had not taken and passed the NCLE exam as of the meeting date and his application is therefore incomplete.

Vote: Passed, unanimous

c. **Romero-Mendoza, Zayra**

Motion: Benavides moved to grant leniency with respect to Romero-Mendoza's completion of her ophthalmic education since she had completed all requirements as of July 31st. The application to take the exam will be approved but Romero-Mendoza must furnish proof of her Ophthalmic Dispensing Degree before she will be issued an Ophthalmic Dispenser's License.

Vote: Passed, unanimous

d. **Tabaoda, Israel**

Discussion: Board members and Board Attorney Louis Ling questioned Tabaoda with respect to a nondisclosure on his apprenticeship application. Ling recommended the Board schedule a hearing on the matter.

Motion: Benavides moved to deny Tabaoda's application for licensure.

Vote: Passed, unanimous

- e. **Yi, Evan Joon**
Motion: Costuros moved to approve Yi's application.
Vote: Passed, unanimous

5. Financials (for possible action):

- a. Review and acceptance of **June and July 2016** financial statements
Motion: Brainard moved acceptance of the financial statements as presented.
Vote: Passed, unanimous
- b. Review and acceptance of FY 2016-17 proposed budget; review of special use expenditures
Motion: Brainard moved to approve the budget as proposed.
Vote: Passed, unanimous.
Motion: Brainard moved to approve expenses incurred during the transition period between board members, specifically, reimbursement of former board members for their work with current board members on the regulation updates; Brainard moved also to approve travel expenses for the Board's Northern Nevada workplace inspector who met with the Southern Nevada inspector at the prior meeting.
Vote: Passed, unanimous.
- c. Budget: review and decision on inLumon database/web application proposal
Discussion: Benavides asked Treasurer Brainard for her recommendation as to whether the three- year proposal presented by inLumon would be beneficial to the Board. Brainard stated she is very much in favor of approving the proposal; the program has worked very well for other boards in the state and it is this Board's responsibility to do everything it can to record its history accurately. The program will make it enormously easier to renew licenses and update licensee data.

Sedran stated the intent behind the three-year version of the proposal is to stagger the cost of the program so it is not taken from the Board's budget all in one year and the Board has time to make financial adjustments if necessary.

Ling stated the Board of Examiners looks at the total value of a contract; a contract with a total value of less than \$50,000 can be approved by the director of the board without having to be approved by the Board of Examiners at a meeting. InLumon is a known quantity with the state of Nevada so approval of the contract by the state should not be an issue.

Brainard stated the Board needs to take this step at this time to update its records and application processing; other boards have found this to be a successful program.

Motion: Brainard moved to approve the inLumon three-year proposal for the development of a licensing database and online application system.

Vote: Passed, unanimous.

- d. Budget: review and decision on cost of living adjustment for executive director
Discussion: Benavides gave a timeline of Executive Director Sedran's hiring, evaluations, and pay increases. Pay increases to date have been granted to offset the cost of taxes on health insurance contributions and the cost of PERS contributions, neither of which the Board was

aware were mandatory at Sedran's date of hire. Sedran has not received a Board member evaluation or cost of living adjustment since her date of hire. Benavides suggested Sedran should receive a cost of living adjustment between 2.5 and 5% annually based upon her performance. Costuros and Brainard, as the only two Board members who have worked with Sedran since she was hired, should complete a performance evaluation. Brainard commented that the Board had been blind-sighted by the requirement to make contributions into the PERS program; the Board did not receive adequate legal advice on the matter at the time Sedran was hired and the program has proved very costly to the Board.

Motion: Benavides moved to appoint Brainard and Costuros as an employee evaluation committee to perform a performance evaluation of Sedran in time for the October meeting.

Vote: Passed, unanimous

Board Member Michael Grover joined the meeting at 7:16 p.m.

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

a. Discussion and decision on FAQs updates

Discussion: Sedran stated she had prepared the draft FAQs to replace the current FAQs posted on the Board's website, which are long, confusing, and mostly comprised of links. The Board should determine its policies regarding internet sales of contact lenses before those FAQs are posted to the site.

Motion: Benavides moved to approve the draft FAQs, other than those pertaining to internet sales, and to address internet sales at a future meeting.

Vote: Passed, unanimous.

b. Scheduling of remainder of 2016 Board meetings

Discussion: Sedran stated the Board will be administering disciplinary hearings at its next meeting and should plan to travel so the meeting can be hosted in a single location. Ling stated the meeting should take place where the hearings originate, in this case, Las Vegas. Board members should plan on attending for the whole day. Sedran requested the December meeting take place as a videoconference to avoid traveling during renewal time and allow all licensees one final opportunity to obtain CE credits.

c. Scheduling of disciplinary hearing(s)

Disciplinary hearings will take place at the next regularly scheduled meeting on October 12th in Las Vegas.

d. Setting of board policy on exam deferments/refunds

This item was tabled in light of changes to the Board's regulations pertaining to exams.

e. Setting of board policy on "equivalent" state licenses

Discussion: Brainard suggested Sedran speak with Jim Morris of the ABO to obtain information on the requirements for licensure in each of the other states.

A vote on this item was postponed until a future meeting.

f. FY 2016-17 legislative audit update; retention of Strong, McPherson, & Co. as accounting firm

Motion: Brainard moved to retain Strong, McPherson, & Co. as the Board's accounting firm for the 2015-16 legislative audit.

Vote: Passed, unanimous.

7. Board Counsel's Report (for possible action)
Ling did not have any items to report to the Board.

8. Public Comment
There was no public comment.

The meeting was adjourned at 7:39 p.m.