

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

Draft

**MINUTES OF MEETING
DECEMBER 1, 2005**

These draft minutes were prepared by the staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or approved by the board.

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, Article 6, a scheduled teleconference meeting of the Alaska State Board of Examiners in Optometry was held on December 1, 2005, in the State Office Building at 333 Willoughby Avenue, 9th Floor, Conference Room A, Juneau, Alaska.

Agenda Item 1 Call to Order/Roll Call

The meeting was called to order by Jill Matheson, OD, Chair, at 9:26 a.m.

Those present, constituting a quorum of the board, were:

Jill Matheson, OD, Chair
Thomas Carter, Public Member
Dennis Swarner, OD

John Cobbett, OD and Jeff Gonnason, OD, were unable to attend the meeting.

Staff Present was:

Steve Snyder, Licensing Examiner

Agenda Item 2 Public Comment

No public were present.

Agenda Item 3 Review/Approve Agenda

Discussion of future credentials applicant, Stacey Kennedy with reference to TPA endorsement was added under Item 6B of Regulations.

On a motion by Swarner seconded by Carter and carried unanimously it was

Resolved to approve the agenda as amended.

Agenda Item 4 **Minutes**

After review and on a motion by Carter seconded by Swarner and carried unanimously it was

Resolved to approve the minutes of the meeting held June 9, 2005.

Agenda Item 5 **Investigative Report**

The board reviewed the investigative report. There were no questions. No action was taken.

Agenda Item 6 **Regulations**

The board reviewed the regulation project which was adopted last meeting. The amendment of 12 AAC 48.025 had been separated out as Part II due to the need to re-draft. All other changes had been approved by the Department of Law as part I.

The board reviewed the new draft of Part II, 12 AAC 48.025(a) and (c). It was noted that under 12 AAC 48.025(a)(3)(A) the word "OR" was removed from the end. The board made it clear under 12 AAC 48.025(a)(3) that the applicant will have the option of meeting the requirement of (A) or (B) or (C). The board amended the proposed regulation to leave the word "OR" in at the end of (A).

On a motion by Swarner seconded by Carter and carried unanimously it was

Resolved to adopt Part II of the regulation project as discussed and amended.

The board determined that this change would not be a financial burden on any professional, private, or public person.

Agenda Item 6B **Kennedy Application**

The Licensing Examiner explained that a current applicant, Stacey Kennedy, has not passed the TMOD examination but has been practicing under a Louisiana (LA) license with Full TPA Authority for over ten years. She had qualified in LA based on her education and a 12 hour refresher course in TPA which included an examination. Under the new regulation just adopted by the board, once it becomes effective, it would be up to the board to take into consideration her TPA coursework and examinations in 1992 and determine if they are equivalent. The point being that the recent regulation amendment was made specifically for this type of applicant.

Only 3 board members were present and of those only two received the papers on Dr. Kennedy's coursework so the board decided not to discuss this particular issue until their next face to face meeting.

12 AAC 48.220

The board reviewed the proposed amendment to 12 AAC 48.220 which would no longer require renewal applicant to list out their CE. It was noted that this change is being held until there are more regulation changes to submit together as one project.

Agenda Item 7 **Legislative Issues**

After discussion of the need to enter executive session and on a motion by Carter seconded by Swarner and carried unanimously it was

Resolved to enter executive session pursuant to AS 44.62.310 to discuss a confidential government document regarding the legislative audit of the Board.

10:10 a.m. Off record
10:26 a.m. Reconvene to open session.

10:30 a.m. Recess
10:36 a.m. Reconvene

The board discussed some of the problems with their statutes and how to get them changed. The licensing examiner explained the difficulties of getting a bill introduced by going through the Department. After discussion it was determined that the board should come up with some proposed new language for the statute changes they want. That way if the legislature notices their requests from past annual reports while considering their continuation bill, they will be ready.

The licensing examiner agreed to come up with a change for AS 08.72.240 that would authorize them to deny a license, refuse to renew a license, discipline a first time applicant or place stipulations on a first time licensee. It was noted that other changes should be ready too, in case the board gets an unexpected opportunity to submit legislative proposals.

Agenda Item 10 **ARBO Annual Meeting**

Tabled until next meeting to be given by Dr. Gonnason.

Agenda Item 11 **Annual Report Review**

The Annual Report was in the packets for review. Discussion was tabled until the next face to face meeting.

Agenda Item 12 Schedule Meetings

The 2006 Meeting were scheduled as follows:

May 12, 2006 Anchorage
December 1, 2006 Teleconference

Agenda Item 13 Ethics Reporting

All members reported that they had no ethics violations or potential violations.

Agenda Item 14 Budget Report

The board reviewed the budget and expenditures report and believes there is an excess of revenues which should result in the lowering of license fees by the Division. The licensing examiner explained the process for fee setting based on the Division's review of recent expenditures history. The board's fees are due to be reviewed in the summer of 2006. The board requested that the chair be notified as soon as the review has been made by the Division.

Agenda Item 15 Miscellaneous Correspondence

A copy of the board's letter to Don Young supporting Dr. John Boozman's bill, H.R. 371 was in the packet reviewed by the board. No action was taken.

Having no further business to discuss and on a motion by Swarner seconded by Carter and carried unanimously it was

Resolved to adjourn the meeting at 11:19 a.m.

Respectfully Submitted:

Steven B. Snyder, Licensing Examiner

Approved:

Jill Matheson, OD, Chair

Date: _____