

# **Call to Order / Roll Call**

# **OPTOMETRY BOARD ROSTER**

**Erik Christianson, OD**

**Bradley Cross, OD**

**Damien Delzer, OD**

**Eric Lingle**

**Pamela Steffes, OD**

# **Ethics Report**

# MEMORANDUM

## State of Alaska Department of Law

TO: \_\_\_\_\_ DATE: \_\_\_\_\_  
FILE NO.: \_\_\_\_\_  
TEL. NO.: \_\_\_\_\_  
FROM: Angie White  
Litigation Assistant  
Department of Law  
Opinions, Appeals, & Ethics Section  
FAX: \_\_\_\_\_  
SUBJECT: Executive Branch Ethics Act, AS  
39.52 Quarterly Report  


**\*\*\*\*SAMPLE LANGUAGE – PLEASE COPY ONLY THE PARTS THAT APPLY  
ONTO YOUR BOARD OR COMMISSION’S LETTERHEAD \*\*\*\***

As designated ethics supervisor and chair [executive director] for the \_\_\_\_\_, I wish to advise you that I have received no notifications of potential violations or requests for ethics determinations under the Ethics Act (AS 39.52) and have made no written determinations for this quarter.

**OR**

As designated ethics supervisor and chair [executive director] for the \_\_\_\_\_, I have received \_\_\_ notification(s) of a potential violation and \_\_\_ requests for ethics determinations under the Ethics Act (AS 39.52) I have attached a copy of the notices and requests along with my written determination(s) for review by the attorney general. I did [did not] receive an advisory opinion from the Attorney General.

**AND**

Except as addressed above, no other [board member] [commissioner] disclosed a potential conflict of interest at a recorded public meeting during this quarter.

**OR**

In addition to the above, at the [date] meeting, [Board member] [Commissioner] \_\_\_\_\_ disclosed a potential conflict with respect to \_\_\_\_\_ [*insert brief description*]\_\_\_\_. *Insert disposition:* [S/He refrained from participation.] *or* [I determined s/he could [could not] participate.] *or* [The Board [Commission] members voted to permit [not to permit] participation.]

**CONFIDENTIAL**

**ETHICS SUPERVISOR DETERMINATION FORM**

(Board or Commission Member)

Board or Commission: \_\_\_\_\_

Member Disclosing Potential Ethics Violation: \_\_\_\_\_

I have determined that the situation described on the attached ethics disclosure form

does or would violate AS 39.52.110 - .190. Identify applicable statute below.

does not or would not violate AS 39.52.110 - .190.

\_\_\_\_\_  
Signature of Designated Ethics Supervisor (Chair)

\_\_\_\_\_  
Printed Name of Designated Ethics Supervisor

Date: \_\_\_\_\_

COMMENTS (Please attach a separate sheet for additional space):

Large light blue rectangular area for comments.

**Note: Disclosure Form must be attached.** Under AS 39.52.220, if the chair or a majority of the board or commission, not including the disclosing member, determines that a violation of AS 39.52.110-39.52.190 will exist if the member participates, the member shall refrain from voting, deliberating, or participating in the matter. A member will not be liable under the Ethics Act for action in accordance with such a determination so long as the member has fully disclosed all facts reasonably necessary to the determination and the attorney general has not advised the member, chair, or board or commission that the action is a violation. Forward disclosures with determinations to the State Ethics Attorney as part of your quarterly report. Quarterly reports are submitted to Litigation Assistant, Opinions, Appeals & Ethics, Department of Law, 1031 W. 4<sup>th</sup> Avenue, Suite 200, Anchorage, AK 99501.

Revised 2012

## State of Alaska Department of Law

# Who Is My Designated Ethics Supervisor?

Every state public officer, employee or board or commission member, has a designated ethics supervisor.

## Executive Agencies

The ethics supervisor for each agency is the Commissioner or a senior manager to whom the Commissioner has delegated the function. The current ethics supervisor for each agency is listed below. The ethics supervisor for a Commissioner is Guy Bell, Director of Administrative Services in the Office of Governor, by delegation from the Governor.

## Boards and Commissions

The Chair of each board and commission serves as the ethics supervisor for the other members and any executive director. The ethics supervisor for the Chair is Guy Bell, Director of Administrative Services in the Office of Governor, by delegation from the Governor. If a board or commission employs staff, the executive director serves as the ethics supervisor for these employees.

## Public Corporations

The Chair of the board serves as the ethics supervisor for the other members of the board and any executive director. The executive director is the ethics supervisor for employees of the corporation.

## Office of the Governor

The ethics supervisor for the Governor and Lieutenant Governor is the Attorney General. By delegation from the Governor, the ethics supervisor for the staff of the offices of the Governor and Lieutenant Governor is Guy Bell, Director of Administrative Services.

## University of Alaska

By delegation of the University President, the ethics supervisor for university employees is Associate General Counsel Andy Harrington.

## EXECUTIVE BRANCH AGENCIES

Administration: Leslie Ridle, Deputy Commissioner

Commerce, Community & Economic Development: Jon Bittner, Deputy Commissioner

Corrections: April Wilkerson, Director of Administrative Services

Education & Early Development: Les Morse, Deputy Commissioner

Environmental Conservation: Tom Cherian, Director of Administrative Services

Fish & Game: Kevin Brooks, Deputy Commissioner

Health & Social Services: Dallas Hargrave, Human Resource Manager

Labor & Workforce Development: Michael Monagle, Director, Division of Workers Compensation

Law: Jonathan Woodman, Assistant Attorney General

Military & Veterans Affairs: Marty Meyer, Special Assistant to Commissioner

Natural Resources: John Crowther, Inter-Governmental Coordinator

Public Safety: Terry Vrabec, Deputy Commissioner

Revenue: Dan DeBartolo, Administrative Services Director

Transportation & Public Facilities:

- Highways & Public Facilities: Steve Hatter, Deputy Commissioner
- Aviation: John Binder, Deputy Commissioner
- Central Region: Rob Campbell, Regional Director
- Northern Region: Rob Campbell, Acting Regional Director
- Southcoast Region: Acting Regional Director
- Alaska Marine Highway System: Michael Neussl, Deputy Commissioner
- Headquarters: Mary Siroky, Administrative Services Director

Updated April 2015

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300  
Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161  
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# State of Alaska

## Department of Law

### Ethics Information for Members of Boards & Commissions (AS 39.52)

#### Introduction

This is an introduction to AS 39.52, the Alaska Executive Branch Ethics Act. This guide is not a substitute for reading the law and its regulations. State board and commission members who have further questions should contact their board chair or staff.

The Ethics Act applies to all current and former executive branch public employees and members of statutorily created boards and commissions.

#### Scope of Ethics Act (AS 39.52.110)

Service on a state board or commission is a public trust. The Ethics Act prohibits substantial and material conflicts of interest. Further, board or commission members, and their immediate family, may not improperly benefit, financially or personally, from their actions as board or commission members. The Act does not, however, discourage independent pursuits, and it recognizes that minor and inconsequential conflicts of interest are unavoidable.

#### Misuse of Official Position (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, board members may not:

- use their official positions to secure employment or contracts;
- accept compensation from anyone other than the State for performing official duties;
- use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
- take or withhold official action on a matter in which they have a personal or financial interest; or
- coerce subordinates for their personal or financial benefit.
- attempt to influence outcome of an administrative hearing by privately contacting the hearing officer.



Terry knew that a proposal that was before the board would harm Terry's business competitor. Instead of publicly disclosing the matter and requesting recusal, Terry voted on the proposal.



