

1 STATE OF ALASKA  
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT  
3 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING  
4 BOARD OF EXAMINERS IN OPTOMETRY  
5

6 **TELECONFERENCE**  
7 **August 6, 2018**  
8 **Juneau, Alaska**  
9

10 By authority of AS 08.01.070(2) and in compliance with the provision of AS 44.62,  
11 Article 6, a scheduled teleconference of the Board of Examiners in Optometry was held on  
12 August 6, 2018 at 333 Willoughby Avenue, 9<sup>th</sup> Floor, Juneau, AK  
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15 **Agenda Item 1 – Call Meeting to Order**

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17 Dr. Barney called the meeting to order on Monday, August 6, 2018 for the Board of Examiners in  
18 Optometry at 12:03 p.m. This meeting was public noticed on July 13, 2018 on the Alaska Online  
19 Public Notice system and July 16, 2018 in the Anchorage Daily News.  
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21 To comply with the voice roll call vote of the administrative procedures act, Dr. Barney  
22 requested a voice roll call asking that each board member state their name.  
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24 Voice Roll Call of the board:  
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26 Dr. Damien Delzer, Fairbanks: present  
27 Dr. Pamela Steffes, Sitka: present  
28 Mr. Eric Lingle, Juneau: present  
29 Dr. Paul Barney, Anchorage: present  
30 Dr. Erik Christianson, Ketchikan: joined the teleconference at 12:15 PM  
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32 Present from the Division of Corporations, Business and Professional Licensing:  
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34 Patricia Lonergan, Licensing Examiner  
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36 **Agenda Item 1 - Review Meeting Agenda**

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38 The board made no changes to the agenda.  
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40 **Agenda Item 2 - Review Regulations Project**

41 The board reviewed public comment received for the regulations that went out for public  
42 comment on June 26, 2018. 12 AAC 48.011(a), 12 AAC 48.020(c), 12 AAC 48.200(b)(4), 12 AAC  
43 48.200(c), 12 AAC 48.200(d), 12 AAC 48.210(a), 12 AAC 48.210(d), 12 AAC 48.230, 12 AAC 48.240,  
44 12 AAC 48.340, 12 AAC 48.350, 12 AAC 48.360. Although the board is sympathetic to the  
45 comments received, the comments do not pertain to the regulations sent out for public  
46 comment. The board is not able to address the concerns as they involve issues outside of the  
47 boards' jurisdiction.

48 The board reviewed recommended changes by the regulations specialist to 12 AAC 48.210(a)  
49 to include: On or after January 1, 2019 an applicant for renewal of a biennial optometry license,  
50 must document at least 40 contact hours of continuing education credit that meets the

51 requirements of 12 AAC 48.200, and that was completed during the concluding licensing period.  
52 Without amending this as it is currently written, licensees would need to submit 40 continuing  
53 education hours for the 2018 renewal.

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55 **On a motion duly made by Dr. Damien Delzer, seconded by Dr. Pam Steffes, and**  
56 **approved, it was:**

57 **RESOLVED to approve the recommended changes to 12 AAC 48.210(a) as**  
58 **recommended by the regulations specialist.**

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60 **ROLL CALL VOTE:**

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<b>Board Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Abstain/Recuse</b>
<b>Dr. Damien Delzer</b>	X		
<b>Mr. Eric Lingle</b>	X		
<b>Dr. Pamela Steffes</b>	X		
<b>Dr. Barney</b>	X		

62 The board reviewed recommended changes by the regulations specialist to 12 AAC 48.350 (4)  
63 to read: Ensure that any out-patient or guardian is informed both verbally and in written form the  
64 benefits and risks of controlled substance therapy and be provided any reasonable non-opioid  
65 alternative.

