

STATE OF NEVADA



Board of Dispensing Opticians

(Draft) Minutes of Public Meeting

June 14, 2017 at 1:30 p.m.

Board meeting took place via teleconference at:

Office of the Nevada Board of Opticians
4747 Caughlin Parkway, Conference Room B

Board Members Present:

Marsha Costuros, President
Jennifer Benavides, Secretary
Marilyn Brainard, Treasurer

Board Staff Present:

Corinne Sedran, Executive Director
Louis Ling, Board Counsel

1. Call to order
Ms. Costuros called the meeting to order and called roll. Board members Tammy Williams and Michael Grover were not in attendance.
2. Public comment
There was no public comment.
3. Approval of previous board meeting minutes (for possible action):
April 5, 2017 Board Meeting
Discussion: Ms. Brainard noted the name of a CE course provider included in the minutes contains a typo.
Motion: Ms. Brainard moved approval of the minutes upon correction of the typo.
Vote: Passed, unanimous
4. Prior experience credit requests (for possible action):
 - a. **Booth, Glen**
Discussion: Ms. Costuros noted the applicant was not previously licensed in the state of Nevada, and therefore the Board cannot grant more than two years prior experience credit.
Motion: Ms. Costuros moved to grant the applicant two years' prior experience credit.
Vote: Passed, unanimous.
 - b. **Davis, Kathryn**
Item removed from agenda.
 - c. **Jangula, Erica**
Discussion: Ms. Benavides noted the applicant was not previously licensed for two full years and therefore is not eligible for the two years requested.
Motion: Ms. Benavides moved to grant the applicant one year prior experience credit.
Vote: Passed, unanimous.
5. Continuing education credit/course approval request (for possible action):
Ingram, Jennifer (request for credit towards reactivation of license)
Item removed from agenda
6. Report and Recommendations by Committee on Continuing Education Course Providers (for possible action)

Ms. Sedran stated an applicant for license reactivation sent a request to the Board for approval of CE credits obtained in the state of New York. The application is not complete at this time. Ms. Costuros stated she sent a request to the CE course provider asking for a synopsis of their course offerings. She would like to have the organization approved by the Board as a regular provider. The current

request will be tabled until the applicant completes the application.

7. Legislative Session Updates (for possible action)

Mr. Ling presented legislative session updates to the Board. The Legislature passed Senate Bill 69 which will affect the Board in two ways: 1) there will now be a hard term limit of 12 years of service for a board member on any occupational licensing board, and 2) all licensing boards will be required to license by endorsement (offer a simple, quick path to licensure for persons coming from other states). Assembly Bill 328 now requires an independent attorney who represents more than one board to act as an independent contractor to the boards, rather than a part-time employee. This will necessitate the formation of a contract between the Board and Mr. Ling for continued services (Item 8). Assembly Bill 403, which would have allowed a legislative commission to nullify any regulation written by any state agency was vetoed by the Governor.

8. Discussion and decision on proposed contract with Board Counsel, Louis Ling

Motion: Ms. Brainard moved to accept the proposed contract for a two year term.

Discussion: Ms. Brainard stated it is unfortunate the current working procedure of the Board was disrupted by the new requirement to perform a contract for legal services. She is aware of what current billable hours are for attorneys in the state of Nevada and the rate presented in the contract is very reasonable. She noted Mr. Ling has provided excellent service to the Board. Ms. Sedran stated it is beneficial for the board to have an attorney available apart from the Attorney General's Office, which is very busy and can have longer wait times for legal assistance.

Vote: Passed, unanimous

9. Discussion and decision on board member reappointments and elections (for possible action)

Two board member terms will be ending on October 31, 2017. Those members seeking reappointment should submit letters to the Governor's Office. Recommendations for persons to serve as board members should also be submitted to that office. Officer elections will take place at the October meeting.

10. Proposals and discussion of future regulation changes (for possible action)

There were no proposals presented by Board members or staff.

11. Financials (for possible action):

a. Review and acceptance of **April and May 2017** financial statement

Motion: Ms. Brainard moved to approve the financial reports as presented.

Vote: Passed, unanimous

b. Discussion and decision on Executive Director's vacation pay policy

Mr. Ling stated most boards follow the vacation pay policies of the general fund agencies. He will send a sample policy from one of the other boards to the board office; the board office and treasurer should draft a policy to bring back to the Board. The item will be tabled for now.

12. Executive Director's Report (for possible action)

Ms. Sedran stated the Board will need to retain a new accounting firm this year. The firm the Board has been using is no longer performing yearly financial audits for licensing boards.

Ms. Sedran spoke about passage rates for the ABO and NCLE licensing exams. The pass rate for all four exams together has been very low thus far, indicating these exams are not easier to pass than the previously used state exam. A benefit of the four separate exams is applicants must demonstrate proficiency in each area, rather than simply achieving a passing score on all areas combined. A downside is the board has not issued as many new optician licenses this year as in previous years due to the lower pass rate. She hopes allowing apprentices to take the exams at any time during their apprenticeships will help speed the licensing process. Ms. Brainard and Ms. Benavides both suggested the pass rate could be improved if the ABO provided examinees with practice questions for the written portion of the exam. Ms. Sedran said she would contact the ABO with the suggestion.

13. Board Counsel's Report (for possible action)

Board Counsel did not have any items to report.

14. Public Comment

There was no public comment. President Costuros adjourned the meeting at 2:48 p.m.