

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 October 11, 2019
8

9 *The staff of the Division of Corporations, Business and Professional Licensing prepared these*
10 *draft minutes. They have not been reviewed or approved by the Board.*
11

12 By authority of AS 08.01.070(2) and in compliance with the provision of AS 44.62,
13 Article 6, a scheduled teleconference of the Board of Examiners in Optometry was held on
14 October 11, 2019, at 333 Willoughby Avenue, 9th Floor, Juneau AK
15
16

17 **Agenda Item 1 – Call Meeting to Order / Roll Call**
18

19 Dr. Damien Delzer called the meeting to order at 9:03am
20

21 Roll call:

22 Dr. Bradley Cross, Soldotna – Present

23 Mr. Eric Lingle, Juneau – Present

24 Dr. Damien Delzer, Fairbanks – Present

25 Dr. Erik Christianson, Ketchikan – Absent

26 Dr. Pam Stefes, Sitka – Joined at 9:10am
27

28 Juneau staff:

29 Renee Hoffard – Present

30 Emily Mesch – Present

31 Rebecca Powers – Present
32

33 **Agenda Item 2 – Approve Meeting Agenda**
34

35 Dr. Delzer discusses agenda, possible additions to agenda. Renee clarifies that Division Update will be
36 presented at 10:45.
37

38 Mr. Lingle moves to approve agenda, Dr. Cross seconds.
39
40
41
42

Board Member	Approve	Deny	Recuse
Dr. Damien Delzer	X		
Dr. Bradley Cross	X		
Mr. Eric Lingle	X		

43

44 The agenda is approved unanimously.

45

46 **Agenda Item 3 – Ethics Issues**

47

48 Mr. Lingle and Dr. Cross report no ethics issues. Dr. Delzer was informed of concerns regarding an
 49 establishment where care was not up to par. Dr. Delzer informed the individual that official action
 50 would require the entire board, but that information could be disseminated freely without board action.
 51 The individual chose the second option.

52

53 As the following agenda item is investigations, Dr. Delzer asks when our investigator will join. Emily
 54 answers that she will call in momentarily.

55

56 Renee introduces Rebecca as the new supervisor for Optometry.

57

58 Dr. Delzer discusses August 5th minutes, asks if other board members had an opportunity to review
 59 them. They have, and have no concerns. Dr. Cross moves to approve minutes for August 5th and April
 60 5th meetings. Mr. Lingle seconds.

61

62 Dr. Steffes joins at 9:10am

63

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

64

65 Dr. Delzer reviews previous meeting actions for Dr. Steffes, asks if she has any additions. She does not.

66

67 **Agenda Item 4 – Investigative Reporting**

68

69 Jasmine Bautista joins at 9:11am

70

71 Jasmine states that there are no new cases since April.

72

73 Dr. Cross inquires about complaint from Dr. Steiner. Emily states that the investigation was forwarded
 74 to investigations. Renee states that if it was not followed up on, it means the investigation team did not
 75 find sufficient cause to investigate.

76

77 Dr. Delzer asks about law exam, if it is available online. Rebecca commits to following up on developing

78 online exam.

79

80 Dr. Steffes confirms that current exam conforms to April regulation changes.

81

82 Dr. Delzer mentions regulation document that Dr. Steffes sent to him and Emily. Dr. Steffes moves to
83 amend the agenda to discuss these regulations. Dr. Cross seconds.

84

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

85

86 Motion passes unanimously.

87

88 **Agenda Item 5 - Regulations**

89

90 Dr. Steffes describes discrepancy between 12 AAC 48.330 and American Academy of Optometry
91 protocols, along with College of Optometrists in Vision Development protocols.

92

93 Dr. Steffes moves to amend 12 AAC 48.330 d(1) to state “list as a diplomate of the American Academy of
94 Optometry in anterior segment, binocular vision, perception, and pediatric optometry, comprehensive
95 eyecare, section on cornea, contact lenses, and refractive technologies, glaucoma, low vision,
96 optometric education, public health and environmental vision,” and to amend 12 AAC 48.338 d(2) to
97 state “vision development, vision therapy, and vision rehabilitation.” Dr. Cross seconds.

98

99 Mr. Lingle asks how often the AAO changes these regulations. Dr. Delzer answers that there may be
100 minor changes within the next five years. Mr. Lingle suggests wording that states the board matches
101 AAO protocols to future-proof the regulations.

