

# STATE OF NEVADA



## Board of Dispensing Opticians

### Minutes of Public Meeting: November 30, 2023 at 5:00 p.m.

#### Board Members Present:

Jennifer Letten, President  
Jennifer Brusven, Vice President  
Mark Myers, Secretary

#### Board Staff Present:

Corinne Sedran, Executive Director  
Ziwei Zheng, DAG  
Michael Cabrera, Board Counsel

1. Call to order  
Ms. Letten called the meeting to order and called roll at 5:07 p.m. Mr. Cristobal Esparza, Board Member, was not in attendance.
2. Public comment  
There was no public comment.
3. FOR POSSIBLE ACTION: Approval of previous board meeting minutes  
**October 12, 2023 Board Meeting**  
**Motion:** Ms. Letten moved to approve the minutes as presented.  
**Vote:** The motion passed unanimously.
4. FOR POSSIBLE ACTION: Confirmation of newly licensed Dispensing Opticians  

<b>797 Ariel Ann Ferraris</b>	<b>801 Sandra Kauffman</b>
<b>798 Chaivat Xiong</b>	<b>802 Kayla Cordero</b>
<b>799 James Puls</b>	<b>803 Kristina Abuan</b>
<b>800 Vida Hamidy</b>	

  
**Motion:** Ms. Brusven moved to confirm the new licenses.  
**Vote:** The motion passed unanimously.
5. FOR POSSIBLE ACTION: Review and approval of 10-year regulation review, prepared pursuant to NRS 233B.050(e)  
**Discussion:** Ms. Sedran said the licensing boards are required to conduct a review of their regulations every 10 years and determine whether they should amend or repeal any of them. The

Board already conducted a full review of its regulations in response to the Governor's Executive Orders, issued in January 2023, as well as in anticipation of the regulation hearing scheduled for this meeting. Ms. Sedran asked the Board to confirm its review of the regulations was sufficient for the purposes of the requirements of NRS 233B.

**Motion:** Ms. Letten moved to approve the Board's reviews of NAC Chapter 637 during 2023 as meeting the requirements of NRS 233B and to send the results of the reviews to the Legislature.

**Vote:** The motion passed unanimously.

6. FOR POSSIBLE ACTION: Hearing for the adoption of R067-23

Ms. Letten opened the hearing at 5:18 p.m. and called roll. Mr. Cristobal Esparza, Board Member, was not in attendance. She then called for public comment. No comment was received.

**Discussion:** Ms. Sedran said she had submitted amendments to the current draft of the regulations to the Legislative Counsel Bureau (LCB), which the Board could vote to include in the final version of the regulations. Amendments include a revision to Section 4.6 to clarify the Board may only grant one additional renewal to an apprentice optician upon request and to remove extraneous language, and a revision to Sec. 10 to update the equipment required at a place of dispensing.

**Motion:** Ms. Brusven moved to adopt the regulations with the proposed amendments to the LCB draft.

**Vote:** The motion passed unanimously.

Ms. Letten called for public comment; no comment was received. Ms. Letten adjourned the hearing at 5:31 p.m.

7. FOR POSSIBLE ACTION: Updates on The Office of Nevada Boards, Commissions and Councils, pursuant to SB 431

a. Review and approval of proposed Board policies and procedures

Ms. Sedran asked to table this item; Ms. Letten agreed.

b. General updates

Ms. Sedran did not have any updates under this item.

8. FOR POSSIBLE ACTION: Review and approval of terms of contracts for professional services

a. IT development/support: Reno Techs

**Discussion:** Ms. Sedran said the Board office will need ongoing support and upgrades to its online licensing system. She would like to enter into a new contract with the IT company that developed the system to provide this ongoing support.

**Motion:** Ms. Letten moved to allow the Executive Director to enter into a new contract with the Board's current IT company.