Board member Mick has board staff employee Bob type an article for him that Mick hopes to sell to an Alaskan magazine. Bob types the article on State time.

## Improper Gifts (AS 39.52.130)

A board member may not solicit or accept gifts if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. All gifts from registered lobbyists are presumed to be improper, unless the giver is immediate family of the person receiving the gift.

A gift worth more than \$150 to a board member or the board member's immediate family must be reported within 30 days if:

- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board.

The receipt of a gift worth less than \$150 may be prohibited if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board member will be advised as to the disposition of this gift.

A form for reporting gifts is available at [www.law.alaska.gov/doclibrary/ethics](http://www.law.alaska.gov/doclibrary/ethics) or from the board or commission staff.

This restriction on gifts does not apply to lawful campaign contributions.



The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay, since he isn't excluding any of the members.



Jody receives a holiday gift every year from Sam. Jody was recently appointed to a state board, but Sam has no business that is before the board. Jody may accept the gift.

## Improper Use or Disclosure of Information (AS 39.52.140)

No former or current member of a board may use or disclose any information acquired from participation on the board if that use or disclosure could result in a financial or personal benefit to the board member (or immediate family), unless that information has already been disseminated to the public. Board members are also prohibited from disclosing confidential information, unless authorized to do so.



Sheila has been on the board for several years. She feels she has learned a great deal of general information about how to have a successful business venture. So she sets up her own business and does well.



Delores has always advised and assisted the other doctors in her clinic on their continuing education requirements. After Delores is appointed to the medical board, she discloses this role to the board and continues to advise the doctors in her clinic.



Jim reviews a confidential investigation report in a licensing matter. He discusses the practitioner's violation with a colleague who is not a board member.

## Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)

A board member, or immediate family, may not apply for, or have an interest in a State grant, contract, lease, or loan, if the board awards or takes action to administer the State grant, contract, lease, or loan.

A board member (or immediate family) may apply for or be a party to a competitively solicited State grant, contract or lease, if the board as a body does not award or administer the grant, contract, or lease and so long as the board member does not take official action regarding the grant, contract, or lease.

A board member (or immediate family) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the loan's award or administration.

Board members must report to the board chair any personal or financial interest (or that of immediate family) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. A form for this purpose is available at [www.law.alaska.gov/doclibrary/ethics](http://www.law.alaska.gov/doclibrary/ethics) or from the board or commission staff.



John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years so he figures that it doesn't matter when her grant application comes up before the board.



The board wants to contract out for an analysis of the board's decisions over the last ten years. Board member Kim would like the contract since she has been on the board for ten years and feels she could do a good job.

## Improper Representation (AS 39.52.160)

A board or commission member may not represent, advise, or assist a person in matters pending before the board or commission for compensation. A nonsalaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refraining from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act.



Susan sits on the licensing board for her own profession. She will represent herself and her business partner in a licensing matter. She discloses this situation to the board and refrains from participation in the board's discussions and determinations regarding the matter.

## Restriction on Employment After Leaving State Service (AS 39.52.180)

For two years after leaving a board, a former board member may not provide advice or work for compensation on any matter in which the former member personally and substantially participated while serving on the board. This prohibition applies to cases, proceedings, applications, contracts, legislative bills, regulations, and similar matters. This section does not prohibit a State agency from contracting directly with a former board member.

With the approval of the Attorney General, the board chair may waive the above prohibition if a determination is made that the public interest is not jeopardized.

Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.



The board has arranged for an extensive study of the effects of the Department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the Department's programs.



Andy takes the job, but specifies that he will have to work on another project.

## Aiding a Violation Prohibited (AS 39.52.190)

Aiding another public officer to violate the Ethics Act is prohibited.

## Agency Policies (AS 39.52.920)

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

## Disclosure Procedures

### **DECLARATION OF POTENTIAL VIOLATIONS BY MEMBERS OF BOARDS OR COMMISSIONS (AS 39.52.220)**

A board member whose interests or activities could result in a violation of the Ethics Act if the member participates in board action must disclose the matter on the public record and in writing to the board chair who determines whether a violation exists. A form for this purpose is available at [www.law.alaska.gov/doclibrary/ethics](http://www.law.alaska.gov/doclibrary/ethics) or from the board or commission staff. If another board member objects to the chair's ruling or if the chair discloses a potential conflict, the board members at the meeting (excluding the involved member) vote on the matter. If the chair or the board determines a violation will occur, the member must refrain from deliberating, voting, or participating in the matter. For more information, see Ethics Act Procedures for Boards and Commissions available at the above noted web site.

When determining whether a board member's involvement in a matter may violate the Ethics Act, either the chair or the board or commission itself may request guidance from the Attorney General.

### **ATTORNEY GENERAL'S ADVICE (AS 39.52.240-250)**

A board chair or a board itself may request a written advisory opinion from the Attorney General interpreting the Ethics Act. A former board member may also request a written advice from the Attorney General. These opinions are confidential. Versions of opinions without identifying information may be made available to the public.

### **REPORTS BY THIRD PARTIES (AS 39.52.230)**

A third party may report a suspected violation of the Ethics Act by a board member in writing and under oath to the chair of a board or commission. The chair will give a copy to the board member and to the Attorney General and review the report to determine whether a violation may or does exist. If the chair determines a violation exists, the board member will be asked to refrain from deliberating, voting, or participating in the matter.

## Complaints, Hearings, and Enforcement

### **COMPLAINTS (AS 39.52.310-330)**

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also initiate complaints based on information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal. The Attorney General may refer a complaint to the board member's chair for resolution.

After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred or recommend corrective action. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. Complaints or accusations may also be resolved by settlement with the subject.

## **CONFIDENTIALITY (AS 39.52.340)**

Complaints and investigations prior to formal proceedings are confidential. If the Attorney General finds evidence of probable criminal activity, the appropriate law enforcement agency shall be notified.

## **HEARINGS (AS 39.52.350-360)**

An accusation by the Attorney General of an alleged violation may result in a hearing. An administrative law judge from the state's Office of Administrative Hearings serves as hearing officer and determines the time, place and other matters. The parties to the proceeding are the Attorney General, acting as prosecutor, and the accused public officer, who may be represented by an attorney. Within 30 days after the hearing, the hearing officer files a report with the Personnel Board and provides a copy to the parties.

## **PERSONNEL BOARD ACTION (AS 39.52.370)**

The Personnel Board reviews the hearing officer's report and is responsible for determining whether a violation occurred and for imposing penalties. An appeal may be filed by the board member in the Superior Court.

## **PENALTIES (AS 39.52.410-460)**

When the Personnel Board determines a board member has violated the Ethics Act, it will order the member to refrain from voting, deliberating, or participating in the matter. The Personnel Board may also order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member.

If the Personnel Board finds that a former board member violated the Ethics Act, it will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

State grants, contracts, and leases awarded in violation of the Ethics Act are voidable. Loans given in violation of the Ethics Act may be made immediately payable.

Fees, gifts, or compensation received in violation of the Ethics Act may be recovered by the Attorney General.

The Personnel Board may impose a fine of up to \$5,000 for each violation of the Ethics Act. In addition, a board member may be required to pay up to twice the financial benefit received in violation of the Ethics Act.

Criminal penalties are in addition to the civil penalties listed above.

## **DEFINITIONS (AS 39.52.960)**

Please keep the following definitions in mind:

**Benefit** - anything that is to a person's advantage regardless financial interest or from which a person hopes to gain in any way.

**Board or Commission** - a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch, including the Alaska Railroad Corporation.

