

STATE OF NEVADA



Board of Dispensing Opticians

Minutes of Public Meeting: April 10, 2025 at 5:00 p.m.

Board Members Present:

Jennifer Letten, President
Jennifer Seymour, Vice President
Maria Landin, Secretary
Cristobal Esparza, Member

Board Staff Present:

Corinne Sedran, Executive Director
Colleen Platt, Board Counsel
Joseph Ostunio, Deputy Attorney General

1. Call to order
Ms. Letten called the meeting to order and called roll at 5:01 p.m. Ms. Pricilla Acosta, Board Treasurer, was absent.
2. Public comment
There was no public comment.
3. FOR POSSIBLE ACTION: Approval of previous board meeting minutes
February 20, 2025 Board Meeting
Ms. Sedran said she will need to amend the draft minutes to correct the number of active apprentice licenses at the conclusion of the 2025 renewal window. The correct number is 86, which is a 77% retention rate.

Motion: Ms. Letten moved to approve the minutes with the proposed correction.
Vote: The motion passed unanimously.
4. FOR POSSIBLE ACTION: Confirmation of newly licensed Dispensing Opticians
 - a. **837 Jerilynn Fink**
 - b. **838 Carolyn Cano**

Motion: Ms. Letten moved to confirm the licensure of the new dispensing opticians.
Vote: The motion passed unanimously.

5. FOR POSSIBLE ACTION: Review and decision on settlement agreement with Davis Optical

Discussion: Ms. Platt represented the Board in this matter. She said the Board office received information that Davis Optical was operating in violation of the law. She corresponded with the attorney for the business and offered a settlement agreement that would alleviate the need for a formal complaint; the agreement requires the business to compensate the Board for its legal costs. She asked the Board members to review the terms of the agreement.

Motion: Ms. Letten moved to approve the proposed settlement agreement.

Vote: The motion passed unanimously.

6. FOR POSSIBLE ACTION: Updates regarding the Office of Nevada Boards, Commissions and Councils Standards, created pursuant to NRS 232.8413 and regarding SB 78 (Board Consolidation Bill); discussion and decision on Board's official response to bill and related matters, including responses by other agencies; discussion of national legislative trends related to deregulation

Discussion: Ms. Sedran said Senate Bill 78 (SB78), which seeks to consolidate or eliminate several occupational licensing boards, including merging this Board with the Board of Optometry, received a hearing in the Senate Committee on Government Affairs on Monday, April 8th. She and Ms. Letten, along with James Morris, former director of the American Board of Opticianry, attended the hearing by phone to provide testimony in opposition to the bill. Many directors and members of other licensing boards also testified in opposition.

Ms. Platt said April 11th is the committee first passage deadline: any of the bills drafted this session and referred to a committee must be passed out of that committee by the deadline, or they die. Many committees will meet "at the call of the chair" on that date, and the bills they review may not appear on the committee's agenda. The agenda will instead refer to a "work session," during which conversations between the legislators and lobbyists or other interested parties take place to determine whether bills will be passed. The Board's lobbyist may receive additional information about when a committee will be discussing a particular bill. SB78 is not currently on an agenda to be moved, and she has received mixed information on whether it will go forward.

Ms. Sedran said the boards received very little notice of the April 8th hearing and found out from their lobbyists over the weekend that they would need to testify on Monday. She will keep in close contact with the Board's lobbyists to ensure she is up to date on the progress of the bill. Both the Board of Opticians and Board of Optometry voted to oppose SB78 at their board meetings, however, the Board of Optometry did not submit any testimony at the hearing. Ms. Sedran said the push to eliminate licensing boards is happening nationally; a proposed Florida bill would eliminate their opticianry board as well.

No action was taken on this item.

7. FOR POSSIBLE ACTION: General legislative updates for the **2025 Legislative Session** and discussion and decision on official Board responses to proposed legislation, as applicable:

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| a. AB64 | d. AB264 | g. AB483 | j. SB129 |
| b. AB125 | e. AB414 | h. AB544 | k. SB274 |
| c. AB183 | f. AB448 | i. SB78 | |

Discussion: Ms. Sedran said the Board's lobbyists have identified the listed bills as having a potential impact on the Board. However, most of the bills do not require an official Board response

at this time. She submitted a fiscal note for AB483, which would require the Board to adopt new regulations pertaining to emergency services in underserved areas. The rulemaking process can be lengthy and expensive, and the emergency services referenced in the bill do not pertain to opticians. She would like the Board to remain neutral on the bill, but request the Board's NRS chapter be removed.

Motion: Ms. Letten moved to take a neutral stance on AB483, but request the Board's statute be exempt.

Vote: The motion passed unanimously.

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

Ms. Sedran said an ABO representative was not able to attend the meeting, however, the ABO provided the Board with exam statistics for 2024. The ABO pass rates for Nevada test-takers were: 65% for the ABO Basic Exam, 50% for the ABO Advanced Exam, and 66% for the ABO Practical Exam. The NCLE pass rates for Nevada test-takers were: 70% for the NCLE Basic Exam, and 75% for the NCLE Practical Exam.

9. FOR POSSIBLE ACTION: Review and approval of updated Apprentice Training Forms

Discussion: Ms. Letten said updated Apprentice Training Forms were reviewed and approved at the December meeting, however, she thought it was important to add another page to the Spectacle Training Form with detailed instructions for the trainers. The other board members agreed the additional instructions would be helpful.

Motion: Ms. Seymour moved to approve the new instruction page for the Apprentice Spectacle Training Form.

Vote: The motion passed unanimously.

10. FOR POSSIBLE ACTION: Discussion and decision on board policies/FAQs regarding online orders of prescription ophthalmic products

Discussion: Ms. Sedran said she has been receiving requests over the past several months for information and clarification on the Board's policies regarding online orders. Ms. Letten composed a series of proposed FAQs and tips for opticians who are feeling pressured by their employers to violate Board laws or policies. Ms. Seymour said she would like some additional time to review the proposed FAQs and would like to postpone a decision until a future meeting. Ms. Platt said she would also review the proposed policies to ensure they are in line with statute.

No further action was taken on this item.

11. FOR POSSIBLE ACTION: Executive Director's report

a. Licensing updates

Ms. Sedran said the Board office issued 4 new apprentice licenses and 2 new optician licenses since the last meeting; several license applications are in-process.

b. General office, budget, and miscellaneous updates

Ms. Sedran said the licensing boards have been inundated with requests from the Office of Business and Industry (B&I) over the past several months for information that would justify the elimination or consolidation of many of the boards under SB78. This board has very limited staff and monetary resources, and the additional requests have impeded regular office business, such as issuing licenses, addressing consumer complaints, and responding to routine correspondence. This issue has been repeatedly conveyed to B&I by many of the boards without any

improvement to the situation. The 2025 Legislative Session is also underway, which puts further pressure on the Board's resources with additional lobbying expenses and the need for staff to respond quickly to proposed legislation. The licensees and public may see delays to their requests between now and the end of the session.

Ms. Sedran said she has also been keeping a close eye on the budget and reducing unnecessary expenditures wherever possible. The Board is on track for this fiscal year ending in June, however, the Public Employees Retirement System (PERS) is increasing the contribution rates to almost 20% for both employees and employers in July, which will need to be accounted for in the next fiscal year. Ms. Letten said PERS has been increasing its contribution rates on an annual basis for the past several years.

12. Public comment

There was no public comment.

Ms. Letten thanked everyone for attending and adjourned the meeting at 5:38 p.m.