

STATE OF NEVADA



Board of Dispensing Opticians

Minutes of Public Meeting: February 15, 2022 at 5:00 p.m.

Board Members Present:

Jennifer Letten, President
Mark Myers, Vice President
Marilyn Brainard, Treasurer

Board Staff Present:

Corinne Sedran, Executive Director
Greg Ott, Chief Deputy Attorney General

1. Call to order
Ms. Letten called the meeting to order and called roll at 5:00 p.m.
2. Public comment
There was no public comment.
3. FOR POSSIBLE ACTION: Approval of previous board meeting minutes
December 9, 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 new ophthalmic dispensers:
740 Nichelle Rios
741 Ivelina Hristova
742 Danyelle Montoya
5. FOR POSSIBLE ACTION: Review and decision on 2022 apprentice license renewal applications:
Discussion: Ms. Letten addressed the applications generally and said there is a recurring issue with failure to notify the board of changes of supervision at this workplace. She asked Mr. Ott if the Board could proceed with a complaint against the business itself or only against the individual apprentices. Ms. Sedran explained all three apprentices had submitted renewal applications naming a different supervisor of record than the one on file with the Board. She had previously emailed each of the apprentices regarding supervision changes but had not received any response from two of the

apprentices or the ophthalmic manager. Mr. Ott advised having a discussion with board counsel outside of a meeting regarding filing complaints. The individual applications are on the agenda, so the Board can decide whether to approve each request for license renewal. Ms. Letten said she would like to highlight the issue of management being disorganized and noncompliant with Board reporting requirements. Ms. Brainard said the apprentices' employer has many locations in Nevada and cannot disregard the Board's rules and regulations; the reporting requirements are necessary to the oversight of licensed apprentices. Ms. Sedran said she will present suggestions for new store management policies under Item 6. She suggested the Board approve the renewal applications and send notice to the apprentices that future failures to notify will be cause for disciplinary action against the licenses. **Motion:** Ms. Letten moved to approve all three renewal applications and send notice to the applicants regarding potential disciplinary action for future failures to notify or submissions of incorrect information on applications to the Board.

Vote: The motion passed unanimously.

- a. **Lai, James**
- b. **Funderburk, Kelly**
- c. **Vicencio, Julian**

6. FOR POSSIBLE ACTION: Discussion and decision on updated address and supervision notification policies per **NAC 637.230**

Discussion: Ms. Sedran presented a list of guidelines she would like to distribute to workplace managers; the manager should ensure each apprentice is assigned a supervisor at the workplace and the Board is timely notified of changes of supervision.

Motion: Ms. Brainard moved to approve the guidelines and distribute them to the ophthalmic managers.

Vote: The motion passed unanimously.

7. FOR POSSIBLE ACTION: Review and decision on applications for extension of apprenticeship deadline:

Alfaro, Margie

Discussion: Ms. Brainard said she is concerned it will not be possible for the applicant to finish all her requirements in the amount of time requested. Ms. Letten said she had the same concern, though the applicant did submit her request by the 90-day deadline. Ms. Sedran said if the Board grants a 12-month extension, the applicant will be eligible for 2023 license renewal, which will give her several more months to complete her requirements in addition to the extension timeline.

Motion: Mr. Myers moved to grant the applicant a 12-month extension of her apprenticeship.

Vote: The motion passed unanimously.

8. FOR POSSIBLE ACTION: Report and recommendations on apprentice education programs by assigned board member:

Vegas PBS Optician Certification Course

Mr. Myers said he reviewed the course and does not believe it covers the full extent of what an apprentice would need to learn to successfully complete the apprenticeship program; there is no in-depth coverage of contact lenses. The enrollment representative said the purpose of the course is to prepare for the ABO and NCLE Basic Exams only. The student would need to look to outside resources to prepare for the Advanced Exams. In the past, the Board has rejected academic courses that would require a student to mix and match resources from various providers to complete their education; the apprentices need comprehensive courses that cover all material for either the ABO or NCLE Basic, Advanced, and Practical Exams. He sent some additional questions to the enrollment representative and is awaiting a response, so he would like to add this item to the next agenda for

reconsideration.