**Designated Ethics Supervisor** - the chair or acting chair of the board or commission for all board or commission members and for executive directors; for staff members, the executive director is the designated ethics supervisor.

**Financial Interest** - any property, ownership, management, professional, or private interest from which a board or commission member or the board or commission member's immediate family receives or expects to receive a financial benefit. Holding a position in a business, such as officer, director, partner, or employee, also creates a financial interest in a business.

**Immediate Family** - spouse; another person cohabiting with the person in a conjugal relationship that is not a legal marriage; a child, including a stepchild and an adoptive child; a parent, sibling, grandparent, aunt, or uncle of the person; and a parent or sibling of the person's spouse.

**Official Action** - advice, participation, or assistance, including, for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a public officer.

**Personal Interest** - the interest or involvement of a board or commission member (or immediate family) in any organization or political party from which a person or organization receives a benefit.

For further information and disclosure forms, visit our Executive Branch Ethics web site or please contact:

State Ethics Attorney  
Alaska Department of Law  
1031 West 4th Avenue, Suite 200  
Anchorage, Alaska 99501-5903  
(907) 269-5100  
attorney.general@alaska.gov

Revised 9/2013

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300  
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State of Alaska  
Department of Law  
Executive Branch Ethics Act

## Responsibilities of Designated Ethics Supervisors for Boards and Commissions

Boards and commissions subject to the Ethics Act have designated ethics supervisors. The chair serves as the designated ethics supervisor for board or commission members and the executive director. The executive director is the designated ethics supervisor for staff. The designated ethics supervisor for a chair is the governor, who has delegated this responsibility to Guy Bell, Administrative Director of the Office of the Governor.

Designated ethics supervisors should refer to the Manual for Designated Ethics Supervisors (April 2008), available from the state ethics attorney, regarding their responsibilities under the Ethics Act. Briefly, as designated ethics supervisor, you must --

1. Ensure that members and employees are provided copies of the guides, Ethics Information for Members of Boards and Commissions and Ethics Act Procedures for Boards and Commissions -- and keep a supply of disclosure forms.
  1. These guides, other educational materials, disclosure forms, statutes and regulations are available for review and copying on the Department of Law ethics web site. If access to this page is not available, please contact the Attorney General's office at 269-7195.
2. Review all disclosures, investigate potential ethics violations, make determinations regarding conduct, and take action.
3. Keep member or employee disclosure statements (of potential violations, receipt of gifts, and interests in grants/contracts/leases/loans) on file in your office. Disclosure of a gift received from another government must be forwarded to the Office of the Governor.
4. Submit an ethics report to the Department of Law in April, July, October and January for the preceding quarter. You will receive a reminder. There is a sample report on the ethics web page.
  1. Mail, email or fax to Kim Halstead, Litigation Assistant, Department of Law, Opinions, Appeals & Ethics Section, 1031 W. 4th Avenue, Suite 200, Anchorage, AK, 99501, ethicsreporting@alaska.gov, fax no. 907-279-2834.

You may request ethics advice from your agency's Assistant Attorney General or from the State Ethics Attorney, Jon Woodman, at 269-5100 or jonathan.woodman@alaska.gov. Please direct questions about reporting procedures to Kim Halstead at 269-7195 or kimberly.halstead@alaska.gov.

6/14

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300  
Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161  
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**REVIEW/APPROVE**  
**AGENDA**

STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY, AND  
ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND  
PROFESSIONAL LICENSING

BOARD OF EXAMINERS IN OPTOMETRY

October 29th, 2020

Teleconference

**Zoom Webinar Number and ID:**  
**Zoom Webinar: +1 (408) 638 0968**  
**Webinar ID: 938-1300-7802**

AGENDA

	<u>TIME</u>	<u>TOPIC</u>	<u>LEAD PERSON</u>
1.	9:00 a.m.	Call to Order/Roll Call	CHAIR
2.	9:02 a.m.	Ethics Report	CHAIR
3.	9:03 a.m.	Review / Approve Agenda	CHAIR
4.	9:04 a.m.	Review / Approve Minutes <ul style="list-style-type: none"><li>• March 25<sup>th</sup>, 2020 Meeting</li><li>• April 17<sup>th</sup>, 2020 Emergency Meeting</li></ul>	CHAIR
5.	9:15 a.m.	Investigative Report	BAUTISTA
6.	9:35 a.m.	Regulation Update: <ul style="list-style-type: none"><li>• 12 AAC 48.340</li><li>• 12 AAC 48.025(b)</li><li>• 12 AAC 48.920</li></ul>	ZINN
7.	10:30 a.m.	Correspondence	CHAIR
8.	10:45 a.m.	PDMP Report	SHERRELL
9.	11:15 a.m.	Review Tabled Applications <ul style="list-style-type: none"><li>• Dr. O'Dwyer</li></ul>	CHAIR

STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY, AND  
ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND  
PROFESSIONAL LICENSING

BOARD OF EXAMINERS IN OPTOMETRY

October 29th, 2020

Teleconference

**Zoom Webinar Number and ID:**  
**Zoom Webinar: +1 (408) 638 0968**  
**Webinar ID: 938-1300-7802**

AGENDA

	<u>TIME</u>	<u>TOPIC</u>	<u>LEAD PERSON</u>
10.	11:30 a.m.	<b>Old Business</b> <ul style="list-style-type: none"><li>• Updating Applications; Military status</li><li>• Audit Issues</li><li>• Website Update on CE &amp; Board Advisories</li></ul>	CHAIR
11.	12:00 p.m.	<b>New Business</b> <ul style="list-style-type: none"><li>• Health Mandate to Board Guidance</li><li>• Telemedicine</li><li>• Schedule Board Meeting</li><li>• Task List</li></ul>	CHAIR
12.	12:30 p.m.	<b>Adjourn</b>	CHAIR

## Motion Sheets

Meeting Date: \_\_\_\_\_

<b>Motion:</b>						
<b>Time:</b>						
Board Member	Motion	First	Second	Yes	No	Abstain
Erik Christianson, OD						
Bradley Cross, OD						
Damien Delzer, OD						
Eric Lingle						
Pamela Steffes, OD						
<b>Discussion:</b>						

<b>Motion:</b>						
<b>Time:</b>						
Board Member	Motion	First	Second	Yes	No	Abstain
Erik Christianson, OD						
Bradley Cross, OD						
Damien Delzer, OD						
Eric Lingle						
Pamela Steffes, OD						
<b>Discussion:</b>						

**REVIEW/APPROVE  
MINUTES**

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**STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING  
BOARD OF EXAMINERS IN OPTOMETRY**

**TELECONFERENCE**

**March 25, 2020  
Juneau, Alaska**

*The staff of the Division of Corporations, Business and Professional Licensing prepared these draft minutes. They have not been reviewed or approved by the Board.*

By authority of AS 08.01.070(2) and in compliance with the provision of AS 44.62, Article 6, a scheduled teleconference of the Board of Examiners in Optometry was held on March 25<sup>th</sup>, 2020 at 333 Willoughby Avenue, 9<sup>th</sup> Floor, Juneau, AK

**Agenda Item 1 – Call Meeting to Order**

Dr. Delzer called the emergency meeting to order on Wednesday, March 25<sup>th</sup>, 2020 for the Board of Examiners in Optometry at 12:12 p.m.

To comply with the voice roll call vote of the administrative procedures act, Dr. Delzer requested a voice roll call asking that each board member state their name.

