

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, May 12, 2014

Time: 8:30 a.m.

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

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

Excused: Peter J. Shoji, O.D.

Guests: Joy Shimabuku

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 Reynolds called the meeting to order at 8:33 a.m.

2. Additions/Revisions to Agenda: Chair Reynolds announced that the Board members were provided additional distribution for the following agenda items:

5. Old Business

- a. Association of Regulatory Boards of Optometry ("ARBO") Annual Meeting, June 22-24, 2014, Philadelphia, Pennsylvania – Request for Member Board Report

b. ARBO OE Tracker – Email regarding upcoming OE Tracker changes

6. New Business

a. Request from Irvin Tsumoto, O.D. for Approval of the Nova Southeastern University College of Optometry's Therapeutic Pharmaceutical Agents Certification Course, July 10-19, 2014

3. Approval of Board Meeting and Executive Session Minutes of March 31, 2014:

After some discussion, it was moved by Dr. Lui, seconded by Vice Chair Saito, and unanimously carried to approve both the board and executive session minutes of the March 31, 2014 meeting as circulated.

4. Executive Officer's Report:

None.

5. Old Business:

a. Association of Regulatory Boards of Optometry ("ARBO") Annual Meeting, June 22-24, 2014, Philadelphia, Pennsylvania – Request for Member Board Report

EO Matsushima noted that at their last meeting, the Board deferred their response to several questions for discussion during the ARBO Annual Meeting. ARBO is asking for the Board's policy or rule regarding telemedicine regulation and their policy or rule regarding board certification.

Dr. Lui reminded the Board that at their May 14, 2012 meeting, the Board adopted a policy on advertising post-licensure certifications. He recommended that item 7 of that policy be amended to read: "The Board does not deem passage of written examinations given by the NBEO prior to Hawaii state licensure to be a post-licensure certification. Rather, it is viewed as a [typical] means of meeting state licensing [licensure] requirements. [Indeed, 1998 NBEO Board policy states that *"Passing any current National Board examination, including the TMOD examination, or any combination of current National Board examinations, is not equivalent to 'board certification'.*]" (underlined material added, while bracketed material is to be deleted)

After some discussion, it was the consensus of the Board to respond to ARBO's questions as follows:

1. What is your Board's policy or rule regarding telemedicine regulation?

Board's Response: The Board's statutes and rules do not address telemedicine regulation, nor do they have a policy regarding telemedicine regulation.

2. What is your Board's policy or rule regarding Board certification?

Board's Response:

The Board's Policy on Advertising Post-Licensure Certifications pursuant to §16-92-52(3) and (6), HAR and §459-9(3) and (6), HRS is as follows:

1. Justification for policy: This Board is concerned about optometrists representing themselves as being "Board Certified". The public could be misled into thinking it represents a higher level of expertise than other licensed optometrists, or that it may even be a requirement to practice.
2. This Board recognizes there are various organizations offering post-licensure programs conferring among other things, "board certification", "maintenance of competence certification" and "fellowship status". This Board recommends all of these entities be referred to as Post-Licensure Certifications under this policy.
3. This Board recognizes Board Certification is traditionally specialty-based and represents significant additional training and expertise. Some optometric "Board Certifications", however, do not fit this definition of certification in training in a specialty. Inasmuch as these certifications have no bearing on Hawaii State licensure, this Board will not at this time determine the validity of any of these certifications. Furthermore, this Board makes no endorsement of post-licensure certifications.
4. If an optometrist wishes to advertise a post-licensure certification, he or she must identify the entity issuing the certification. Identification by acronym (ABO, COVD, FAAO, etc.) is acceptable.
5. The optometrist must be able to provide verification he or she has achieved any post-licensure certification. Should this Board or any member of the public request information on or clarification of the certification, the optometrist must be able to provide a complete description of the certification and the process to attain it.
6. The optometrist can make no claim a post-licensure certification makes he or she "better, superior, or more advanced" than other licensed optometrists in Hawaii.

