

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

MINUTES OF MEETING

- Date: Monday, July 25, 2016
- Time: 9:00 a.m.
- Place: Queen Liliuokalani Conference
Room King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813
- Present: Reid Saito, O.D., Chair
Seulyn Au, O.D.
Gayle Chang, Public Member
Geoffrey Reynolds, O.D.
Mana Moriarty, Deputy Attorney General ("DAG")
Sandra Matsushima, Executive Officer ("EO")
Jennifer Fong, Secretary
- Excused: Peter Shoji, O.D., Vice Chair
Jere Loo, 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 Saito called the meeting to order at 9:08 a.m.
 2. Additions/
Revisions
to Agenda: None.
 3. Approval of
the Board
Minutes of the
May 23, 2016
Meeting: Chair Saito asked if there were any comments or concerns regarding board minutes of the May 23, 2016 meeting.

There were none.

Upon a motion by Dr. Reynolds, seconded by Dr. Au, it was voted on and unanimously carried to approve the minutes of the May 23, 2016 meeting as circulated.

4. Executive Officer's Report:

a. Information regarding Mobile/Online Eye Testing

EO Matsushima reported that there was a lot of discussion at the recent Association of Regulatory Boards of Optometry ("ARBO") conference regarding eye exams you can take using a smart phone where an eyeglass prescription is sent after the results are reviewed. She cited as an example a company called Opternative, provides an exam via smartphone and computer. The exam is reviewed by an ophthalmologist and an eyeglass prescription is sent. Another company, Blink, will send a technician to the patient's home or office. The eye exam is administered using handheld devices. The exam results are sent to an optometrist who will write a prescription, if necessary, and email it to the patient.

Chair Saito stated that there are notable differences between the two services. Blink actually has staff who will see the patient in person. Opternative's services are all performed online.

b. Change to California's Requirements for Thearapeutic Pharmaceutical Agent ("TPA") Certification

EO Matsushima reported that she met Jessica Siefertman, the EO for the California Board of Optometry at the ARBO Conference. California has changed their requirements, effective January 1, 2017, to require completion of "100 hours of directed and accredited education in ocular and systemic diseases."

Dr. Reynolds asked if the 100 hour course will be offered in California.

EO Matsushima said she did not think so as the required hours are provided by approved optometry schools as part of the curriculum so it has not been an issue for most applicants who graduated after January 1, 1997.

c. Board Member Orientation Reminder

EO Matsushima reminded the Board that if they are planning to attend the upcoming board member orientation on August 30, 2016, they will need to notify her as soon as possible.

d. DCCA Disciplinary Actions

EO Matsushima reported that there were no disciplinary actions for the Board of Examiners in Optometry in June 2016.

5. Advisory

Committee Report: None.

6. Old Business:

a. Legal Name Change – Update

EO Matsushima reported that the OD has changed her legal last name to her maiden name and she has submitted all of the documents required to practice under her new legal name.

b. Information regarding Pop Up Clinics

EO Matsushima reported that there was an inquiry regarding whether a mobile unit such as a van can operate in Hawaii. She noted that there is nothing in the laws and rules which govern such a unit as long as any optometrists associated with the unit are licensed in Hawaii, however, many states are promulgating rules to ban mobile units due to public health and safety concerns.

Chair Saito noted that a mobile unit operated by Hawaii licensed optometrists doing a comprehensive exam is different from doing a telemedicine exam.

Dr. Au said that it sounds similar to a van operated by Dr. Bennett in which they perform a fairly comprehensive exam including refraction. This van is already operating in the state.

EO Matsushima said she believed the idea started when federal funding was given to provide services on Native American reservations.

DAG Moriarty suggested if the federal funding was provided for Native American reservations, it's possible that the companies would also request federal funding to provide similar services on Hawaiian homelands.

7. New

Business:

a. Requests for Trade Name Approval

None.

b. Election of Officers

After some discussion, Ms. Chang moved to nominate Dr. Saito as Chair and Dr. Shoji as Vice Chair. Dr. Au seconded the motion. It was voted on and unanimously carried.

c. 2016 Association of Regulatory Boards of Optometry ("ARBO") Annual Meeting

i. Executive Officer's Report

EO Matsushima asked Chair Saito to share his experience at the conference.