Voice Roll Call, constituting a quorum of the board, were:

Dr. Erik Christianson, Ketchikan: present  
Dr. Pamela Steffes, Sitka: present  
Dr. Damien Delzer, Fairbanks: present  
Dr. Bradley Cross, Soldotna: present

Present from the Division of Corporations, Business and Professional Licensing:

Rebecca,  
Emily Mesch, Licensing Examiner

Present Member of the Public:

Dr. Patrick Campaign, Optometrist

**Agenda Item 2 – Review/Approve Meeting Agenda**

The board reviewed the agenda and made no changes.

**On a motion duly made by Dr. Pam Steffes, seconded by Dr. Brad Cross and approved unanimously, it was:**

**RESOLVED to approve the March 25<sup>th</sup>, 2020 agenda as presented.**

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Board Member	Approve	Deny	Recuse
Dr. Damien Delzer	X		
Mr. Eric Lingle			
Dr. Pamela Steffes	X		
Dr. Erik Christianson	X		
Dr. Bradley Cross	X		

54

55 **Agenda Item 3 – Overview of COVID-19**

56

57 The Alaska Board of Examiners in Optometry recognized the unprecedented circumstances that  
58 optometry professionals are facing during the pandemic. The board convened an emergency meeting to  
59 discuss possible changes in CE regulations, the use of telehealth, review guidance from the national  
60 organizations and draft a guidance for appropriate care for the crisis.

61

62 **Agenda Item 4 – Continuing Education Requirements and Online Limitations**

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64 The Board discussed CE hour requirements for licensees that require live lecture. They recognized the  
65 cancellations of live CE classes and expos and analyzed the need for adjusting the CE requirements for  
66 licensees. The Board agreed that the limitations of online courses to fulfill the requirement of 40 CE hours  
67 for renewal can be waived under an emergency situation and all 40 CE hours can be done remotely and  
68 online for the licensing period ending December 31<sup>st</sup>, 2020.

69

70 **On a motion duly made by Dr. Pam Steffes, seconded by Dr. Erik Christianson and**  
71 **approved unanimously, it was:**

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73 **RESOLVED to suspend the requirement listed on 12 AAC 28.48.200b(4) for the**

74

75 **licensing period 12.31.2020.**

76 **ROLL CALL VOTE:**

77

Board Member	Approve	Deny	Recuse
Dr. Damien Delzer	X		
Mr. Eric Lingle			
Dr. Pamela Steffes	X		
Dr. Erik Christianson	X		
Dr. Bradley Cross	X		

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79 **Agenda Item 5 - Telehealth**

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81 The Board discussed how one would be allowed to perform telemedicine by applying for it through the  
82 State website. They found there to be no necessary actions on telehealth other than notify licensees that it  
83 is an option for licensees.

84

85 The Board spent time deciphering what to put to their general advisory draft. Dr. Steffes recommended  
86 that the Board include and highlight that licensees must follow the mandates that have been created.

87

88 Changes included: that the statutory authority sentence will be removed, adding mandatory portion, the  
89 appropriate use of telemedicine and how to register to perform telemedicine, in person delivery of routine

88 elective non-essential procedures as well as the waived remote learning restrictions on CE requirements  
89 that the board had discussed earlier.

90  
91 Dr. Delzer appointed himself to make the changes on the general advisory draft to send to Ms. Mesch to  
92 send to the rest of the Board for voting.

93  
94 *Dr. Eric Lingle joined the teleconference.*

95  
96 **On a motion duly made by Dr. Pam Steffes, seconded by Dr. Erik Christianson and**  
97 **approved unanimously, it was:**  
98 **RESOLVED to move on with the advisory as amended to be sent to the board by**  
99 **the afternoon for the Board to vote on.**

Board Member	Approve	Deny	Recuse
Dr. Damien Delzer	X		
Mr. Eric Lingle	X		
Dr. Pamela Steffes	X		
Dr. Erik Christianson	X		
Dr. Bradley Cross	X		

101  
102 The Chair reminded the Board that if the Board found it necessary to meet for an emergency meeting it  
103 would be through teleconference and through the licensing examiner.

104  
105 **Agenda Item 6 - Adjourn**

106  
107 **The Chair called for the board meeting for 3.25.2020 to be adjourned at 1:05 p.m.**

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Respectfully Submitted:  
\_\_\_\_\_  
Christianne Carrillo, Licensing Examiner

Approved:  
\_\_\_\_\_  
Dr. Damien Delzer, Chairperson  
Alaska Board of Optometry

\_\_\_\_\_  
Date

## Motion Sheets

Meeting Date: \_\_\_\_\_

<b>Motion:</b>						
<b>Time:</b>						
Board Member	Motion	First	Second	Yes	No	Abstain
Erik Christianson, OD						
Bradley Cross, OD						
Damien Delzer, OD						
Eric Lingle						
Pamela Steffes, OD						
<b>Discussion:</b>						

<b>Motion:</b>						
<b>Time:</b>						
Board Member	Motion	First	Second	Yes	No	Abstain
Erik Christianson, OD						
Bradley Cross, OD						
Damien Delzer, OD						
Eric Lingle						
Pamela Steffes, OD						
<b>Discussion:</b>						

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**STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING  
BOARD OF EXAMINERS IN OPTOMETRY**

**TELECONFERENCE**

**March 25, 2020  
Juneau, Alaska**

*The staff of the Division of Corporations, Business and Professional Licensing prepared these draft minutes. They have not been reviewed or approved by the Board.*

By authority of AS 08.01.070(2) and in compliance with the provision of AS 44.62, Article 6, a scheduled teleconference of the Board of Examiners in Optometry was held on March 25<sup>th</sup>, 2020 at 333 Willoughby Avenue, 9<sup>th</sup> Floor, Juneau, AK

**Agenda Item 1 – Call Meeting to Order**

Dr. Delzer called the emergency meeting to order on Wednesday, March 25<sup>th</sup>, 2020 for the Board of Examiners in Optometry at 12:12 p.m.

To comply with the voice roll call vote of the administrative procedures act, Dr. Delzer requested a voice roll call asking that each board member state their name.

Voice Roll Call, constituting a quorum of the board, were:

Dr. Erik Christianson, Ketchikan: present  
Dr. Pamela Steffes, Sitka: present  
Dr. Damien Delzer, Fairbanks: present  
Dr. Bradley Cross, Soldotna: present

Present from the Division of Corporations, Business and Professional Licensing:

Rebecca,  
Emily Mesch, Licensing Examiner

Present Member of the Public:

Dr. Patrick Campaign, Optometrist

**Agenda Item 2 – Review/Approve Meeting Agenda**

The board reviewed the agenda and made no changes.

**On a motion duly made by Dr. Pam Steffes, seconded by Dr. Brad Cross and approved unanimously, it was:**

**RESOLVED to approve the March 25<sup>th</sup>, 2020 agenda as presented.**

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52  
53

Board Member	Approve	Deny	Recuse
Dr. Damien Delzer	X		
Mr. Eric Lingle			
Dr. Pamela Steffes	X		
Dr. Erik Christianson	X		
Dr. Bradley Cross	X		

54

55 **Agenda Item 3 – Overview of COVID-19**

56

57 The Alaska Board of Examiners in Optometry recognized the unprecedented circumstances that  
58 optometry professionals are facing during the pandemic. The board convened an emergency meeting to  
59 discuss possible changes in CE regulations, the use of telehealth, review guidance from the national  
60 organizations and draft a guidance for appropriate care for the crisis.

61

62 **Agenda Item 4 – Continuing Education Requirements and Online Limitations**

63

64 The Board discussed CE hour requirements for licensees that require live lecture. They recognized the  
65 cancellations of live CE classes and expos and analyzed the need for adjusting the CE requirements for  
66 licensees. The Board agreed that the limitations of online courses to fulfill the requirement of 40 CE hours  
67 for renewal can be waived under an emergency situation and all 40 CE hours can be done remotely and  
68 online for the licensing period ending December 31<sup>st</sup>, 2020.

