



Board of Optometry
 2450 Del Paso Road, Suite 105, Sacramento, CA 95834
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Action Meeting Minutes
 Friday, January 23, 2015

Van Nuys State Building
 6150 Van Nuys Blvd., Auditorium
 Van Nuys, CA 91411

And by telephone at the following location:

140 C Tower Street
 Beaconsfield, Quebec H9W6B2
 Canada

<u>Members Present</u>	<u>Staff Present</u>
Alejandro Arredondo, O.D., Board President	Mona Maggio, Executive Officer
Madhu Chawla, O.D., Vice President, Professional Member	Jessica Siefertman, Staff Services Manager
Donna Burke, Board Secretary, Public Member	Michael Santiago, Senior Legal Counsel
Cyd Brandvein, Public Member	
Frank Giardina, O.D., Professional Member	
Glenn Kawaguchi, O.D., Professional Member	
Alexander Kim, MBA, Public Member	
William H. Kysella, Jr., Public Member	
Kenneth Lawenda, O.D., Professional Member	
Rachel Michelin, Public Member	<u>Guest List</u>
David Turetsky, O.D., Professional Member	On File

9:00 a.m.

FULL BOARD OPEN SESSION

1. Call to Order/Roll Call and Establishment of a Quorum

The meeting was called to order at 9:07 a.m.

2. President's Report – Welcome and Introductions

3. Public Comment for Items Not on the Agenda

Note: The Board may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code Sections 11125, 11125.7(a)]

{No action was taken on this item.}

4. Department of Consumer Affairs Report - Christine Lally, Deputy Director Board and Bureau Relations

{No action was taken on this item.}

5. Executive Officer’s Report

{No action was taken on this item }

6. Approval of the Board Meeting Minutes

A. June 23, 2014

Kenneth Lawenda moved to accept the minutes as amended. Frank Giardina seconded. The Board voted 8-Aye, 0-No, and 2-Abstention to pass the motion.

Member	Aye	No	Abstain	Absent	Recusal
Dr. Arredondo	X				
Ms. Burke	X				
Ms. Brandvein	X				
Dr. Chawla	X				
Dr. Giardina	X				
Mr. Kim	X				
Mr. Kysella			X		
Dr. Lawenda	X				
Ms. Michelin			X		
Dr. Turetsky	X				

B. August 8, 2014

Madhu Chawla moved to accept the minutes as amended. Frank Giardina seconded. The Board voted 9-Aye, 0-No, and 1-Abstention to pass the motion.

Member	Aye	No	Abstain	Absent	Recusal
Dr. Arredondo	X				
Ms. Burke	X				
Ms. Brandvein	X				
Dr. Chawla	X				
Dr. Giardina	X				
Mr. Kim	X				
Mr. Kysella	X				
Dr. Lawenda	X				
Ms. Michelin			X		
Dr. Turetsky	X				

C. November 21, 2014

{No action was taken on this item}

7. Discussion and Possible Action Regarding Potential Legislation Impacting Business and Professions Code (BPC) §655, Prohibition of Business Arrangements Between Optometrists and Opticians or Persons in Optical Product Business and BPC §2556, Unlawful Practice

David Turetsky moved to direct staff to draft a newsletter for optometrists informing them of the current legislative status of Business and Professions Code Sections 655 and 2556, and have it brought before the Outreach Committee for review and approval before posting to the Board’s website; Additionally to direct staff to draft a newsletter for optometry students informing them of the same and have it brought before the Education Committee before presenting to the students. Kenneth Lawenda seconded. The Board voted unanimously (11-0) to pass the motion.

Member	Aye	No	Abstain	Absent	Recusal
Dr. Arredondo	X				
Ms. Burke	X				
Ms. Brandvein	X				
Dr. Chawla	X				
Dr. Giardina	X				
Dr. Kawaguchi	X				
Mr. Kim	X				
Mr. Kysella	X				
Dr. Lawenda	X				
Ms. Michelin	X				
Dr. Turetsky	X				

8. Discussion and Possible Action to Amend Business and Professions Code §3003. “Optometrist” and §3098, Use of “Dr.” or “O.D.” to Allow Use of the Title Optometric Physician

{No action was taken on this item}

9. Discussion and Possible Action to Amend the Board Member Handbook

Agenda Item 9 was tabled to the upcoming April 2015 meeting.

10. Discussion and Possible Action Regarding a Resolution in Support of Comprehensive Eye Examinations for all School Aged Children

Donna Burke moved to adopt the proposed language resolution to support comprehensive eye examination for all school-aged children. Rachel Michelin seconded. The Board voted unanimously (10-0) to pass the motion.

Member	Aye	No	Abstain	Absent	Recusal
Dr. Arredondo	X				
Dr. Chawla	X				
Ms. Burke	X				
Ms. Brandvein	X				
Dr. Giardina	X				
Mr. Kim	X				
Mr. Kysella	X				
Dr. Lawenda	X				
Ms. Michelin	X				
Dr. Turetsky	X				

11. Update Pertaining to the North Carolina State Board of Dental Examiners v. Federal Trade Commission Case

{No action was taken on this item}

12. Legislation

A. Update on Legislative Proposals Approved at the November 21, 2014 Board Meeting

{No action was taken on this item}

B. Discussion and Possible Action to Add Business and Professions Code §3070.2, Requirements to Practice in a Mobile Optometric Facility or Portable Optometric Facility

Frank Giardina moved to adopt staff’s recommended draft language to add section 3070.2, and the amendments that were made during this meeting. Donna Burke seconded. The Board voted unanimously (10-0) to pass the motion.

Member	Aye	No	Abstain	Absent	Recusal
Dr. Arredondo	X				
Dr. Chawla	X				
Ms. Burke	X				
Ms. Brandvein	X				
Dr. Giardina	X				
Mr. Kim	X				
Mr. Kysella	X				
Dr. Lawenda	X				
Ms. Michelin	X				
Dr. Turetsky	X				

C. Discussion and Possible Action to Amend §49455 of the Education Code to Change the Requirement from “Vision Appraisal” to “Comprehensive Eye Exam”

Donna Burke moved to sponsor legislation to amend 49455 of the Education Code as presented and edited by staff today’s meeting, and also to direct staff to seek an author for the bill. Glenn Kawaguchi seconded. That Board voted unanimously (10-0) to pass the motion.

Member	Aye	No	Abstain	Absent	Recusal
Dr. Arredondo	X				
Dr. Chawla	X				
Ms. Burke	X				
Ms. Brandvein	X				
Dr. Giardina	X				
Mr. Kim	X				
Mr. Kysella	X				
Dr. Lawenda	X				
Ms. Michelin	X				
Dr. Turetsky	X				

13. Update on Rulemaking Pertaining to California Code of Regulations §1516. Applicant Medical Evaluations and §1582. Unprofessional Conduct Defined

{No action was taken on this item}

14. Discussion and Possible Action to Approve the Revised Executive Officer’s Duty Statement

{No action was taken on this item}

15. Suggestions for Future Agenda Items

{No action was taken on this item}

16. Petitions for Reduction of penalty or Early Termination of Probation (1:30 p.m.)

The following petitions were heard by the Board.

- A. Gregory Tom, OPT 10427
- B. Leland Toy, OPT 6128
- C. David Bradley, OPT 7747
- D. Stephen Schroeder, OPT 8321

17. Petition for Reinstatement of License

- A. Larry Franklin Thornton

FULL BOARD CLOSED SESSION

Pursuant to Government Code Section 11126(c)(3), the Board Will Meet in Closed Session for Discussion and Possible Action on Disciplinary Matters

FULL BOARD OPEN SESSION

18. Adjournment