

STATE OF NEVADA



Board of Dispensing Opticians

Notice of Public Meeting

October 11, 2017 at 1:30 p.m.

Board meeting took place via videoconference at:

Offices of the Nevada Public Utilities Commission

1150 E. William Street - Carson City, NV 89701, Hearing Room B
9075 W. Diablo Drive, Suite 250 - Las Vegas, NV 89148, Hearing Room B

Board Members Present:

Marsha Costuros, President
Tammy Williams, Vice President
Jennifer Benavides, Secretary
Michael Grover

Board Staff Present:

Corinne Sedran, Executive Director
Louis Ling, Board Counsel

Board Members Not Present:

Marilyn Brainard, Treasurer

1. Call to order

President Costuros called the meeting to order at 1:40 p.m.

2. Public comment

Scott Helkaa, License # 366, directed the Board's attention to an initiative by the Federal Trade Commission to mitigate the effects of state-based occupational licensing requirements on license portability between states. The National Association of Optometrists and Opticians has submitted a paper in support of the FTC's position on this issue. Mr. Helkaa will forward copies of both the FTC's initiative and the NAOO's response to the Board for review and discussion. He recommends this issue appear as an agenda item for discussion at the next board meeting.

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

August 23, 2017 Board Meeting

Motion: Ms. Williams moved to approved the minutes as presented

Vote: Passed, unanimous.

4. Prior experience credit requests (for possible action):

Gruber, Warner

Motion: Ms. Benavides moved to deny Mr. Gruber's application for prior experience credit based upon his license history and prior board denial of a request for experience credit.

Vote: Passed, unanimous.

5. Special license applications and requests for credit for alternate ophthalmic education programs (for possible action):

a. **Booth, Glen**

Motion: Ms. Benavides moved to table this item until Mr. Booth's ophthalmic schooling can be verified as a COA accredited program.

Vote: Passed, unanimous.

Motion: Ms. Benavides moved to reconsider the agenda item given the requirement that Mr. Booth enroll in an accredited program prior to the next meeting date if his request is denied.

Vote: Unanimous.

Motion: Ms. Benavides moved approval of Mr. Booth's program as fulfilling the apprenticeship education requirements, contingent upon verification of the program as COA accredited.

Vote: Passed, unanimous.

b. **Castro, Abbavilla**

Motion: Ms. Costuros moved approval of Ms. Abbavilla's prior experience and education as fulfilling the Nevada apprenticeship requirements. Ms. Abbavilla may proceed with the required ABO/NCLE exams and the Nevada Law and Ethics Exam to obtain her Ophthalmic Dispenser License.

Vote: Passed, unanimous.

6. Request for apprenticeship extension pursuant to NAC 637.285(3)

Tapia, Maria

Motion: Ms. Benavides moved to approve Ms. Tapia's request for an extension of her apprenticeship pending receipt of verifying documents.

Vote: Passed, unanimous.

7. Report and Recommendations by Committee on Continuing Education Course Providers (for possible action)

The committee had no items to report.

8. Report and Recommendations by Committee on Apprentice Training Requirements (for possible action)

Ms. Benavides stated she is still making adjustments to the proposed neutralization worksheets. She would like the neutralization requirement added to the apprentice training requirements portion of the proposed regulations.

9. Report and Recommendations by Committee on Licensure by Endorsement (for possible action)

Ms. Costuros stated, as this is the last board meeting she will attend as a board member, she would like to pass on her committee chairmanship to another board member. Ms. Williams volunteered to take over chairmanship of the committee.

10. Review and disposition of complaints per NAC 637.337 (for possible action):

2017-02

Motion: Ms. Benavides moved to authorize the board office to initiate action on the complaint.

Vote: Passed, unanimous.

11. Discussion and decision on draft regulation changes; proposals for further changes (for possible action)

Discussion: Mr. Ling explained the Board is at the beginning of the process of adopting new regulations. Now is the time for the Board to review the proposals and revise language as necessary. The next step in the process will be to schedule a regulation workshop and begin the rulemaking process. The board members discussed and reviewed the language as presented. Ms. Benavides confirmed with Mr. Ling that another section needs to be added to the proposed language to require spectacle neutralization as part of apprenticeship training. She also suggested adding a requirement that prior experience credit requests must be submitted to the Board within the first 6-months of an apprenticeship.

Motion: Ms. Williams moved to take the draft regulations, with proposed revisions, to workshop.

Vote: Passed, unanimous.

12. Request for board interpretation of regulations (for possible action)

- a. **NAC 637.215:** Transfer of license to inactive list; renewal of inactive status; reactivation of license

Discussion: The board determined the intent of the regulation is to cap the number of consecutive years a license may be inactive at 10; opticians may inactivate or reactivate their licenses at will, so long as the license is not inactive more than 10 years at a time.

- b. **NAC 637.200:** Continuing education: Subjects; approval of and credit for courses; minimum hours

Discussion: The board determined an optician may submit CPR training hours towards license renewal CE requirements once every two years; up to 9 hours of CPR training may be submitted in a given year.

13. Financials (for possible action):

- a. Review and acceptance of **August and September 2017** financial statements

Motion: Ms. Williams moved to approve the financial statements as presented.

Vote: Passed, unanimous.

- b. Discussion and decision on Executive Director's compensation package and 2018 salary increase

Discussion: Ms. Benavides noted Board Treasurer Marilyn Brainard could not be in attendance at the meeting. She suggested the executive director receive a 5% COLA but further research would be needed before a full compensation package could be offered.

Motion: Ms. Williams moved to approve a 5% COLA for the executive director.

Vote: Passed, unanimous.

14. Executive Director's report (for possible action)

Ms. Sedran reported three apprentices, Joseph Fekete, and Michael Lantis, passed their exams and obtained their optician's licenses since the last board meeting.

15. Board Counsel's report (for possible action)

Board Counsel had no items to report.

16. Board member comments (for possible action)

The board members expressed their thanks to Ms. Costuros for her service of two terms on the board, including a year serving as Board President. Ms. Williams clarified the upcoming deadlines for completion of CE credits (December 31st) and license renewal (January 31st).

17. Public Comment

There was no public comment.

President Costuros adjourned the meeting at 2:46 p.m.