69

70 **On a motion duly made by Dr. Pam Steffes, seconded by Dr. Erik Christianson and**  
71 **approved unanimously, it was:**

72

73 **RESOLVED to suspend the requirement listed on 12 AAC 28.48.200b(4) for the**

74

75 **licensing period 12.31.2020.**

76 **ROLL CALL VOTE:**

77

Board Member	Approve	Deny	Recuse
Dr. Damien Delzer	X		
Mr. Eric Lingle			
Dr. Pamela Steffes	X		
Dr. Erik Christianson	X		
Dr. Bradley Cross	X		

78

79 **Agenda Item 5 - Telehealth**

80

81 The Board discussed how one would be allowed to perform telemedicine by applying for it through the  
82 State website. They found there to be no necessary actions on telehealth other than notify licensees that it  
83 is an option for licensees.

84

85 The Board spent time deciphering what to put to their general advisory draft. Dr. Steffes recommended  
86 that the Board include and highlight that licensees must follow the mandates that have been created.

87

88 Changes included: that the statutory authority sentence will be removed, adding mandatory portion, the  
89 appropriate use of telemedicine and how to register to perform telemedicine, in person delivery of routine

88 elective non-essential procedures as well as the waived remote learning restrictions on CE requirements  
89 that the board had discussed earlier.

90  
91 Dr. Delzer appointed himself to make the changes on the general advisory draft to send to Ms. Mesch to  
92 send to the rest of the Board for voting.

93  
94 *Dr. Eric Lingle joined the teleconference.*

95  
96 **On a motion duly made by Dr. Pam Steffes, seconded by Dr. Erik Christianson and**  
97 **approved unanimously, it was:**  
98 **RESOLVED to move on with the advisory as amended to be sent to the board by**  
99 **the afternoon for the Board to vote on.**

100

Board Member	Approve	Deny	Recuse
Dr. Damien Delzer	X		
Mr. Eric Lingle	X		
Dr. Pamela Steffes	X		
Dr. Erik Christianson	X		
Dr. Bradley Cross	X		

101  
102 The Chair reminded the Board that if the Board found it necessary to meet for an emergency meeting it  
103 would be through teleconference and through the licensing examiner.

104  
105 **Agenda Item 6 - Adjourn**

106  
107 **The Chair called for the board meeting for 3.25.2020 to be adjourned at 1:05 p.m.**

108  
109  
110

Respectfully Submitted:

111  
112  
113  
114 \_\_\_\_\_  
Christianne Carrillo, Licensing Examiner

115  
116 Approved:  
117  
118 \_\_\_\_\_  
119 Dr. Damien Delzer, Chairperson  
120 Alaska Board of Optometry

121  
122 \_\_\_\_\_  
123 Date

## Motion Sheets

Meeting Date: \_\_\_\_\_

<b>Motion:</b>						
<b>Time:</b>						
Board Member	Motion	First	Second	Yes	No	Abstain
Erik Christianson, OD						
Bradley Cross, OD						
Damien Delzer, OD						
Eric Lingle						
Pamela Steffes, OD						
<b>Discussion:</b>						

<b>Motion:</b>						
<b>Time:</b>						
Board Member	Motion	First	Second	Yes	No	Abstain
Erik Christianson, OD						
Bradley Cross, OD						
Damien Delzer, OD						
Eric Lingle						
Pamela Steffes, OD						
<b>Discussion:</b>						

# **INVESTIGATIVE REPORT**

# **REGULATION UPDATE**

**Chapter 48. Board of Examiners in Optometry.**

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 48.015(b) is amended to read:

(b) The Alaska State Optometry Law Examination is an open book examination. The **department will provide electronic** examination and study materials **to an approved applicant and will notify an applicant when material is available using the electronic mail address provided on the applicant's completed application. A completed electronic examination must be submitted to the department within 30 days after the department sends the electronic mail message, as shown by the date-stamp on the message. At an applicant's request, or if an electronic mail address is not provided by the applicant, examination and study materials** will be mailed directly to **the** [EACH] applicant. **An examination completed by mail** [COMPLETED EXAMINATIONS] must be returned to the department within 30 days after mailing, as shown by the postmark dates. (Eff. 6/14/80, Register 74; am 4/22/83, Register 86; am 2/26/89, Register 109; am 3/20/93, Register 125; am 4/24/97, Register 142; am 11/2/2002, Register 164; am 9/17/2003, Register 167; am 10/16/2011, Register 200; am 12/2/2012, Register 204; am 11/29/2017, Register 225; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.72.050 AS 08.72.160

Recommended change due to the referenced statute changing in 2017. The way it reads now, the renewal applicant for a restricted license does not have to comply with the continuing education requirements.

12 AAC 48.022(c) is amended to read:

(c) A restricted license issued under (a) or (b) of this section may be renewed under the same conditions that apply to other licenses issued under AS 08.72, **and upon successful completion of the applicable continuing education required under 12 AAC 48.200 and 12 AAC 48.210** [EXCEPT THAT

(1) THE HOLDER OF A RESTRICTED LICENSE UNDER (a) OF THIS SECTION IS NOT REQUIRED TO COMPLY WITH THE CONTINUING EDUCATION REQUIREMENTS OF AS 08.72.181(d)(1) AND (2);

(2) THE HOLDER OF A RESTRICTED LICENSE UNDER (b) OF THIS SECTION IS NOT REQUIRED TO COMPLY WITH THE CONTINUING EDUCATION REQUIREMENTS OF AS 08.72.181(d)(2)].

(Eff. 10/16/2011, Register 200; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.72.050 AS 08.72.170 SLA 2010  
AS 08.72.110 Sec. 8, ch. 27 AS 08.72.181  
AS 08.72.150

Recommended change due to the use of “documentation” and “evidence” in 12 AAC 48.900.

Evidence means the renewal applicant must submit the evidence of completing the CE requirements. Document means they must testify on the renewal form that they have completed the CE requirements, and must submit the evidence if audited.

12 AAC 48.200(a) is amended to read:

(a) In order to be approved by the board, an applicant for renewal of a license must pay the appropriate renewal fee and submit **documentation** [EVIDENCE] of completing continuing education courses, related to the practice of optometry, as specified in (b) or (c) of this section within the two-year renewal period as specified in 12 AAC 48.210.

Register \_\_\_\_\_, \_\_\_\_\_ 2021 **PROFESSIONAL REGULATIONS**

(Eff. 4/24/71, Register 37; am 2/10/83, Register 85; am 2/16/89, Register 109; am 11/2/2002, Register 164; am 12/31/2005, Register 176; am 10/16/2011, Register 200; am 4/30/2015, Register 214; am 2/21/2019, Register 229; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.72.050 AS 08.72.181

12 AAC 48.330(d) is amended to read:

(d) **An** [No] optometrist may **only** represent **themselves** [himself or herself] as a specialist **if they are currently** [IN AN OPTOMETRIC FIELD UNLESS THE OPTOMETRIST IS] certified **as a**

(1) [AS A] diplomate of the American Academy of Optometry [IN CONTACT LENSES, BINOCULAR VISION, GERIATRIC CARE, OR LOW VISION]; [OR]

(2) [AS A] fellow of the College of **Optometrists in** Vision Development [IN VISION TRAINING OR DEVELOPMENTAL VISION]; **or**

**(3) fellow of the Neuro-Optometric Rehabilitation Association.**

(In effect before 7/28/59; am 9/10/65, Register 21; am 4/24/71, Register 37; am 2/14/78, Register 65; am 7/6/78, Register 67; am 6/14/80, Register 74; am 8/8/84, Register 91; am 3/12/86, Register 97; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.72.050 AS 08.72.060(b) AS 08.72.240

Recommended change in this section due to the regulation citation of 12 AAC 02.105 not relating to fees for renewal of a license. 12 AAC 02.105 are administrative fees only for the division. I also have updated them to reflect consistent language in the two regulations.

