

# STATE OF NEVADA



## Board of Dispensing Opticians

### Minutes of Public Meeting: June 10, 2021 at 5:00 p.m.

#### Board Members Present:

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

#### 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 5:02 p.m.
2. Public comment  
There was no public comment.
3. FOR POSSIBLE ACTION: Approval of previous board meeting minutes  
**April 8, 2021** 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 opticians licensed since the last meeting.  
**730 Daniela Lopez-Fragosa**  
**731 Kira Sasha Mohammed**
5. FOR POSSIBLE ACTION: Update on AB 391  
**Discussion:** Ms. Sedran said Assembly Bill 391 did not make it through the legislative session. Some of the original statutory language related to fines for unlicensed dispensing was erroneously marked as new language in a later LCB draft of the bill. This prompted a legislator to request the “new” language be removed from the draft, resulting in the removal of much of the Board’s current authority to fine businesses. By the time this error was discovered, the bill’s sponsor declined to

pursue further changes to the bill as it would be a very lengthy and difficult process. Ms. Letten and Ms. Sedran had to make a last-minute decision to kill the bill to retain the Board's current fining capabilities.

Ms. Brainard said it is unfortunate this happened after the amount of work that went into the bill. However, this was the most difficult legislative session in memory due to COVID restrictions, the legislative building being closed, and the reluctance of legislators to make any significant changes at this time. Mr. Myers and Ms. Sternod thanked Ms. Letten and Ms. Sedran for their time and effort attempting to get the bill passed. Ms. Letten agreed it had been a difficult decision to kill the bill but said they had to consider consumer protections and the ability of the Board to enforce its laws and regulations; the decision was made to protect the interests of both licensees and consumers.

6. FOR POSSIBLE ACTION: 2021 Legislative Session updates and review of legislative tracking  
Ms. Sedran gave an overview of bills that may have an impact on the Board or its licensees. Some bills have created extensive reporting requirements that may require the board to collect more demographic information from its licensees and applicants. Ms. Brainard explained the deadline for Governor Sisolak to approve bills is June 11<sup>th</sup> and any bills not approved by that date will die.
7. FOR POSSIBLE ACTION: Discussion of proposed regulation changes  
Ms. Sedran said this item is for any new regulation proposals. She and Ms. Letten will need to work on a new draft of the regulations because the current draft is based on the proposed NRS changes included in AB 391. There were no new requests.
8. FOR POSSIBLE ACTION: Report and recommendations on apprentice education programs by assigned board member; discussion and decision by Board  
Mr. Myers did not have any updates to report.
9. FOR POSSIBLE ACTION: Report and recommendations on continuing education courses and providers by assigned board member  
Mr. Roames suggested the Board review companies that provide CE courses, rather than individual licensing boards. The New York Board accepts ABO and NCLE-approved courses for license renewal, but he has not heard back from the Florida Board on their CE course offerings. There are several CE provider websites and schools utilized by the different boards that may be more responsive to questions. Ms. Letten suggested Mr. Roames contact CE providers about obtaining test accounts.
10. FOR POSSIBLE ACTION: Financial items
  - a. Review and acceptance of **March and April 2021** financial reports  
**Motion:** Ms. Brainard moved to approve the reports as presented.  
**Vote:** The motion passed unanimously.
  - b. Discussion and decision on pay/benefits adjustments for Executive Director  
**Discussion:** Ms. Letten said she requested this agenda item because Ms. Sedran spent many hours outside of normal business hours working on AB 391. Much of this work was to combat outside lobbying efforts to amend the bill. She suggested the Board award Ms. Sedran additional paid time off because she does not collect overtime pay. Ms. Brainard said it is common for an outside interest to lobby for changes to a preexisting bill when they are unable or unwilling to pursue their own bill. She suggested the Board hire a lobbyist who is familiar with the outside interests relevant to this Board to proactively protect its proposed legislation. Ms. Sedran agreed with this suggestion.

**Motion:** Ms. Letten moved to grant Ms. Sedran five additional days paid vacation.

**Vote:** The motion passed unanimously.

**Discussion:** Ms. Letten said she and Ms. Sedran had researched the costs of enrolling the executive director in the Nevada Public Employees Benefits Program and it was prohibitively expensive. The director's current health insurance policy has an extremely high deductible that would be overly burdensome in the case of a health crisis. Ms. Letten proposed the Board create an insurance deductible expense account with \$8500 in funds. The funds would be available to the director as she has healthcare expenses but would not be paid to her or taxed in the meantime. This would create a safety net for the director without increasing monthly costs to the Board. Ms. Brainard thanked Ms. Letten for all the research she had done on this topic. She said the Board averages about \$7000 to \$8000 per month in costs and has a significant amount in reserves. Ms. Sternod said the Board has been very frugal and conscientious with its spending and she trusts the financial analysis Ms. Letten and Ms. Brainard presented on the potential costs to the Board of creating the proposed expense account.

**Motion:** Ms. Brainard moved to allot \$8500 to a medical deductible expense account for the executive director.

**Vote:** The motion passed unanimously.

11. FOR POSSIBLE ACTION: Executive Director's report

a. Office and licensing updates

Ms. Sedran said the Board has licensed 3 new opticians and 27 new apprentices in 2021, which is down from previous years, and the number of exam takers has also dropped. The pass rates for most exams have remained constant, but the ABO Practical pass rate is very low. The Board had a very good retention rate for 2021 renewals, so she does not anticipate a large drop in overall license numbers.

b. General updates

Ms. Sedran said she is working on several updates to the board's database and forms; the database team recently completed work on the Special License Application, which should make the process much simpler for license transfers. The team also switched to a new email provider for the system, which should eliminate any further glitches with system emails.

12. FOR POSSIBLE ACTION: Board member comment and future agenda items

Mr. Roames said he recently took the ABO Practical Exam and experienced several issues with the equipment, including a glitch with pupilometer and poor image quality on the recognition items. Ms. Sternod said the board should contact someone at the ABO to discuss these issues. Ms. Letten suggested scheduling a conference call with Jim Morris of the ABO, as well as a closed meeting to conduct an exam review.

13. Public comment

There was no public comment.

Ms. Letten thanked everyone for attending and adjourned the meeting at 6:03 p.m.