**Vote:** The motion passed unanimously.

b. Legal services: Snell & Wilmer

**Discussion:** Ms. Sedran said she would like to continue the Board's services through Snell & Wilmer. She would also like to expand the scope of the contract so the firm is able to represent the Board in any matter as necessary. Mr. Michael Cabrera, the Board's attorney through the firm, said the current contract is limited in scope to matters pertaining to the Governor's Executive Orders and legislative matters; by entering a new contract, the Board may expand the firm's representation to cover any legal issues that arise. The firm will be increasing rates beginning in January, however, he will inquire about offering special discounted rates to the Board.

**Motion:** Ms. Letten moved to allow the Executive Director to enter a new contract with Snell &

Wilmer with a rate cap of \$425 per hour.

**Motion:** Ms. Brusven moved to amend the original motion to allow the Executive Director to negotiate additional contract rates and terms as necessary.

**Vote:** The motion passed unanimously.

9. FOR POSSIBLE ACTION: Discussion and updates with representative for the American Board of Opticianry

Mr. Jim Morris, Executive Director of the ABO, was in attendance to address any questions or concerns pertaining to the exams administered by his organization. Ms. Letten asked whether Mr. Morris was aware of any other jurisdictions in the U.S. where opticians are allowed to perform auto-refracting services or where any such legislation is being proposed. Mr. Morris said he is working with a couple of other states on this type of legislation, which will probably entail a two to three-year strategy. Ms. Letten said she is interested in proposing this legislation in Nevada and would like to work with Mr. Morris on this issue.

Mr. Myers asked Mr. Morris for additional information on exam policies; specifically, he asked how applicants can obtain approval to take the Advanced and Practical Exams. Mr. Morris said the ABO will follow the policies they are given by the individual states. Ms. Sedran said she supplies the ABO with a list of currently licensed apprentices so the ABO can register those individuals automatically; applicants coming from other states must submit a complete application for licensure to the Board before she will send approval to the ABO to register them for the exams. She asked Mr. Morris to confirm that Nevada applicants must take and pass the Basic Exams before taking the Practical or Advanced Exams; Mr. Morris confirmed this is the case.

10. FOR POSSIBLE ACTION: Executive Director's report

a. Financial report:

- i. Review and approval of FY23 Balance Sheet prepared pursuant to NRS 218G.400

**Motion:** Ms. Letten moved to approve the balance sheet as presented.

**Vote:** The motion passed unanimously.

- ii. General financial updates

Ms. Sedran said legal and lobbying costs should come down next year as there will not be a legislative session in 2024. There may be some large expenditures in the coming year to update the online system.

b. Licensing updates

Ms. Sedran said since the last meeting, the Board issued 8 new optician licenses, for a total of 413 active licenses, and no new apprentice licenses, for a total of 133 active licenses.

c. Office and general updates

Ms. Sedran said the online system is being updated to include new security features, including two-factor authentication on all accounts. The updates should all be in place in time for license renewals to begin on December 15<sup>th</sup>.

11. FOR POSSIBLE ACTION: Hearing and/or review and decision on stipulated settlement agreement (this portion of the meeting may be closed pursuant to NRS 241.030(1)(a) to consider character, alleged misconduct, professional competence, or physical or mental health of a person)

Case 2023-03: **Dixon, Stacey**

Ms. Letten said this item would be postponed for consideration at the next meeting.

12. Public comment

Mr. Myers asked whether a person who lives in Nevada but is not currently licensed as an apprentice

may register to take the Advanced and Practical Exams. Mr. Morris of the ABO said that persons who do not obtain approval from the Board must wait 3 years after passing their Basic Exams prior to taking the Advanced Exams. Ms. Sedran said the Board's policy has been to require a person to be licensed as an apprentice or otherwise submit a complete application for a license as an optician prior to the the Board issuing approval to take the exams. This is to ensure only persons intending to become licensed are taking the Nevada licensing exams.

There was no further public comment.

Ms. Letten adjourned the meeting at 6:10 p.m.