12 AAC 48.900(b)(1) is amended to read:

(1) the required **fee** [FEES] established in [12 AAC 02.105 AND] 12 AAC

02.300; and

12 AAC 48.900(c)(2) is amended to read:

(2) the [FEES] required **fee established in** [BY 12 AAC 02.105 AND] 12 AAC 02.300 for the entire period the license has been lapsed; (Eff. 2/10/83, Register 85; am 2/26/89, Register 109; am 4/11/2008, Register 186; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.01.100 AS 08.72.050 AS 08.72.181

Recommended change due to the statute reference no longer referring to “physician-patient relationship”. AS 08.72.272(a) was repealed and readopted in 2017. There are no other references to “physician-patient relationship” in the statutes or regulations. Therefore, (b) should be repealed.

12 AAC 48.990(b) is repealed:

(b) Repealed \_\_\_\_/\_\_\_\_/\_\_\_\_. [IN AS 08.72.272(a)(2), “PHYSICIAN-PATIENT RELATIONSHIP” MEANS THAT

(1) A PERSON, OR SOMEONE ON THE PERSON’S BEHALF, HAS SOUGHT OPTOMETRIC EXAMINATION OR TREATMENT OF THE PERSON;

(2) THE OPTOMETRIST HAS ACCEPTED THE PERSON AS A PATIENT AND CONDUCTED AN OPTOMETRIC EXAMINATION AND EVALUATION OF THE PATIENT; AND

(3) THE PROFESSIONAL RELATIONSHIP BETWEEN THE OPTOMETRIST AND THE PATIENT HAS NOT BEEN TERMINATED.] (In effect before 7/28/59; am 9/10/65, Register 21; am 4/24/71, Register 37; am 2/14/78, Register 65; am 6/14/80, Register 74; am

Register \_\_\_\_\_, \_\_\_\_\_ 2021 **PROFESSIONAL REGULATIONS**

3/12/86, Register 97; am 3/20/93, Register 125; am 4/14/95, Register 134; am 4/11/2008,

Register 186; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 08.72.050

## **12 AAC 48.920. PRESCRIPTION REQUIREMENTS.**

(a) As used in AS 08.72 and this chapter, “prescription” means a written formula by a person licensed under AS 08.72 that contains the issue date of the prescription, the name and office location, and contact information of the prescriber, the name of the patient, and, for

(1) eyeglasses, the

- (A) dioptric power of spheres, cylinders, and prisms;
- (B) axis of cylinders and position of prism base;
- (C) designation of inter-pupillary distances; and
- (D) expiration date;

(2) contact lenses, the

- (A) base curve or appropriate designation;
- (B) diameter when appropriate;
- (C) power;
- (D) manufacturer;
- (E) lens brand;
- (F) material if applicable;
- (G) center thickness if applicable; and
- (H) expiration date;

(b) The expiration date under (a)(2) of this subsection may not be less than one year from the issue date of the prescription, unless the prescriber determines the ocular health of the patient requires an expiration date of less than one year. Authority: AS 08.72.050

## Motion Sheets

Meeting Date: \_\_\_\_\_

<b>Motion:</b>						
<b>Time:</b>						
Board Member	Motion	First	Second	Yes	No	Abstain
Erik Christianson, OD						
Bradley Cross, OD						
Damien Delzer, OD						
Eric Lingle						
Pamela Steffes, OD						
<b>Discussion:</b>						

<b>Motion:</b>						
<b>Time:</b>						
Board Member	Motion	First	Second	Yes	No	Abstain
Erik Christianson, OD						
Bradley Cross, OD						
Damien Delzer, OD						
Eric Lingle						
Pamela Steffes, OD						
<b>Discussion:</b>						

# **CORRESPONDENCE**



THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

**Department of Commerce,  
Community,  
and Economic Development**

BOARD OF EXAMINERS IN OPTOMETRY

P.O. Box 110806  
Juneau, AK 99811-0806  
Main: 907.465.1037  
Toll free fax: 907.465.2974

[REDACTED]

April 20, 2020

Dear Dr. [REDACTED],

The Board of Examiners in Optometry met on April 17, 2020, and reviewed the additional documentation that was provided by Associate Dean Nathan Lighthizer, O.D., F.A.A.O from the Northeastern State University College of Optometry.

The Board has verified that the course information that you provided as well as Associate Dean Lighthizer's attestation to the specific content of the successfully completed course of instruction provided by an accredited School of Optometry meets the requirements set forth in 12 AAC 48.040 and pursuant to the authority of AS 08.72.278 grants you the authority to perform the requested procedures including laser capsulotomy, laser peripheral iridotomy, laser trabeculoplasty, laser vitreolysis of anterior chamber vitreous strands, electrolysis epilation of stray cilia, and removal of presumed benign lesions of the ocular adnexa.

The Board requests additional documentation regarding didactic and clinical education and training specific to the request for corneal collagen cross-linking prior to rendering a determination for this specific procedure.

This letter should also provide the necessary documentation for insurer verification that procedures approved are within your scope of practice within the state of Alaska and the Board recommends notification be provided to your professional liability carrier of the expanded therapeutic procedures.

Sincerely,

Board of Examiners in Optometry



**NORTHEASTERN**  
STATE UNIVERSITY

Wednesday, October 21, 2020

License Number: AK: OPTT 191; WA: 00001907

P [REDACTED]  
[REDACTED]

Re: Certification of Continuing Education

This is to certify that [REDACTED], OD, completed Corneal collagen cross-linking for the optometric physician consists of a 2 hour didactic portion and a 2 hour lab portion. The didactic course includes the physics and physiology of corneal cross-linking, the indications and contra-indications for corneal cross-linking, and corneal tissue response to corneal cross-linking. The course also covers the details of performing corneal cross-linking, the post-operative management of cross-linking patients, and complications of corneal cross-linking and management of those complications. The lab includes hands on use of corneal cross-linking instrumentation, the procedural steps to perform corneal cross-linking, and observation of a corneal cross-linking procedure.

**Dr. Barney** completed a total of **4** hours, listed below. If you have any questions regarding this matter, please contact me at 918.316.3602 or by e-mail at [mcateec@nsuok.edu](mailto:mcateec@nsuok.edu).

**Nathan Lighthizer, OD**  
**4 hours Therapeutic**

**“Corneal Crosslinking”**

Sincerely,

*Callie A. McAtee*

Callie A. McAtee, M.S.  
Coordinator of Continuing Medical Education

\*NOTE: For OD's holding an Oklahoma license, the hours have also been reported to the Oklahoma Board of Examiners in Optometry. Please retain a copy of this letter for your records. A \$15 records fee is charged for replacement. Duplication of this letter is permitted for submission to other Boards of Optometry.