7. The Board does not deem passage of written examinations given by the NBEO prior to Hawaii state licensure to be a post-licensure certification. Rather, it is viewed as a means of meeting state licensing requirements.

b. ARBO OE Tracker – Email regarding upcoming OE Tracker changes

EO Matsushima stated that beginning July 1, 2014, optometrists who pay their OE Tracker annual subscription fee will receive unlimited CE certificate uploads for CE hours that are not listed in their account. CE providers will still be able to send CE attendance from their events into ARBO for direct uploading into OE Tracker. She said she sent an email with follow up questions to Sierra Rice. A copy of Ms. Rice's responses to those questions was distributed to the Board.

Chair Reynolds noted that if the optometrists do not pay the subscription fee, they will not be allowed to submit CE certificates themselves and would have to rely solely on the CE provider.

Dr. Lui asked whether the Board was considering making the use of OE Tracker optional.

EO Matsushima said yes. Ideally, ARBO would conform their report to meet the requirements in the Board's rules.

DAG Jacob stated that ultimately, it is the burden of the optometrist to provide the information requested. Previously, a few concerns about the report were raised that ARBO might not be able to work around. It is up to the Board to decide how to proceed. He noted that during the presentation, Ms. Rice had stated that there are about a dozen states currently using OE Tracker in some form.

EO Matsushima noted that she and Chair Reynolds have requested a meeting with Ms. Rice during the upcoming ARBO meeting to discuss OE Tracker.

DAG Jacob suggested that they also speak to representatives of the states that are currently using OE Tracker to see how the implementation is working for them.

6. New Business:

a. Request from Irvin Tsumoto, O.D. for Approval of the Nova Southeastern University College of Optometry's Therapeutic Pharmaceutical Agents Certification Course, July 10-19, 2014

EO Matsushima noted that at their July 25, 2011 meeting, the Board approved the Nova Southeastern University College of Optometry's Therapeutic Pharmaceutical Agents Certification Course, held July 7-16, 2011, as acceptable to fulfill the education requirement of a 100-hour board approved course in the

treatment and management of ocular diseases needed in order to obtain Hawaii TPA Certification.

After some discussion, upon a motion by Dr. Loo, seconded by Dr. Lui, it was voted on to approve Nova Southeastern University College of Optometry's Therapeutic Pharmaceutical Agents Certification Course, held July 10-19, 2014, as acceptable to fulfill the education requirement of a 100-hour board approved course in the treatment and management of ocular diseases needed in order to obtain Hawaii TPA Certification.

b. Request from Joel Punzal, O.D. for Trade Name Approval

The Board reviewed the request from Dr. Punzal for approval of the following trade name: Punzal Vision.

Upon a motion by Vice Chair Saito, seconded by Dr. Loo, it was voted on and unanimously carried to approve the trade name mentioned above.

7. Continuing Education:

a. Continuing Education Course Report

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

<u>Index #</u>	<u>Program Title/Sponsor</u>	<u>CE</u>	<u>TPA Hours</u>
14-010	53 rd Annual Heart of America Contact Lens and Primary Care Congress Heart of America Contact Lens Society	60	42
14-011	International Vision Expo & Conference East 2014 Reed Exhibitions/Vision Council	179	125

Vice Chair Saito seconded the motion, it was voted on and unanimously carried.

8. Applications:

a. Ratification List

Upon a motion by Dr. Loo, seconded by Dr. Lui, it was voted on and unanimously carried to ratify the following:

Approved for Optometrist License

- OD 792 JASON B WHITMAN

Approved for TPA Certification

- OD 788 KAREN L LEE

b. Applications

None.

10. Next Meeting: Monday, July 28, 2014
8:30 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

EO Matsushima noted that Ms. Shimabuku's tenure on the Board has ended. She commended Ms. Shimabuku for her dedication to public service and thanked her for devoting valuable time while serving on the Board.

11. Adjournment: With no further business to discuss, Chair Reynolds adjourned the meeting at 8:54 a.m.

Taken by:

/s/ Jennifer Fong

Jennifer Fong
Secretary

Reviewed by:

/s/ Sandra Matsushima

Sandra Matsushima
Executive Officer

5/13/14

[] Minutes approved as is.

[✓] Minutes approved with changes; see minutes of July 28, 2014.