9. FOR POSSIBLE ACTION: Report and recommendations on continuing education courses and providers by assigned board member

Ms. Letten said she does not have any new CE course recommendations for the Board; the ABO and COPE organizations seem to be providing adequate options for CE courses at this time.

10. FOR POSSIBLE ACTION: Discussion of proposed changes to NAC Chapter 637; legislative updates

Ms. Sedran suggested updating the management provisions in the proposed regulations to require managers to oversee noticing requirements. Ms. Brainard and Ms. Letten agreed the regulations need to compel managers to comply with the requirements.

Ms. Sedran said the president of the Nevada Board of Optometry contacted her at the end of December regarding a bill proposal. The Optometry Board would like to increase the length of time an ophthalmic prescription is valid and remove opticians' ability to duplicate lenses without a valid prescription. The proposal is very similar to statutory changes that board pursued during the 2019 legislative session, which this Board already countered. To date, the Board has not received any complaints regarding injury due to the duplication of lenses by an optician. Ms. Letten said the Board did not have good outcomes in the past when corresponding with the Optometry Board directly regarding proposed legislation, and she believes it would be better to have any deliberations between the boards handled by the boards' lobbyists.

11. FOR POSSIBLE ACTION: Financial items

- a. Review and acceptance of **November and December 2021** financial reports

Motion: Ms. Letten moved to accept the reports as presented.

Vote: The motion passed unanimously.

- b. Review and approval of proposed executive director healthcare compensation plan

Discussion: Ms. Letten explained that Ms. Sedran had consulted an accountant regarding the director's healthcare compensation plan and how it would affect the Board's tax structure; the accountant suggested the Board review and approve a written document outlining its compensation plan.

Motion: Ms. Letten moved to approve the plan as presented.

Vote: The motion passed unanimously.

12. FOR POSSIBLE ACTION: Executive Director's report

- a. Office and licensing updates

Ms. Sedran gave general licensing updates: The Board issued 67 new apprentice licenses in 2021, almost double the 34 new licenses issued in 2020; the industry seems to be rebounding after the COVID closures and companies are hiring new associates. The Board also retained 72% of its current apprentices (113 of 157) during 2022 license renewals. The Board issued 12 new optician licenses in 2021, down from 17 in 2020, while retaining 95% of its opticians (368 of 385) during 2022 renewals; 12 optician licenses went inactive.

- b. General updates

Ms. Sedran said the mask mandate had been lifted in Nevada, however, she received notice from the Nevada Department of Health and Human Services (DHHS) that all health care facilities must continue implementing all infection control practices, including masking. She asked Mr. Ott if ophthalmic dispensing locations are considered health care facilities for purposes of the bulletin. Ms. Letten said her company considers the dispensing department a healthcare facility

and masks are still required; she advised that all opticians wear surgical masks when interacting with customers. Mr. Ott said he would get more information on the bulletin before advising the Board on masking requirements for opticians.

13. Board member comment and future agenda items

Ms. Brainard said she is concerned the Governor still has not appointed any new members to fill the vacancies on the Board. Ms. Sedran said she has corresponded with the Governor's Office several times on the issue of appointments and hopes they will select new members soon. In the meantime, the board still has a quorum of board members available to conduct business.

14. Public comment

There was no public comment.

Ms. Letten thanked everyone for attending and closed the meeting at 6:14 p.m.

Please note: Items on the agenda may be taken out of order, combined for consideration, or removed from the agenda at any time. Persons may send written comments on proposed actions of the Board via email to: **info@nvopticians.org**

Persons may obtain supporting materials for the above items by contacting Corinne Sedran, Executive Director, by email at: info@nvopticians.org.

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