

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

# BOARD OF EXAMINERS IN OPTOMETRY

CONDENSED MINUTES OF THE MEETING HELD JANUARY 12, 2023

|            |   |
|------------|---|
| Date:      | January 12, 2023  |
| Time:      | 12:00 PM  |
| Location:  | Teleconference  |
| Attending: | Board Members: Bradley Cross (Chair, OD), Pamela Steffes (OD) at 12:17 PM, Kathleen Rice (OD), Michael Mavencamp (OD)<br><br>Division Staff: Ashley Carabajal (Occupational Licensing Examiner), Alison Osborne (Regulations Specialist II), Sara Chambers (Boards and Regulations Advisor) |

|  |   |
|--|---|
| <b>1. Call to Order: <u>Review Agenda</u></b>                            |   |
| Brief Discussion:  | <i>No discussion to amend the agenda.</i>   |
| Motion:  | <i>Motion to approve the agenda as written. (First: Dr. Rice; Second: Dr. Mavencamp) - unanimous</i>  |
| Action Items:  | <i>The board will follow the agenda as written, unless amended later in the meeting.</i>  |
| <b>2. Call to order: <u>Ethics Report</u></b>                            |   |
| Brief Discussion:  | <i>Each board member confirmed they had no ethical conflicts to disclose.</i>   |
| <b>3. Call to Order: <u>Approve Meeting Minutes</u></b>                  |   |
| Brief Discussion:  | <i>The board made no changes to the November 17, 2022, board meeting minutes.</i>   |
| Motion:  | <i>Motion to approve November 17, 2022, meeting minutes as written. (First: Dr. Rice; Second: Dr. Mavencamp) - unanimous</i>  |
| Action Items:  | <i>The board approved the November 17, 2022, meeting minutes.</i>   |
| <b>4. <u>Public Comment</u></b>  |   |
| Brief Discussion:  | <i>Ashley Carabajal informed the board there were no public comments at the time.</i>   |
| <b>5a. Review Draft Regulations: <u>AOA Policy</u></b>                   |   |
| Brief Discussion:  | <i>Dr. Cross explained they could not use the AOA Policy in their regulations, but they could use some of the language on the website. He suggests adding a summary to the website about the telemedicine project and how it applies.</i> |
| Action Items:  | <i>No action needed.</i>  |
| <b>5b. Review Draft Regulations: <u>Telehealth 12 AAC 48.370 (a)</u></b> |   |

|                   |   |                   |
|-------------------|---|-------------------|
| Brief Discussion: | <p><i>Dr. Cross informed the board about an error in removing an edit from the previous meeting. He explained that 12 AAC 48.200 (f)(1) should be “acute illness” instead of “chronic illness” as discussed and approved in the November 17, 2022, Regulations Meeting. He explains it was an error in communication and will be removed with the new edits. Dr. Cross explains the draft was returned to him with no changes. Dr. Cross then explained that after further review, he found another edit he would like to make.</i></p> <p><i>Dr. Cross asked Alison to clarify if the wording sent to him via email, prior to the meeting, were approved and already in regulation. Alison confirmed that the wording was approved. Dr. Cross explained he made the edits in red because it flowed better with the progression through the regulation.</i></p> <p><i>Dr. Cross informed the board about more edits he sent to Ashley via email, prior to the meeting. Sara recommends to Dr. Cross that they include the definition of a telemedicine facilitator. She explained defining what a telemedicine facilitator is would help answer questions that may arise. This will make it clear that the optometrist could not serve a patient who is just having a telehealth from their home, they would need to be at a location where the telemedicine facilitator was, or optometrist would <b>not</b> be able to continue the visit. Dr. Steffes didn’t understand the intent of the wording. Dr. Cross mentioned the solution may be to put a summary of the intent of the new regulations on the website. This will be necessary either way.</i></p> <p><i>Dr. Steffes doesn’t understand the intent of the wording of the edits. Dr. Steffes thought #8 was a hindrance rather than an aid to healthcare, because there is no definition in regulation. Sara suggested adding “Such as” and listing examples for “When appropriate. Under 12 AAC 48.370 (b)(8). Dr. Cross comes up with a list of “Such as” examples to give an idea of what to expect.</i></p> <p><i>Dr. Cross asked Dr. Steffes and Dr. Mavencamp if they have any suggestions. Dr. Mavencamp has nothing to add. Dr. Steffes agrees with the changes.</i></p> <p><i>Dr. Steffes brings up another change Dr. Cross missed when rewriting his edits. She mentioned he forgot to remove retirement from the November 17, 2023, Regulations Meeting.</i></p> <p><i>Sara suggests setting another hour-long meeting date to go over new edits to the regulations project.</i></p> |                   |
| Motion:           | Motion to rewrite the telehealth information. (First: Dr. Rice; Second: Dr. Steffes)  |                   |
| Recorded Votes:   | Dr. Cross – Y   | Dr. Mavencamp – Y |
|                   | Dr. Rice – Y  | Dr. Steffes - Y   |
| Action Items:     | <p><i>Dr. Cross will edit 12 AAC 48.200 (f)(1) to read, “acute illness” instead of “chronic illness.”</i></p> <p><i>Dr. Cross will add the definition for telemedicine facilitator the draft regulations. He will also add a list of “Such as” examples after “When appropriate” to 12 AAC 48.370 (8).</i></p> <p><i>Dr. Cross will edit the regulations and submit them to Alison.</i></p>   |                   |

|                |                               |
|----------------|-------------------------------|
| Next Meetings: | January 20, 2023, at 12:00 PM |
| Adjournment:   | 12:57 PM                      |