# Northeastern State University College of Optometry

Tahlequah, Oklahoma

herewith certifies that



has successfully met all the requirements of a course in

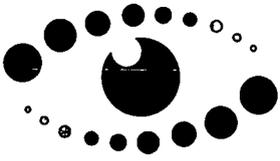
Corneal Crosslinking for the Optometric Physician  
4 Hours of Continuing Medical Education

October 19, 2020



Dean, College of Optometry

Course Coordinator



**homer eyecare**



Homer, Alaska 99603

RECEIVED  
Juneau

**AUG 28 2020**

CBPL

August 24<sup>th</sup> 2020

Board of Examiners in Optometry  
State of Alaska  
P.O. Box 110806  
Juneau, AK 99811-0806

Dear Board Members,

Pursuant to the passage of HB 103 in 2017 and the recent adoption of new regulations regarding the practice of optometry by the Board of Examiners in Optometry, I am writing to you to request the authority to perform expanded therapeutic procedures. I am enclosing proof that I have completed the educational requirements in regulation to perform these procedures.

I am respectfully requesting the authority to perform the following procedures: laser posterior capsulotomy, laser peripheral iridotomy, laser trabeculoplasty, and the removal of presumed benign lesions of the ocular adnexa.

Thank you for your consideration of my request.

Respectfully yours,



907.235.7745  
homereyecarestaff@gmail.com  
www.homereyecare.com



**NORTHEASTERN**  
STATE UNIVERSITY

RECEIVED  
Juneau

AUG 28 2020

CBPL

Monday, October 10, 2016

License Number: AK: 306

[REDACTED] O.D.

[REDACTED] Ste. A

Homer, AK 99603

Re: Certification of Continuing Education

This letter is to certify that **Andrew Peter**, OD attended **Advanced Procedures: Surgical Procedures for the Optometric Physician** accredited by Northeastern State University Oklahoma College of Optometry. The meeting was held at Oregon Convention Center Meeting Space in Portland, OR September 29-October 2, 2016. The COPE event number is **112146**. Sixteen (16) COPE approved hours of continuing medical education were available. Dr. **Peter** completed a total of 16 hours, listed below. If you have any questions regarding this matter please contact me at 918.444.4033 or by e-mail at [mcateec@nsuok.edu](mailto:mcateec@nsuok.edu)

Richard Castillo, OD, DO  
Nathan Lighthizer, OD  
4 hour COPE #47705-SP

"Basic Surgical Concepts"  
Therapeutic

Richard Castillo, OD, DO  
Nathan Lighthizer, OD  
4 hour COPE #47706-SP

"Essential Surgical Skills"  
Therapeutic

Richard Castillo, OD, DO  
Nathan Lighthizer, OD  
4 hour COPE #47707-SP

"Office Based Procedures"  
Therapeutic

Joseph Shetler, OD  
Richard Castillo, OD, DO  
Nathan Lighthizer, OD  
Douglas Penisten, OD, PhD  
4 hours COPE #45842-PO

"Lab Rotations"

Sincerely,

*Callie A. McAtee*

Callie McAtee

Coordinator of Continuing Medical Education

\*NOTE: The above continuing education hours have been reported to ARBO. For OD's holding an Oklahoma license, the hours have also been reported to the Oklahoma Board of Examiners in Optometry. Please retain a copy of this letter for your records. A \$15 records fee is charged for replacement. Duplication of this letter is permitted for submission to other Boards of Optometry.



**NORTHEASTERN**  
STATE UNIVERSITY

RECEIVED  
Juneau

AUG 28 2020

CBPL

Tuesday, October 11, 2016

License Number: AK: 306

[REDACTED] O.D.  
[REDACTED] Ste. A  
Homer, AK 99603

Re: Certification of Continuing Education

This is to certify that **Andrew Peter, OD** attended **Advanced Procedures: Laser Therapy for the Anterior Segment** accredited by Northeastern State University Oklahoma College of Optometry. The meeting was held at Oregon Convention Center Meeting Space in Portland, OR September 29-October 2, 2016. The COPE event number is **112146**. Sixteen (16) COPE approved hours of continuing medical education were available. Dr. **Peter** completed a total of **16** hours, listed below. If you have any questions regarding this matter please contact me at 918.444.4033 or by e-mail at [mcateec@nsuok.edu](mailto:mcateec@nsuok.edu).

Doug Penisten, OD  
1 hour COPE #45772-LP

"Laser Physics, Hazards & Safety"  
Therapeutic

Nathan Lighthizer, OD  
1 hour COPE #49835-LP

"Laser Tissue Interactions"  
Therapeutic

Joseph Shetler, OD  
Nathan Lighthizer, OD  
Richard Castillo, OD, DO  
Doug Penisten, OD  
2 hour COPE #45787-LP

"Clinical Workshops: Introduction to Therapeutic Lasers"  
Therapeutic

Douglas Penisten, OD PhD  
1 hour COPE #47536-GO

"Gonioscopy: How to Interpret What You Are Seeing"  
Therapeutic

Nathan Lighthizer, OD  
2 hours COPE #45781-GL

"Laser Therapy for the Open Angle Glaucoma: ALT & SLT"  
Therapeutic

Nathan Lighthizer, OD  
1 hour COPE #45822

"Laser Therapy in Angle Closure"  
Therapeutic

Joseph Shetler, OD  
1 hour COPE #45828-LP

"Laser Capsulotomy Technique"  
Therapeutic

Richard Castillo, OD  
1 hour COPE #42663-LP

"Managing Potential Laser Complications"  
Therapeutic

Joseph Shetler, OD  
Nathan Lighthizer, OD  
Richard Castillo, OD, DO  
Doug Penisten, OD  
1 hour COPE #45786-PO

"Medicolegal Aspects of Anterior Segment Laser Procedures: Panel Discussion"  
Therapeutic

Joseph Shetler, OD  
Richard Castillo, OD, DO  
Douglas Penisten, OD PhD  
Nathan Lighthizer, OD  
4 hours COPE #45785-LP

Laser Hands – On – Lab

Nathan Lighthizer, OD  
1 hour COPE #41914-PO

"Vital Concepts Review" + Exam  
Therapeutic

Sincerely,

*Callie A McAtee*

Callie McAtee  
Coordinator of Continuing Medical Education

RECEIVED  
Juneau

AUG 28 2020

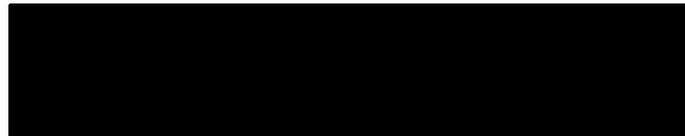
CBPL

\*NOTE: The above continuing education hours have been reported to ARBO. For OD's holding an Oklahoma license, the hours have also been reported to the Oklahoma Board of Examiners in Optometry. Please retain a copy of this letter for your records. A \$15 records fee is charged for replacement. Duplication of this letter is permitted for submission to other Boards of Optometry.

