

THE BOARD OF EXAMINERS IN OPTOMETRY
Professional & Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes ("HRS").

Date: Monday, December 14, 2015

Time: 8:30 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Present: Reid Saito, O.D., Chair
Peter Shoji, O.D., Vice Chair
Seulyn Au, O.D.
Gayle Chang, Public Member
Jere Loo, O.D.
Geoffrey Reynolds, O.D.
Daniel Jacob, Deputy Attorney General ("DAG")
Sandra Matsushima, Executive Officer ("EO")
Jennifer Fong, Secretary

Guests: None.

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by section 92-7(b), Hawaii Revised Statutes ("HRS").

1. Call to Order: There being a quorum present, Chair Saito called the meeting to order at 8:35 a.m.

2. Additions/Revisions to Agenda: Upon a motion by Vice Chair Shoji, seconded by Dr. Reynolds, it was voted on and unanimously carried to add the following items to the agenda:

- Under 5. New Business, add "c. Continuing Education"

3. Approval of Board Meeting Minutes of November 23, 2015: Chair Saito asked if there were any questions or comments on the minutes.

There were none.

After some discussion, upon a motion by Dr. Loo, seconded by Dr. Reynolds, it was voted on and unanimously carried to approve the minutes of the November 23, 2015 meeting as circulated.

4. Executive Officer's Report:

EO Matsushima reported the following:

- There are 432 Hawaii OD licenses eligible for renewal. As of 12/1/15, 214 licenses have been renewed.
- Recently, a licensee who lives and practices in another state renewed their Hawaii license online. Later that same day, the OD realized they did not need their Hawaii license and requested a cancellation. That OD was refunded the renewal amount minus transaction and credit card fees.

5. New Business:

a. Requests for Trade Name Approval

The Board reviewed the request from Dr. Leslie Poon for trade name approval.

Upon a motion by Chair Saito, seconded by Vice Chair Shoji, it was voted on and unanimously carried to approve Dr. Poon's request for approval of the trade name "Dream Vision Eye Care".

b. Inquiry regarding the National Board of Examiners in Optometry ("NBEO") Part III Examination and the Injection Skills Exam ("ISE")

The Board reviewed an email from Dr. Ernesto Suarez inquiring if an applicant for TPA certification is required to pass the ISE "injections" portion of the NBEO part III examination.

After some discussion, upon a motion by Dr. Reynolds, seconded by Dr. Loo, it was voted on and unanimously carried that pursuant to Hawaii Administrative Rules ("HAR"), Sections 16-92-19 & 20, an applicant would need to take and pass all parts of the NBEO written examination and the NBEO practical examination. The ISE "injections" portion is separate from the written portions of the examination and is not required for the passage of the Part III written examination.

Dr. Suarez will be informed that the Board will not confirm or deny another's interpretation of our laws, provide legal advice, or legal interpretations. Furthermore, this response is for informational and explanatory purposes only and is not an official opinion or decision. Accordingly, this response should not be viewed as binding on the Board.

c. Continuing Education

- Letter from Andrew Maeda, OD requesting an increase to the maximum amount of correspondence hours allowed

The Board reviewed a letter from Dr. Maeda requesting that the Board allow licensees the option of obtaining at least 18 to 20 hours of online continuing education, citing the high cost of air fare and hotel accommodations as well as the restricted number of kama'aina rate rooms available for neighbor island licensees to attend live courses.

After some discussion, upon a motion by Dr. Loo, seconded by Dr. Reynolds, it was voted on and unanimously carried to deny Dr. Maeda's request that the Board allow an option to obtain at least 18-20 hours of online educational credits. The Board asked EO Matsushima to inform Dr. Maeda that the Board enforces HRS Chapter 459, and HAR Title 16, Chapter 92. Pursuant to section 16-92-39, HAR, the Board is unable to accept more than 25% of the total number of continuing education hours of Board approved correspondence courses.

- Letter from Alan Riezman, OD requesting acceptance of ARBO's Course History Report in lieu of CE Certificates

EO Matsushima reported that Dr. Riezman submitted a copy of his "ARBO Course History for Licensee" as proof of complying with the CE requirement. A letter was subsequently sent to Dr. Riezman informing him that HAR §16-92-40(a) states in part "[c]ertificates of continuing education shall be submitted...", therefore, the "ARBO Course History for Licensee" is not acceptable in lieu of the required certificates. Dr. Riezman recently submitted his certificates, however, he also sent a letter to the Division's Licensing Administrator stating "I believe that members of your department are making renewal arbitrarily more difficult."

After some discussion, it was the consensus of the Board that as EO Matsushima has already notified Dr. Riezman of the HAR section requiring submission of certificates, there is no need for further response.

DAG Jacob noted that any changes to the CE requirements such as accepting the ARBO Course History or increasing the amount of correspondence courses allowed would require the Board to amend its administrative rules.

➤ Letter from Patrick Nam, OD requesting a waiver of the CE requirement

The Board reviewed a letter from Dr. Nam requesting a waiver of the CE requirement for license renewal as he currently is not working in the profession.

DAG Jacob noted that HAR §16-92-42 only allows exceptions to the CE requirement for license restorations, not renewals.

After some discussion, upon a motion by Dr. Loo, seconded by Dr. Reynolds, it was voted on and unanimously carried to direct EO Matsushima to contact Dr. Nam regarding his request.

EO Matsushima stated that she would provide an update to the Board at their next meeting.

6. Old Business:

a. Association of Regulatory Boards of Optometry (“ARBO”) – OE Tracker Update

EO Matsushima reported that Sierra Rice confirmed that on the ARBO certificate, there is only a place for the licensee to sign attesting that they attended the course. There is no area for the course provider’s signature, however, the course provider is listed on the certificate.

DAG Jacob reiterated that any change to CE requirements such as the information required on the certificates would require a change to the Board’s administrative rules.

7. Continuing Education:

a. Continuing Education Course Report

Dr. Reynolds moved to approve the following continuing education courses:

<u>Index #</u>	<u>Program Title/Sponsor</u>	<u>CE</u>	<u>TPA Hours</u>
14-032	Ocular Symposium: Pearls in Ocular Diagnosis American Academy of Optometry	24	24
16-001	Ocular Surface Disease and Ocular Allergies Hawaiian Eye Center	2	2
16-002	Cornea Review Hawaiian Eye Center	2	2

<u>Index #</u>	<u>Program Title/Sponsor</u>	<u>CE</u>	<u>TPA Hours</u>
16-003	Glaucoma Update: What's new? How to use the tools in my office? Hawaiian Eye Center	2	2
16-004	Ocular Manifestations of Systemic Disease Hawaiian Eye Center	1	1
16-005	Trauma, Emergency Scenarios in the eye with Case Presentations Hawaiian Eye Center	1	1
16-006	2016 Island Eyes Conference Pacific University College of Optometry	26	26

Dr. Au seconded the motion, it was voted on and unanimously carried.

8. Applications: a. Ratification List

None.

b. Applications

None.

9. Chapter 91, HRS
Adjudicatory
Matters:

None.

10. Next Meeting:

Monday, January 11, 2016
9:00 a.m. **(New Time)**
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

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11. Adjournment: With no further business to discuss, Chair Saito adjourned the meeting at 9:16 a.m.

Taken by:

/s/ Jennifer Fong

Jennifer Fong
Secretary

Reviewed by:

/s/ Sandra Matsushima

Sandra Matsushima
Executive Officer

12/16/15

[] Minutes approved as is.

[✓] Minutes approved with changes; see minutes of January 11, 2016.