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67 **On a motion duly made by Dr. Damien Delzer, seconded by Dr. Pam Steffes and**  
68 **approved, it was:**

69 **RESOLVED to approve the recommended changes to 12 AAC 48.350(4) as**  
70 **recommended by the regulations specialist.**

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72 **ROLL CALL VOTE:**

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<b>Board Member</b>	<b>Approve</b>	<b>Deny</b>	<b>Abstain/Recuse</b>
<b>Dr. Damien Delzer</b>	X		
<b>Mr. Eric Lingle</b>	X		
<b>Dr. Pamela Steffes</b>	X		
<b>Dr. Barney</b>	X		

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75 Dr. Erik Christianson joined the conference call at 12:15 PM

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77 The board reviewed the updated HB103 draft regulations submitted by Dr. Barney. This  
78 regulation was discussed during the last teleconference and tabled to allow the Board time to  
79 contemplate the proposed regulation and determine if additional revisions were needed.

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81 Dr. Barney opened discussion asking if there were any objections to Therapeutic Procedures  
82 being used as the name of the expanded procedures. There were no objections.  
83 The board reviewed the educational requirements and agreed requiring educational  
84 requirements be fulfilled after January 1, 2016 was appropriate. This will provide a three year  
85 window, assuming regulations are approved and enacted in 2019. Dr. Barney advised the board  
86 that he had contacted Northeastern State University Oklahoma College of Optometry and their  
87 advanced procedures surgical course curriculum has not changed since January 1, 2016.  
88 The board discussed requiring an affidavit of practicing therapeutic procedures 1040 hours per  
89 year in a state that allowed therapeutic procedures since the time of completion of the course  
90 and decided to add that to the regulation. The board reviewed and discussed the proposed  
91 disqualified procedures and made no changes. The board discussed that while Botox would be

92 a non-laser procedure, this regulation would not limit the approved licensee to do a Botox  
93 injection for a Blepharospasm, this regulation would limit an approved licensee from doing any  
94 procedures that are not visual or related to the ocular adnexa (the lids, the brows, the tissue  
95 around the eye that support the eye) and abnormalities associated with it. The approved  
96 licensee would not be able to remove any skin tag that was not associated with the eye. The  
97 board agreed to leave this as currently written. The board would like a determination from the  
98 regulations specialist/legal regarding 12 ACC 48.XXX(c)1 in determining using may or shall, the  
99 board wants to ensure it has discretion should their be a situation that warrants the discretion.

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101 **12 ACC 48.XXX Therapeutic Procedures**

102 (a) Every optometrist desiring to utilize therapeutic procedures in the examination,  
103 evaluation, diagnosis, treatment, or performance of preventive procedures related  
104 to diseases, disorders, or conditions of the human eyes or adjacent and associated  
105 structures shall have satisfactorily completed courses in therapeutic procedures  
106 administered by an institution accredited by the Council on Post-Secondary  
107 Accreditation of the United States Department of Education and acceptable to the  
108 board. The board shall only approve the highest levels of education and training and  
109 shall license those qualified by such education and training to utilize therapeutic  
110 procedures, including anterior segment lasers and anterior segment surgical  
111 procedures (Expanded Therapeutic Surgical and Laser Procedures). The use of any  
112 such therapeutic procedure by an optometrist shall require the optometrist to be in  
113 possession of a current license as provided in this section.

114 i. Licensed optometrists shall be credentialed to perform authorized  
115 ophthalmic surgery procedures if:

- 116 1. the applicant provides proof of holding an Alaska license to  
117 practice therapeutic optometry and is in good standing;
- 118 2. the applicant provides proof of satisfactory completion of a  
119 course of instruction approved by the Board that may include:

120 a. the following didactic classroom instructions:

