

STATE OF NEVADA



Board of Dispensing Opticians

Minutes of Public Meeting: August 13, 2020 at 5:00 p.m.

PLEASE NOTE:

Per the Governor's orders regarding COVID-19 closures, there was no public location provided for this meeting. All interested parties were invited to attend via teleconference.

Board Members Present:

Jennifer Letten, President
Mark Myers, Vice President
Tamara Sternod, Secretary

Board Staff Present:

Corinne Sedran, Executive Director
Laena St-Jules, Deputy Attorney General

1. Call to order
Board President Jennifer Letten called the meeting to order and called roll at 5:01 p.m. Board member Marilyn Brainard was not in attendance.
2. Public comment
There was no public comment.
3. FOR POSSIBLE ACTION: Approval of previous board meeting minutes
June 11, 2020 Board Meeting
Motion: Mr. Myers moved to approve the minutes as presented.
Vote: The motion passed unanimously.
4. Announcement of newly licensed Ophthalmic Dispensers:
Ms. Sedran announced the newly licensed opticians.
721 Anthony Kinney
722 Melodie Nakachian
723 Wendy Ycaza

5. FOR POSSIBLE ACTION: Apprenticeship extension requests with recommendations by assigned board member: **Hernandez, Melissa**
Discussion: Ms. Letten reviewed the applicant's case file prior to the meeting and recommended the board grant Ms. Hernandez an extension of between 6 and 12 months based upon her current progress and CSN transcript.
Motion: Mr. Myers moved to extend the applicant's apprenticeship through the end of the 2021 renewal cycle.
Vote: The motion passed unanimously.

6. FOR POSSIBLE ACTION: Updates to Board response and recommendations on COVID-19 practices
Discussion: Ms. Sedran did not have any updates to the COVID-19 recommendations. Mr. Myers asked what action the board can take with respect to noncompliance with its recommendations. Ms. St-Jules said the recommendations are not mandatory, however, the Board has discretion to determine what it considers unprofessional or unethical conduct under its laws. She suggested anyone with knowledge of noncompliance file a complaint with the board.

7. FOR POSSIBLE ACTION: Review and discussion of Proposed Regulation R109-20
Discussion: The board members discussed the preparation of work orders under the revised regulations. Ms. Sternod said entering a person's name or address into a computer or verifying other information should not constitute preparation of a work order. When an employee inputs the prescription itself into the computer with intent to dispense it becomes a work order. Licensed personnel should be protecting their passwords so other employees are not able to prepare work orders under a different name. The name on the work order should indicate who prepared it; the board should remind licensed personnel not to share any login information with other employees.

Mr. Myers spoke regarding a provision that would prohibit businesses from being open to the public any time a licensed person is not available to dispense. He said it would be difficult to interpret "open to the public" and the provision would not be practicable for several reasons. Ms. Letten agreed the provision would need to be revised.

Ms. Letten made suggestions regarding the phrasing of provisions related to digital versus manual measurement devices.

Mr. Myers suggested revising provisions pertaining to sanitation guidelines and workplace attire.

8. FOR POSSIBLE ACTION: Discussion and decision on possible revisions to NRS 637; creation of bill
Discussion: Mr. Myers spoke regarding provisions pertaining to controlled substances and ability to practice. Ms. St-Jules said she would look at how other chapters of the NRS deal with substance abuse by practitioners. Ms. Sternod spoke regarding the on-the-job experience requirements for out-of-state applicants. She would like the law to specify how current the experience must be to qualify for licensure. Ms. Sedran said the regulations will clarify that experience obtained more than 5 years prior to the date of application will not qualify as meeting the requirements.
Motion: Ms. Letten moved to authorize Ms. Sedran to take steps to introduce a bill with the proposed revisions to NRS Chapter 637.
Vote: The motion passed unanimously.

9. FOR POSSIBLE ACTION: Report and recommendations on apprentice education programs by assigned board member; discussion and decision: **Penn Foster**
Discussion: Mr. Myers reviewed the course materials prior to the meeting; he believes the program is similar to the NAO home study program but is too light on contact lens material to adequately prepare an apprentice to take the NCLE Advanced Exam. Ms. Sternod said the Penn Foster program is one that Walmart Academy offers to its associates; Walmart has partnered with colleges and trade schools to provide various training programs to its employees. Mr. Myers clarified that Penn Foster is partnering with Walmart to offer the program but is not giving the program for free to Walmart associates; it is one of many degree programs you can pursue through the program Walmart offers. Ms. Sternod said the program is accredited but only prepares students to take the ABO and NCLE Basic exams, while the board-approved NAO/CLSA programs cover the material on the Advanced Exams. Ms. Letten said she took the NAO courses when there were only three volumes available; the program is now comprised of five volumes with contact lenses covered in the final volume, however, that volume is not comparable to the contact lens material provided by the CLSA program. The Penn Foster program is very piecemeal and would not provide an apprentice with the full instruction necessary to pass the Advanced Exams. Mr. Myers said Penn Foster encourages students to partner with opticians at their workplaces to learn the practical applications of the program; he likes the mentorship aspects of the program. The board members agreed they are not ready to approve the program at this time; the Penn Foster materials will be transferred to the next board member for review.
10. FOR POSSIBLE ACTION: Financial items
Review and acceptance of **May and June 2020** financial reports
Motion: Mr. Myers moved to accept the reports as presented.
Vote: The motion passed unanimously.
11. FOR POSSIBLE ACTION: Executive Director's report
- a. Executive Branch Audit Committee updates/Sunset Subcommittee updates
Ms. Sedran did not have any updates on the activities of either committee; the Sunset Committee asked to be notified of the remaining board meeting dates for 2020.
 - b. Administrative/State report updates: no updates
Ms. Sedran gave an update on the licensing numbers for 2020, which include 8 new apprentices and 3 new opticians for June, July, and August.
 - c. General updates
Ms. Sedran did not have further updates.
12. FOR POSSIBLE ACTION: Board member comment and future agenda items
Ms. Letten noted that two board members' terms will be ending soon and the Board has not yet heard from the Governor's Office with new appointments; the Board will not have a quorum to conduct business if new members are not appointed. Ms. St-Jules said she find out if the current board members can continue in their positions on the board until new appointments are made. Ms. Letten asked Ms. St-Jules about adding a fingerprinting requirement to the Board's licensing requirements. Ms. St-Jules said other states utilize the Department of Justice for this purpose; she will research how other Nevada boards implement their fingerprinting policies.
13. Public comment
There was no public comment. Ms. Letten closed the meeting at 6:49 p.m.