

# MINUTES

## UTAH Optometrist Licensing Board MEETING

May 6, 2009

Room 475 – 4<sup>th</sup> Floor – 9:00 a.m.  
Heber Wells Building  
Salt Lake City, UT 84111

**CONVENED:** 9:03 a.m.

**ADJOURNED:** 10:47 a.m.

**Bureau Manager:**

Clyde Ormond

**Board Secretary:**

Jacky Adams

**Board Members Present:**

Dane F Dansie, OD - Chairperson  
Jeffrey H Seeholzer, OD  
Michael L Cohen, OD  
Russell W Purdy, OD  
Wendy D Gibbs

**Board Members Absent:**

D Lee Tanner, OD  
Bonnie Barker Rice

**Guests:**

Christina Sorenson, ARBO (American Regulatory Boards  
of Optometry)  
Annette Mahler, Utah Ophthalmology Board  
Clive Watson, Utah Optometric Association

**DOPL Staff Present:**

Thad LaVar, Interim Division Director  
Larry Gooch, Investigations

### TOPICS FOR DISCUSSION

### DECISIONS AND RECOMMENDATIONS

#### ADMINISTRATIVE BUSINESS:

Change in Division Directors

Mr. Ormond explained that Mr. F. David Stanley had retired from the Division at the end of June. Mr. Thad LaVar will be the Interim Division Director until June 29<sup>th</sup>, 2009 when Mr. Mark Steinagel will become the new Division Director.

Approval of the October 1, 2008 Board Meeting Minutes.

Mr. Cohen seconded by Mr. Purdy made a motion to approve the October 1, 2008 Board Meeting Minutes, the motion carried unanimously.

Update of Emergency Contact Information

Completed, with no further action taken.

### Appointment of Chairperson

Dr. Dansie suggested appointing a new Chairperson for the upcoming year. After a brief discussion Dr. Dansie seconded by Dr. Purdy, made a motion to appoint Dr. Seeholzer as the Chairperson for the 2009-2010 fiscal year, the motion carried.

### **BUSINESS FROM PREVIOUS MEETING:**

#### Other States Continuing Education Requirements

Mr. Ormond explained that he had reviewed the surrounding States continuing education requirements, to determine if internet courses were accepted. He then added that most States do not specify if internet courses are not acceptable, while other's limit the total number of acceptable hours a licensee may claim.

Mr. Ormond than explained that presently he did not feel, that due to the minimal number of internet course hours claimed at the last renewal period, that any action should be taken. However, in the future if this becomes a problem this will be readdressed.

### **APPOINTMENTS:**

#### 9:30 a.m. Continuing Education – Christina Sorenson OD

Dr. Sorenson, explained that she is currently the president of ARBO, and had requested to meet with this Board to explain the "ARBO New Standards of Commercial Support of COPE (Council on Optometric Professional Education) Approved Continuing Education".

Dr. Sorensen explained that the Federal Government has taken an interest in the relationships between industry and healthcare, as it relates to continuing education. She further explained that it was determined that there is a direct relationship between industry influence, healthcare continuing education sponsorship, and rising Medicare costs. ACCME (Accreditation Council for Continuing Medical Education) has implemented guidelines which prohibit a Pharmaceutical Company from using marketing monies, to influence healthcare professionals. Additionally all educational monies used by a Pharmaceutical Company must be independent of any company influence. The intention behind the New Standards of Commercial Support of COPE Approved Continuing Education is to insure that this profession is meeting all ACCME guidelines, and that all continuing education is free of Pharmaceutical influence, and content.

At July 30, 2008 and October 1, 2008 meetings, this issue was discussed; the Board was concerned that financial arrangement would be managed through ARBO. Dr. Sorensen explained that all financial arrangements will be conducted between the administrator and the speaker, not

between ARBO and the speaker. Ms. Mahler then explained that similar guidelines will be followed by the Utah Ophthalmology Association.

Dr. Sorensen then explained that a COPE representative will attend conferences and seminars to ensure all guidelines are being followed.

It was then discussed that DORA (Department of Regulatory Agencies) in Colorado has enacted a new continuing education policy, which seems to require all licensees to prove that they are “currently competent” at each renewal period. Dr. Sorensen and the Board were concerned that the new policy would cause difficulties for Utah licensees to become licensed in Colorado, unless Utah enacts a similar policy.

## **DISCUSSION ITEMS:**

### Investigation Process

Mr. Gooch explained the Division’s investigative procedures to the Board. He further explained that some professions require substantial hours to “police”, while others, like Optometry, require minimal hours. Mr. Gooch also explained that Investigators will enlist the use of experts, as needed.

Dr. Purdy, then questioned if the Division had been notified regarding the illegal sales of contact lens. Mr. Gooch explained that they had, and after investigating the case, have determined to handle this case informally, however, if the situation arises again, at the same locations, stricter action will be taken.

### Obtaining Licensee List

Mr. Ormond explained the process to obtain a “Licensee Listing”, adding that a list will only be issued for specific reasons, and to specific entities. Mr. Watson then expressed his frustration with trying to obtain a list.

After a brief discussion it was determined that this issue will be further discussed with Mr. Steinagel, when he begins his duties in June 2009.

### California State Survey – Glaucoma

Mr. Ormond explained that the Division has received an email regarding a “Glaucoma State Survey for California State Board of Optometry”.

Dr. Dansie completed the survey; the Division will respond with the appropriate answers.

### Proposed Rules Change

Mr. Ormond reviewed the proposed amendments to R156-16a-102 and 304, the Optometry Practice Act Rules.

- It was explained that a clearer definition of “Practitioner” was established. The Board agreed with the proposed language, and recommended adding “Optometric Physician” to the definition.
- It was then explained that the Division will be conducting a continuing education course, on the “Controlled Substance Databank”. This course is optional it is intended to help physicians gain a better understanding of the options that are available to them. The rule change will allow attendees to receive up to two hours of continuing education for each renewal period. The Board recommended for the Division to obtain COPE approval, to enable the continuing education will be portable to meet other States requirements.

**CORRESPONDENCE:**

NBEO – Conference June 2009

A discussion ensued regarding which Board Member would attend this years ARBO Annual Meeting in National Harbor, Maryland; June 21<sup>st</sup> through 23, 2009. Mr. Ormond explained that due to budget constraints we are unable to approve any travel for Division employees.

After the meeting convened Dr. Cohen commented that he will be attending the ARBO Annual Meeting.

AOA – Accreditation Actions Taken

Reviewed, with no further action taken.

National Steering Committee

Reviewed, with no further action taken.

ARBO 2009 - Call for Board nominations

Reviewed, with no further action taken.

Winter 2009 – Green Sheet

Reviewed, with no further action taken.

**ADJOURN:**

10:47 a.m.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

August 11, 2010

(ss) Jeff H Seeholzer

Date Approved

Chairperson, Optometrist Licensing Board

August 11, 2010

(ss) Clyde Ormond

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing