

Annual Report

Fiscal Year 2019

ALASKA BOARD OF EXAMINERS IN OPTOMETRY



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

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

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Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
Dr. Paul Barney OD Optometrist, Chairperson	Anchorage	Mar 01, 2011	Mar 01, 2021
Dr. Damien Delzer OD Optometrist, Secretary	Fairbanks	Mar 01, 2014	Mar 01, 2022
Eric Lingle Board Seat Title	Juneau	Mar 01, 2016	Mar 01, 2022
Dr. Pamela Steffes OD Optometrist	Sitka	Mar 01, 2016	Mar 01, 2020
Dr. Erik Christianson OD Optometrist	Ketchikan	Mar 01, 2017	Mar 01, 2021
Dr Bradley Cross OD Optometrist	Soldotna	Mar 01, 2019	Mar 01, 2023

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Identification of Staff

Patricia Lonergan – Licensing Examiner (7/1/2018 – 2/8/2019)

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Emily Mesch – Licensing Examiner (3/8/2019 – 6/30/2019)

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Chelsea Childress – Records & Licensing Supervisor (7/1/2018 – 2/8/2019)

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Renee Hoffard – Records & Licensing Supervisor (2/8/2019 – 6/30/2019)

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Jun Maiquis – Regulations Specialist

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Identification of Staff (continued)

Sher Zinn – Regulations Specialist

Department of Commerce, Community & Economic Development
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Post Office Box 110806
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Brian Howes – Investigator

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Narrative Statement

One face to face meeting and 3 teleconferenced meetings were held during fiscal year 2019:

- August 6, 2018 – *Teleconference*
- October 19, 2018 – *Juneau*
(Juneau was most cost-effective location due to board roster geographic composition)
- January 22, 2019 – *Teleconference*
- April 5, 2019 – *Teleconference*

Meetings were necessary due to the large regulation projects that followed the signing of CSHB 103(FIN) as well as HB159 and SB74. Addressing the regulations and Board Advisories related to Opioid Use and Abuse was among the highest priority.

Public trust and protection remained the primary mission of the Board, and were the primary foci of the meetings and regulation projects. Licensure applications were carefully reviewed throughout the year via On Board Passageways Board Secure Board Portal Software and on-line voting allowed expedient decisions, however those requiring full Board discussion were reviewed during face to face meetings.

Licensure renewal, continuing education audits and reviews, as well as investigative reports were also reviewed and dispositions made during these live meetings. All correspondence requiring Board attention, input and decision were also carefully reviewed.

One Board roster change occurred during FY2019 – Dr. Bradley Cross of Kenai was appointed by Governor Dunleavy pending legislative confirmation hearings.

There were no open investigations requiring Board action during FY2019. Several investigations that were conducted however and found to not require Board attention did however result in significantly increased personnel costs.

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FY 2019 Narrative Statement (continued)

During FY2019, eleven regulation projects were completed and adopted into law. 12AAC 48.011(a)(9) addressed verification of pain management and opioid misuse educational requirements for licensure by examination, 12AAC48.020(c) addressed verification of pain management and opioid misuse education for licensure by credentials, 12AAC48.200(b)(4) addressed an increased allowed number of continuing education hours by remote learning, 12AAC48.200(c) addressed clarification for obtaining board approval for continued education other than as is already in regulation, 12AAC48.200 (d) addressed verification of pain management education and opioid misuse education for renewal of licensure, 12AAC48.210(a) addressed increased continuing education hour requirements reflecting future scope of practice changes, 12AAC48.210(d) addressed verification of pain management and opioid misuse education for renewal of licensure as well as elimination of cumbersome continuing education sub-type requirements, 12AAC48.230(a)(b)(c)(d) addressed and rectified issues regarding appropriate continuing education requirements and military exemptions which now appropriately protects the public, and 12AAC48.360 again addressed requirements for registration with the Alaska PDMP program.

12AAC48.340 and 12AAC48.350 addressed prescription and use of pharmaceutical agents and controlled substances and guidelines for each. These regulations were reviewed by Department of Law, put out for public comment, and have been forwarded to the Lt Governor's office for signature and await publication.