- 121 i. laser physics, hazards, and safety;
- 122 ii. biophysics of lasers;
- 123 iii. laser application on clinical optometry;
- 124 iv. laser tissue interactions;
- 125 v. laser indications, contraindications, and potential  
126 complications;
- 127 vi. gonioscopy;
- 128 vii. laser therapy for open angle glaucoma;
- 129 viii. laser therapy for angle closure glaucoma;
- 130 ix. laser posterior capsulotomy;
- 131 x. common complications: lids, lashes, lacrimal  
132 system;
- 133 xi. local complications;
- 134 xii. medicolegal aspects of anterior segment  
135 procedures;
- 136 xiii. peripheral iridotomy;
- 137 xiv. laser trabeculoplasty;
- 138 xv. minor surgical procedures;
- 139 xvi. overview of surgical instruments, asepsis, and  
140 O.S.H.A.;
- 141 xvii. surgical anatomy of the eyelids;
- 142 xviii. emergency surgical procedures;
- 143 xix. chalazion management;



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- 8. Surgery requiring incision of the retina;
- 9. Surgical extraction of the crystalline lens;
- 10. Surgical implantation of intraocular lens implants;
- 11. Incisional or excisional surgery of the extraocular muscles;
- 12. Nonlaser surgery of the eyelid for eyelid malignancies or for incisional cosmetic or mechanical repair of blepharochalasis, ptosis, and tarsorrhaphy;
- 13. Surgery of the bony orbit, including orbital implants;
- 14. Incisional or excisional nonlaser surgery of the lacrimal system other than lacrimal probing or related procedures;
- 15. Surgery requiring full thickness conjunctivoplasty with graft or flap;
- 16. Any nonlaser surgical procedure that does not provide for the correction and relief of ocular or ocular adnexa abnormalities;
- 17. Injection into the posterior chamber of the eye to treat any macular or retinal disease; and
- 18. The administration of general anesthesia;

(c) Prohibitions and Referrals.

- i. Performing Expanded Therapeutic Surgical and Laser Procedures without satisfactory completion of the educational requirements established in this administrative regulation may/shall be grounds for suspension or revocation of an optometry license. The board would like to ask the regulations specialist/department of law, for a determination, on which wording would grant the board flexibility in an extreme situation and the board wanted that flexibility.
- ii. An injection into the posterior segment/chamber or retinal tissue to treat any macular or retinal disease shall be prohibited.
- iii. Any eyelid or adnexal lesion found to be malignant shall be referred to a practitioner trained and qualified to treat those lesions.

Authority AS.08.72.050 AS.08.72.278 AS.08.72.273

**On a motion duly made by Dr. Pam Steffes, seconded by Dr. Erik Christianson and approved, it was:  
RESOLVED to move 12 ACC 48.XXX Therapeutic Procedures forward to the regulation specialist with the changes discussed during this meeting.**

**ROLL CALL VOTE:**

Board Member	Approve	Deny	Abstain/Recuse
Dr. Damien Delzer	X		
Mr. Eric Lingle	X		
Dr. Pamela Steffes	X		
Dr. Erik Christianson	X		
Dr. Barney	X		

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Dr. Barney asked if there was any other board business.

**On a motion duly made by Dr. Damien Delzer, seconded by Dr. Erik Christianson and approved unanimously, it was:  
RESOLVED that having considered public comment, and the cost to the public and licensees the board moves to adopt 12 AAC 48.011(a), 12 AAC 48.020(c), 12 AAC 48.200(b)(4), 12 AAC 48.200(c), 12 AAC 48.200, 12 AAC 48.210(a) as revised by the**

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regulations specialist, 12 AAC 48.210(d), 12 AAC 48.230, 12 AAC 48.240, 12 AAC 48.340,  
12 AAC 48.350 as revised by the regulations specialist and 12 AAC 48.360.

**ROLL CALL VOTE:**

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

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**Agenda Item 4 - Adjourn Meeting**

Dr. Barney asked if there was any other board business, hearing none and having concluded the agenda items, Dr. Barney thanked the board for allowing the conference call to go over the allotted one hour time frame and adjourned the conference call.

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**The conference call adjourned at 1:16 p.m.**

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Respectfully Submitted:

  
Patricia Lonergan, Licensing Examiner

Approved:   
Dr. Paul Barney, Chairperson  
Alaska Board of Optometry

10-19-2018  
Date