

STATE OF NEVADA



Board of Dispensing Opticians

Minutes of Public Meeting

October 10, 2019 at 5:00 p.m

Board Members Present:

Jennifer Letten, President
Mark Myers, Vice President
Tamara Sternod, Secretary
Marilyn Brainard, Treasurer

Board Staff Present:

Corinne Sedran, Executive Director
Ian Carr, Deputy Attorney General

1. Call to order
Board President Jennifer Letten called the meeting to order and called roll at 5:02 p.m.
2. Public comment
There was no public comment.
3. ACTION ITEM: Approval of previous board meeting minutes
August 8, 2019 Board Meeting
Motion: Ms. Brainard moved to approve the minutes as presented.
Vote: The motion passed unanimously.
4. Announcement of newly licensed Ophthalmic Dispensers:
Ms. Sedran announced the names of those opticians licensed since the last meeting.

700 Israel Taboada-Astudillo	705 Cindy Castro
701 Maggie Vianzon	706 Victoria Donato
702 Robert Faktor	707 Manila Hoang
703 Denise Sherman	708 Jordan Spencer
704 Briana McDowell	709 Carley Loya-Villalobos

5. ACTION ITEM: Review and decision on prior experience credit requests
 - a. **Frohardt, Kaye**

Discussion: Ms. Sedran stated she had received the request form from the applicant but no documentation from previous employers. Ms. Brainard stated the applicant should obtain at least one letter from a prior employer. Ms. Letten asked whether the applicant might obtain the verification from the company, rather than a workplace manager. Ms. Brainard stated the verification could come from the company, but the board should require documentation of work dates from the employer.

Motion: Ms. Sternod moved to grant the applicant two years of prior experience credit, then amended her motion to approve the request pending receipt of a reference letter from a prior employer within the next 30 days.

Vote: The motion passed unanimously.
 - b. **Rhyner, Evelyn**

Discussion: Ms. Letten noted the applicant had included a history of her studies in optometry in her file, which included obtaining a Doctor of Optometry Degree in the Philippines and working as an optician for several years in the United States.

Motion: Ms. Sternod moved to grant the applicant two years of prior experience credit.

Discussion: Ms. Letten recommended, based upon the applicant's extensive education and work history, that the board grant three years of prior experience credit, as well as approving the applicant's prior education as meeting the board's apprenticeship requirements.

Motion: Ms. Sternod amended her prior motion to accept Ms. Letten's recommendation.

Vote: Motion passed unanimously.
 - c. **Salerno, Francine**

Discussion: Ms. Sedran stated she had still not received the required documentation from the applicant or any further correspondence.

Motion: Ms. Letten moved to table this item.

Vote: The motion passed unanimously.
 - d. **Voyles, Charles**

Discussion: Ms. Sedran stated she had not received the required documentation from the applicant's employer, however, the applicant had written a letter since the last meeting that provided more information on his work history. Licensed optician Brent Hanson was in attendance and said he works as the manager at the applicant's place of work and could verify his work history.

Motion: Mr. Myers moved to grant the applicant two years of prior experience credit.

Vote: The motion passed unanimously.
6. ACTION ITEM: Disbandment of Committee on Apprentice Training Requirements

Discussion: Ms. Sedran said this committee had been formed to advise the board on spectacle training requirements for apprentices. The board had previously approved the committee chair's recommendations and the committee is no longer needed.

Motion: Ms. Brainard moved to disband the committee.

Vote: Motion passed unanimously.
7. ACTION ITEM: Creation of Committee for the Review of Atypical Applications and Requests; Discussion and approval of board policy on the review of atypical applications/requests

Discussion: The board members reviewed the proposed policy. Mr. Carr said if a single board

member is assigned to perform reviews of atypical applications and requests, such reviews and any application materials should be closed off from other board members outside of meetings. The board should avoid classifying the designated member as a committee or subcommittee; instead, the policy should clarify the designee is acting as a staff member when conducting reviews and not in his or her capacity as a board member. If the designee cannot come to a decision on an application or request, the application should be brought to the whole board at a meeting. Ms. Sternod suggested the policy should include a provision to change the designee each year. Ms. Sedran suggested the policy allow the same board member to be designated from year to year, but require the board make the decision during officer elections each year. Ms. Letten agreed the designation should take place during board officer elections. Ms. Sedran stated she would update the proposed policy accordingly.

Motion: Ms. Sternod moved to approve the policy with the amendments suggested by Mr. Carr and the board members.

Vote: Motion passed unanimously.

Discussion: Ms. Sedran stated the board would need to designate a board member to review applications until elections take place again.

Motion: Mr. Myers nominated Ms. Letten to serve as the designated board member.

Vote: Motion passed unanimously.

8. ACTION ITEM: Report and recommendations by Committee on License Equivalence

Committee Chair Mark Myers said some private employers are exploring offering training and education programs to their employees. The employers are suggesting these programs will satisfy the board's educational requirements. Ms. Sedran stated the board would need to approve any programs before they can be applied towards licensing requirements. Mr. Myers said he will continue researching the programs and bring back information to the board meetings. He had no further items to report.

9. ACTION ITEM: Proposals and discussion of future statute/regulation changes

Ms. Sedran reviewed the list of items proposed at previous board meetings. She made a new proposal to reduce the amount of time a delinquent optician license can be reinstated. The law currently allows reinstatement of a license for two years after it expires, however, few people ever reinstate the license after the first year because the fees, fines, and CE credit requirements compound each year. After the first year, a person would need to pay \$1200 in fees and fines and submit two years worth of CE credits in order to reinstate a license. The law also allows a person to inactivate a license and leave it inactive for up to ten years; this provision should eliminate the need for an extensive reinstatement period. A person who does not renew a delinquent license for over a year should be required to apply for a new license and submit all attendant documentation. Ms. Letten agreed the reinstatement period should be reduced.

Ms. Sternod stated the board needs to redefine the term "delivery" with respect to dispensing. Now that mail order, online order, and ship to store practices are common at most retailers, the law should clarify what an unlicensed person can and cannot do when delivering completed lens orders to customers. Ms. Letten stated final orders should still be delivered to the optical department of a retail store for a final review and adjustment before being delivered to the customer. Mr. Carr reviewed the

current NRS definition of dispensing, which includes delivery of the product to the customer. Ms. Sedran stated the legal definition of dispensing was written before online and mail order practices were common and needs to be reworked. Ms. Brainard reiterated that a licensed person should be inspecting the final product before it is given to the customer, even when the patient orders from an online purveyor.

10. ACTION ITEM: Financials

- a. Review and acceptance of **July and August 2019** financial reports

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

Vote: Motion passed unanimously.

- b. Review and acceptance of FY 2019-20 proposed budget

Motion: Ms. Brainard moved to accept the proposed budget.

Vote: Motion passed unanimously.

11. Executive Director's report

Ms. Sedran stated the board has licensed a record high of 30 new opticians so far in 2019. She reviewed progress on the online licensing system and said many services will be launched in the next couple of months.

12. ACTION ITEM: Future agenda items

There were no requests for future agenda items.

13. Public comment

There was no public comment.

Ms. Benavides closed the meeting at 6:07 p.m.