

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, September 29, 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: 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 Reynolds called the meeting to order at 8:35 a.m.

2. Additions/
Revisions to
Agenda: None.

3. Approval of
Board Meeting Chair Reynolds asked if there were any questions or comments on the minutes.

Minutes
of July
28, 2014:

Upon a motion by Dr. Lui, seconded by Vice Chair Saito, it was voted on and unanimously carried to approve the minutes of the July 28, 2014 meeting as circulated.

4. Executive
Officer's
Report:

a. 2015 Meeting Schedule

A copy of the proposed 2015 Meeting Schedule was distributed to the Board.

Ms. Chang noted that she will not be able to attend the February 2nd meeting.

EO Matsushima reminded the Board that if they have any conflicts or are unable to attend a scheduled meeting, they should contact the board office as soon as possible.

5. Old
Business:

None.

6. New
Business:

a. Inquiry from Kenneth Lafferty regarding whether the use of AmbioDisk is within the scope of practice of a Hawaii licensed Optometrist

The Board reviewed a request submitted by Kenneth Lafferty regarding AmbioDisk.

According to the documentation provided by Mr. Lafferty, AmbioDisk is a sutureless, overlay use of AmbioDry2 Amniotic Membrane on the ocular surface.

Chair Reynolds noted that therapeutic pharmaceutical agent ("TPA") certified optometrists are allowed to do minor surgical procedures such as debridement of the eye.

Dr. Lui said that this device appears to be a healing aid which is placed on the ocular surface. He feels the use of this would fall within the scope of practice of a TPA certified optometrist. He noted that each optometrist should use their professional judgment to determine whether any device should be used.

Upon a motion by Vice Chair Saito, seconded by Dr. Lui, it was voted on and unanimously carried that based on the information provided in Mr. Lafferty's email, the use of AmbioDisk is within the scope of practice of a Hawaii licensed optometrist with therapeutic pharmaceutical agent certification.

This is an informal interpretation for informational and explanatory purposes only and is not an official opinion or decision and therefore is not to be viewed as binding on the Board.

b. Inquiry from Mike Rock regarding whether Hawaii licensed Optometrists are legally authorized to dispense pharmaceuticals for profit

EO Matsushima noted that Mr. Rock has two questions: 1) Are optometrists legally authorized to dispense pharmaceuticals for profit in Hawaii? and 2) Does Hawaii have any laws or regulations enabling optometrists to dispense “medicated contacts”?

Dr. Lui stated that with regards to the inquiry about “medicated contacts”, there is no product on the market yet so the question appears to be theoretical.

By consensus, the Board asked the EO to inform Mr. Rock that based on the information he has provided, they are unable to provide an opinion regarding his inquiry about “medicated contacts”.

Executive Session:

At 8:57 a.m., upon a motion by Dr. Lui, seconded by Chair Reynolds, it was voted on and unanimously carried to move into Executive Session in accordance with HRS, 92-5(a)(4), “To consult with the board’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities”.

At 9:22 a.m., upon a motion by Ms. Chang, seconded by Vice Chair Saito, it was voted on and unanimously carried to move out of executive session.

By consensus, the Board deferred discussion on Mr. Rock’s inquiry regarding whether optometrists are legally authorized to dispense pharmaceuticals for profit in Hawaii.

The Board asked DAG Jacob to provide a written summary of his research and also provide possible solutions which may allow a Hawaii licensed TPA certified optometrist to dispense products to their own patients.

7. Continuing Education:

a. Continuing Education Course Report

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

<u>Index #</u>	<u>Program Title/Sponsor</u>	<u>CE</u>	<u>TPA Hours</u>
14-025	Ocular Disease Part I Southern California College of Optometry/MBKU	16	16

<u>Index #</u>	<u>Program Title/Sponsor</u>	<u>CE</u>	<u>TPA Hours</u>
14-026	Ocular Disease Part II Southern California College of Optometry/MBKU	18	17
14-027	Cataract and Refractive Surgery Update 2014 Aloha Laser Vision	3	3
14-028	Pacific Rim Optometric Conference Hawaii Optometric Association	16	16

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

8. Applications: a. Ratification List

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

Approved for Optometrist License

- OD 795 GIEZEL RIVERA
- OD 796 REBECCA L CABATBAT
- OD 797 JODI A KAMEMOTO
- OD 798 SAMUEL D CHADO
- OD 799 TIMOTHY D MACK
- OD 800 THUY C TRAN
- OD 801 WENJUN HUANG

Approved for TPA Certification

- OD 794 JANET T DOAN
- OD 796 REBECCA L CABATBAT
- OD 797 JODI A KAMEMOTO

b. Applications

None.

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

10. Adjournment: With no further business to discuss, Chair Reynolds adjourned the meeting at 9:24 a.m.

Taken by:

/s/ Jennifer Fong

Jennifer Fong
Secretary

Reviewed by:

/s/ Sandra Matsushima

Sandra Matsushima
Executive Officer

10/21/14

Minutes approved as is.

Minutes approved with changes; see minutes of _____.