Chair Saito stated that it was a good meeting and he found it very beneficial. He reported the following information:

- Michigan sent a cease and desist order to Opternative this past February. Indiana, Oklahoma, Nebraska and Georgia also currently have laws banning this type of service. The American Optometric Association has filed a complaint with the U.S. Food and Drug Administration ("FDA") arguing that Opternative's continued marketing to consumers without federal approval is in violation of the Food, Drug and Cosmetic Act and suggests that the device should be taken off the market until the FDA has deemed it safe and effective.
- Due to the fallout of the anti-trust findings of the North Carolina Board of Dentistry, there has been legislation nationwide that increases oversight of boards in the form of committees or commissions, sometimes with veto power over board rulings.

DAG Moriarty noted that boards and commissions in Hawaii are different from those in North Carolina which do not have an attorney or government employee supervising their actions. In Hawaii, there is a DAG, EO and other government officials who assist the boards and commissions. He suggested if the Board has additional questions regarding the North Carolina Board of Dentistry anti-trust findings, they ask DAG Daniel Jacob who is very familiar with that case.

- The Council on Optometric Practitioner Education ("COPE") is trying to restructure their accreditation process for continuing education. There will be two different avenues for achieving COPE

approval – one for larger entities that regularly put on education programs who will apply for Provider Accreditation status which will be valid for 2 years and another for smaller groups who will apply for an Activity Accreditation which will be valid only for the specific activity applied for.

EO Matsushima noted that her written report was included in the meeting packet. She reported that one of the discussions which garnered much interest was an update from the District of Columbia. Earlier this year, the Council of the D.C.'s governing body unanimously passed an Act which requires at least two hours of LGBTQ-related clinical or cultural competency training for all health care providers.

d. Question regarding webinar courses

EO Matsushima noted that because of changing technology, other professions are considering interactive webinars as “live” continuing education (“CE”). Interactive webinars allow the licensee to participate in a lecture in real-time using a computer, smart phone or tablet with an internet connection. The licensee can submit questions to the lecturer and receive a live answer. She noted that interactive webinars meet the definition of live CE in New York and webinars have been approved by some states such as California, Texas, Michigan and Pennsylvania as live CE. Information on a sample interactive webinar course was given to the Board for review. She noted that the Board has a limit on the amount of correspondence/internet courses a licensee can take and asked if they would consider accepting interactive webinars as “live” CE.

Chair Saito noted at traditional live courses, there are always attendees who are checking their phone messages or doing other things so they are not necessarily paying attention to the lecturer, however, they still get credit because they were physically present.

Dr. Reynolds said he feels if the licensee is able to interact with the instructor in real time, it could be considered a live course.

By consensus, the Board deferred discussion on this matter so the members could do more research on the topic.

8. Continuing
Report Education:

a. Continuing Education Course

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>
16-014	Optometry's Meeting 2016 <i>American Optometric Association</i>	184.5	143.5
16-016	Dry Eye Fix <i>Vision Source & Distinctive Education</i>	2	2
16-018	Ocular Symposium: Pearls in Ocular Diagnosis <i>Ocular Symposium</i>	24	24
16-020	Indian Health Service Biennial CE Meeting <i>Southern California College of Optometry/MBKU</i>	11	11
16-021	9 th Annual CE in Paradise <i>Jenkins Eye Care</i>	6	6
16-022	CE with Aloha <i>Aloha Laser Vision</i>	3	3
16-023	Cornea 2016 <i>Eyesight Hawaii</i>	3	3
16-024	Ocular Disease Part II <i>Southern California College of Optometry/MBKU</i>	18	18

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

9. Applications:

a. Ratifications

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

Approved for Optometrist License

- OD 837 JANET S ROTH
- OD 838 ELIZABETH-ROSE K HANOHANO-HONG
- OD 839 APRIL M LEWIS
- OD 840 JESSICA C IIDA
- OD 841 ASHLEY R P LUKE
- OD 842 ESTHER T YOUNG

Approved for Optometrist License (continued from previous page)

- OD 843 DAYNA L YIM
- OD 844 SHELLEY K TASAKA
- OD 845 ASHLEY M PORTER

Approved for TPA Certification

- OD 828 T STEPHANIE X L SHAO JONES
- OD 838 T ELIZABETH-ROSE K HANOHANO-HONG
- OD 833 T EDWIN Y ENDO

b. Applications

None.

10. Next Meeting: Monday, September 26, 2016
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor Honolulu,
Hawaii 96813

11. Adjournment: With no further business to discuss, Chair Saito adjourned the meeting at 10:06 a.m.

Taken by:

/s/ Jennifer Fong

Jennifer Fong
Secretary

Reviewed by:

/s/ Sandra Matsushima

Sandra Matsushima
Executive Officer

8/15/16

[] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____.