# Northeastern State University College of Optometry

Tahlequah, Oklahoma

herewith certifies that



**O.D.**

has successfully met all the requirements of a course in

Advanced Surgical Procedures for the Optometric Physician

A 16 Hour Advanced Certification Course

Portland, OR

October 1-2, 2016



*Wayland K. P...  
Dean, College of Optometry*

*Callie A. McStee  
Course Coordinator*

CBPL

AUG 28 2020

Juneau

# Northeastern State University College of Optometry

Tahlequah, Oklahoma

herewith certifies that



**O.D.**

has successfully met all the requirements of a course in

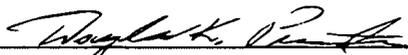
Advanced Procedures: Laser Therapy for the Anterior Segment

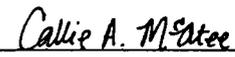
A 16 Hour Advanced Certification Course

Portland, OR

September 29-30, 2016



  
Dean, College of Optometry

  
Course Coordinator

CBPL

AUG 28 2020

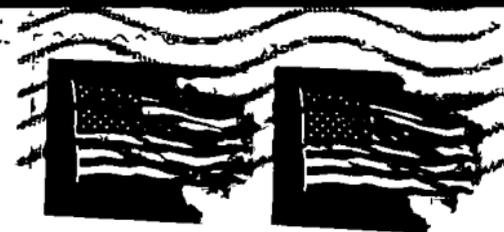
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Board of Examiners - Optometry  
State of Alaska  
PO Box 110806  
Juneau, AK 99811-0806

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# **PDMP REPORT**

**REVIEW / APPROVE  
TABLED APPLICATIONS**

**From:** [Brad and Kym](#)  
**To:** [Carrillo, Christianne D \(CED\)](#)  
**Subject:** board ballot O'Dwyer  
**Date:** Thursday, September 10, 2020 10:28:19 PM

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Hi Christianne,

I am requesting a "table" of the application ballot for Ashley O'Dwyer.

My reason being that I feel a discussion and roll call vote may be necessary to approve her application. Her ISE or injection classes do not appear to be adequate to meet the minimum requirement for the Alaska State Board of Optometry. Her letter stating that she met the requirement was signed by a financial aid associate director which may be fine, but the dates covered were not specifically within the necessary 5 year range. Those reasons lead me to request a discussion amongst our board before proceeding with the applicants approval.

Thank you,  
Bradley Cross, OD

## Motion Sheets

Meeting Date: \_\_\_\_\_

<b>Motion:</b>						
<b>Time:</b>						
Board Member	Motion	First	Second	Yes	No	Abstain
Erik Christianson, OD						
Bradley Cross, OD						
Damien Delzer, OD						
Eric Lingle						
Pamela Steffes, OD						
<b>Discussion:</b>						

<b>Motion:</b>						
<b>Time:</b>						
Board Member	Motion	First	Second	Yes	No	Abstain
Erik Christianson, OD						
Bradley Cross, OD						
Damien Delzer, OD						
Eric Lingle						
Pamela Steffes, OD						
<b>Discussion:</b>						

# **Old Business**

# **New Business**

### **Board Advisory 3: Scope of Practice (DRAFT for Board review)**

The Board of Examiners in Optometry reminds all licensees and future licensees that the scope of practice in Alaska currently remains unchanged following enactment of CSHB103(FIN), unless specifically requested by the licensee and individually authorized by the Board following the licensee's successful completion of all requirements set forth in 12 AAC 48.040.

Regulations governing the practice of optometry in the state of Alaska are well-defined and the Board of Examiners in Optometry actively and judiciously develops appropriate regulatory changes regarding uniform standards for the practice of optometry, advisory opinions regarding optometry practice procedures and policies, and limitations on practice under the authority granted by AS 08.72.050, 08.72.060, AS 08.72.240, AS 08.72.272, AS 08.72.276 and AS 08.72.278.

Board Advisory 4: Non-topical Therapeutic Injections Course for Initial Licensure by CREDENTIALS  
(DRAFT for Board review)

Statutory Authority: AS 08.72.140 / AS 08.72.170

Implemented: November 2012

For applicants who are presently credentialed in another state:

Education typically should include seven hours of training, instruction and INCLUDING LAB regarding injections; such training typically includes these topics: intravenous, subconjunctival, subcutaneous, intralesional, infiltrative anesthesia, nerve block, and intramuscular injections & applications and must include a hands-on lab.

Applicants who have successfully passed the ISE portion of the NBEO Exam Part III will typically meet the requirement of AS 08.72.140(4)(C).

Board Advisory 5:

Remove from Advisories

Board Advisory 6: (Discuss keep or remove)

Changes to Continuing Education Page of Board Website:

Currently:

Continuing competency requirements for renewal of an optometry license can be found in the statutes and regulations.

A license cannot be renewed unless the continued competency requirements in AS 08.72.181 and Article 2 of 12 AAC 48 have been met.

12 AAC 48.230. EXEMPTION FROM CONTINUING EDUCATION REQUIREMENTS FOR ACTIVE DUTY MILITARY SERVICE. An optometrist who meets the requirements of this section is exempt from the continuing education requirements of 12 AAC 48.200 – 12 AAC 48.220 as specified in this section for renewal of an optometrist license for the biennial licensing period immediately following a period of service by an optometrist during which an optometrist was engaged in active duty military service in the armed forces of the United States. (DELETE THIS PARAGRAPH)

Continuing Education options available for the two-hour Pain Management, Opioid Use, and Addiction Requirements via DHSS.

PLEASE NOTE: If licensees choose to take any of these courses offered, the licensee is responsible to ensure that the title and description of the program on the Certificate of Completion specifically reference all three of the required subject matters; pain management, opioid use, and addiction OR the licensee must take multiple courses that when combined cover all three topics.

SUBSTITUTE THIS PARAGRAPH INSTEAD OF RED LETTER PARAGRAPH ABOVE:

12 AAC 48.230. EXEMPTION FROM CONTINUING EDUCATION REQUIREMENTS FOR ACTIVE DUTY MILITARY SERVICE IN A COMBAT ZONE, DANGER PAY POST, OR QUALIFIED HAZARDOUS DUTY AREA. (a) An optometrist who meets the requirements of this section is exempt from the continuing education requirements of 12 AAC 48.200(a) – (c) and 12 AAC 48.220(a) – (c) as specified in this section for renewal of an optometrist license for the biennial licensing period immediately following a period of service by an optometrist during which an optometrist was engaged in active duty military service in the armed forces of the United States, in a combat zone, danger pay post, or qualified hazardous duty area. (b) To obtain an exemption under this section, an optometrist must submit official documentation satisfactory

to the board of active duty military service, in a combat zone, danger pay post, or qualified hazardous duty area. (c) The board will waive half of the continuing education hours required in 12 AAC 48.210 if the board determines that the applicant was engaged in active duty military service in the armed forces of the United States, in a combat zone, danger pay post, or qualified hazardous duty area, for at least six consecutive months during the concluding licensing period. (d) The board will waive all continuing education hours required in 12 AAC 48.210 if the board determines that the applicant was engaged in active duty military service in the armed forces of the United States in a combat zone, danger pay post, or qualified hazardous duty area, for 12 or more months during the concluding licensing period. (e) In this section, "engaged in active duty military service" means military personnel serving in an active capacity, including (1) "engaged in active duty military service" means military personnel serving in an active capacity, including active duty personnel in the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or reservists; (2) "combat zone" means an area that the President of the United States designates by executive order as an area in which the armed forces of the United States are engaging or have engaged in combat; (3) "danger pay post" means a post so designated by the United States Secretary of State in the Department of State Standardized Regulations for purposes of danger pay under 5 U.S.C. 5828; and (4) "qualified hazardous duty area" means an area that, during the applicant's deployment, is treated as if it were a combat zone for purposes of a federal tax exemption under 26 U.S.C. 112 (Internal Revenue Code). Authority: AS 08.01.100 AS 08.72.050 AS 08.72.181

(3) "danger pay post" means a post so designated by the United States Secretary of State in the Department of

State Standardized Regulations for purposes of danger pay under 5 U.S.C. 5828; and

(4) "qualified hazardous duty area" means an area that, during the applicant's deployment, is treated as if it were

a combat zone for purposes of a federal tax exemption under 26 U.S.C. 112 (Internal Revenue Code).

Authority: AS 08.01.100 AS 08.72.050 AS 08.72.181

# Task List

**Adjourn**