102

103 Dr. Cross moves to amend the motion to reflect Mr. Lingle’s wording. Mr. Lingle seconds.

104

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

105

106 Motion passes unanimously.

107

108 Dr. Steffes discusses contact lens regulations in 12 AAC 48.920. Suggests change to bring Alaska
109 regulations in line with FTC. Dr. Steffes moves to adopt regulation change that would include language
110 for base cure, diameter, lens brand, material, center thickness, and expiration date. Dr. Cross seconds.

111

112

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

113

114 Motion passes unanimously.

115

116 Dr. Delzer changes agenda to speak about Salzman Nodule and scope of practice.

117

118 **Agenda Item 6 – Salzmann Nodule/Scope of Practice**

119

120 Dr. Delzer opens floor for discussion. After discussion, Dr. Delzer concludes that current regulations
121 aren't adequate to conclude whether or not Salzmann Nodule procedure is within scope of practice.

122

123 Dr. Cross moves that Dr. Steffes draft a letter stating that the board does not issue an opinion on
124 Salzmann Nodule procedures, pending regulatory changes. Dr. Steffes seconds.

125

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

126

127 Motion passes unanimously.

128

129 **Agenda Item 6 – Audit**

130

131 Dr. Delzer inquires about the status of the audit from the last license renewal. Renee and Emily commit
132 to providing an update by end of day.

133

134 Renee offers to see if deputy director can move up the Right Touch presentation, leaves at 9:49am.

135

136 Dr. Delzer asks if there is any additional correspondence that requires board input. Emily replies there is
137 not. Dr. Delzer asks about pending applications. Emily replies that there are potentially two
138 applications which will be complete by the October 15th voting session. Dr. Delzer inquires about the
139 two tabled applications that were discussed during the August 5th board meeting. Emily states that one
140 was resubmitted and approved already, and that the other has just received an update, and will likely be
141 up for vote on October 15th.

142

143 Dr. Cross discusses the poor communication leading up to this meeting. Emily apologizes and takes
144 responsibility for all errors, resolves to ensure this does not happen again moving forward.

145

146 **Agenda Item 7 – Next Meeting**

147

148 Dr. Dezler proposes deciding on date and location for next board meeting. Present board members
149 reach consensus of a tentative April 17th, 2020 date in Juneau.

150
151 Renee returns at 9:58am, states that Sharon Walsh will be joining meeting shortly for Right Touch
152 presentation, leaves at 9:59am.

153
154 **Agenda Item 8 – Right Touch Regulations**

155
156 Sharon Walsh joins at 9:59am. Rebecca Powers leaves at 10:02am.

157
158 The Division would like the Board to look closely at the current regulations to streamline processes and
159 make them more efficient, whether that be the licensing process or regulations in general. During the
160 presentation, Ms. Walsh explained that the division was asking boards to rethink options to manage risk,
161 break out of their comfort zone, and be willing to hear different perspectives that enable them to
162 evaluate current and proposed management strategies, as well as propose statute, regulation, or
163 administrative changes to the existing regulatory landscape. She informed the board of an evaluation
164 tool that was created by the division that is based on the principles of right-touch regulation, and that
165 the exercise does not prescribe an outcome, but leads to the exploration of characteristics of oversight
166 that properly limit or address any problems with the activity in question. She informed the board that
167 the presentation and workbook was not meant to force changes upon them, but rather presented an
168 opportunity to set goals or objectives based around reforming regulations, and to conquer those goals
169 and objectives.

170
171 At conclusion of presentation, Mr. Lingle notes that based on his experience, the optometry board
172 already works consistently with the presentation’s goals, and that optometry statutes and regulations
173 are very streamlined.

174
175 Sharon Walsh leaves at 10:17am.

176
177 **Agenda Item 9 – Upcoming Legislation**

178
179 Dr. Delzer notes that there may be legislation in the upcoming session affecting licensure for military
180 spouses which may require the Optometry Board to review program-specific regulation.

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182 Dr Delzer adjourns meeting at 10:21am.

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Respectfully Submitted:

Emily Mesch, Licensing Examiner

Date

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201

Dr. Damien Delzer, Chairperson
Alaska Board of Optometry

Date