During FY 2019, a large regulation project (12AAC48.035 (tentative)) was initiated, reviewed, legally evaluated and is awaiting final regulation specialist review prior to public comment. This regulation will address specifics of practice pertaining to the statutory change adopted in Alaska Sec. 08.72.278 and published in July 2018. Determination of education requirements prior to granting any changes to scope of practice were studied at length to assure appropriate education and training as well as mechanisms to determine and document said training and education were paramount in the construction of the regulation project to ensure public protection.

Due to investigations and the large number of Regulation projects, personnel expenses remained higher than prior years, however an increase in 2019 license renewal fees appears appropriate to reduce and eventually eliminate any revenue deficit.

Travel expenses for FY2018 were kept minimal through the use of teleconferenced meetings when appropriate as well as a physical meeting in Juneau which represents the lowest travel costs due to Board Roster geographic composition.

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Budget Recommendations for FY 2020

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
October 11, 2019	Juneau	5	2
<input checked="" type="checkbox"/> Airfare:			\$1,700.00
<input checked="" type="checkbox"/> Hotel:			\$850.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other:			\$400.00
Total Estimated Cost:			\$2,950.00

Travel Required to Perform Examinations			
<input checked="" type="checkbox"/> Not applicable			
Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Conference:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Describe “Other” (break out all sections):			
Total Estimated Cost:			\$0.00

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Budget Recommendations for FY 2020 (continued)

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
Membership	ARBO	\$750.00

Description of item and its role in supporting the mission of the Board:

ARBO is a national organization that links regulators and Optometrists together to maintain national standards of patient care, practice and licensing requirements.

Summary of FY 2020 Fiscal Requests

Board Meetings and Teleconferences:	\$2,950.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$0.00
Dues, Memberships, Resources, Training:	\$750.00
Total Potential Third-Party Offsets:	-\$0.00
Other:	\$0.00
Total Requested:	\$3,700.00

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Legislation Recommendations Proposed Legislation for FY 2020

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

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Regulation Recommendations Proposed Legislation for FY 2020

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

12 AAC 48.035(tentative) addresses scope of practice regarding advanced therapeutic procedures, restricted procedures, educational requirements and process for verification of education and training pertaining to advanced therapeutic procedures.

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Goals and Objectives

Part I

FY 2019's goals and objectives, and how they were met:

- 1) Extensive regulation projects were initiated and implemented to further the protection and access to care for the public.
- 2) Board reports were provided to practitioner stakeholders during the annual Alaska Optometric Association meetings regarding regulation changes and advisories.
- 3) Three teleconferences and one face to face meeting were held to address the large number of regulation projects.
- 4) Travel expenses in FY2018 were minimized through teleconference and utilizing the closest geographic center for travel.
- 5) There were no significant non-discrimination legislative issues requiring Board action.
- 6) The Board initiated and completed regulation projects regarding Controlled Substances and Opioid Use and Misuse as well as additional topic specific educational requirements to fulfill the mandates of SB74 and HB 159. The Board is pleased to report there were no issues concerning this issue during FY2019.
- 7) Eleven regulation changes were adopted into law following the regulation process.
- 8) One extensive new regulation project (12AAC48.035 tentative) was initiated and judiciously studied and awaits final regulation specialist review prior to public comment.
- 9) Cumulative deficit showed an appropriate reduction following a department recommended fee increase.

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Goals and Objectives

Part II

**FY 2020's goals and objectives, and proposed methods to achieve them.
Describe any strengths, weaknesses, opportunities, threats and required resources:**

FY 2020 goals and objectives, and proposed methods to achieve them.

All of those issues listed in FY 2019 will remain as goals and objectives for FY 2020, however with the following items added:

- 1) Finalize and implement the major regulatory project for Advanced Therapeutic Procedures following the public comment process.
- 2) Assess the cumulative deficit near the end of 4Q FY2019 to determine if an additional license fee increase appears necessary.
- 3) Integrate the state law exam into an online exam for cost savings measures.

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Sunset Audit Recommendations

Date of Last Legislative Audit: 06/30/2013
Board Sunset Date: 06/30/2022

Audit Recommendation: DCBPL's Director should continue efforts to improve the investigative case management system's integrity and confidentiality.

Action Taken: The division has taken action to address deficiencies and improve the investigative case management systems efficiency and reliability in service areas.

Next Steps: N/A

Date Completed: FY 2014