

THE BOARD OF EXAMINERS IN OPTOMETRY

Professional & Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: Monday, December 11, 2017

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
Peter Shoji, O.D., Vice Chair
Seulyn Au, O.D.
Gayle Chang, Public Member
Jere Loo, O.D.
Darek Sato, Public Member
Robb Shibayama, 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 9:11 a.m.

2) Additional Distribution: None.

3) Approval of Board Meeting Minutes of November 13, 2017: Chair Saito asked if there were any comments or concerns regarding the board minutes of the November 13, 2017 meeting.

There were none.

Upon a motion by Vice Chair Shoji, seconded by Dr. Loo, it was voted on and unanimously carried to approve the minutes of the November 13, 2017 meeting as circulated.

4) Executive
Officer's Report:

a. 2017 License Renewal Update

EO Matsushima reported that 440 licensees were eligible for renewal. As of December 4, 2017, 249 licenses have been renewed. Of the 249 licenses, 242 were renewed online. To date, 204 licensees have submitted continuing education ("CE") documents. 60 licensees have had their CE documents approved.

b. Department of Commerce and Consumer Affairs ("DCCA") Disciplinary Actions for October 2017

EO Matsushima reported that there were no optometry-related DCCA disciplinary actions for October 2017.

5) Old
Business:

a. Regulated Industries Complaints Office ("RICO") Request for Review and Approval of the Optometry Advisory Committee list and Addendum language for the 2018 term

Executive
Session:

At 9:16 a.m., it was moved by Vice Chair Shoji, seconded by Dr. Au, and unanimously carried (by roll call with Chair Saito, Vice Chair Shoji, Dr. Au, Ms. Chang, Dr. Loo, Mr. Sato and Dr. Shibayama voting aye) to move into Executive Session to consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities, in accordance with HRS §92-5(a)(4).

At 9:27 a.m., it was moved by Dr. Loo, seconded by Dr. Shibayama, and unanimously carried (by roll call with Chair Saito, Vice Chair Shoji, Dr. Au, Ms. Chang, Dr. Loo, Mr. Sato and Dr. Shibayama voting "aye") to move out of Executive Session.

It was moved by Vice Chair Shoji, seconded by Dr. Shibayama, and unanimously carried to approve RICO's Optometry Advisory Committee list and Addendum language for the 2018 term with the additional names as discussed.

b. Continuing Education ("CE") Audit for License Renewal

After some discussion, it was the consensus of the Board to approve the following changes to Hawaii Administrative Rules ("HAR") § 16-92-40 (bracketed material is to be deleted):

- HAR § 16-92-40, Certificates of continuing education. (a) Certificates of continuing education shall be submitted on or before December 31 of each odd-numbered year and shall contain the following information:
 - (1) Name of sponsoring organization;
 - (2) Name of licensee;

- (3) Place of course;
- (4) Title of course;
- (5) Number of hours of course;
- (6) Date of course;
- (7) The index number assigned by the board, except for courses provided by sponsors listed in section 16-92-39 (a) and (b); and
- [(8) Signature of lecturer or any authorized official of the sponsoring body.]
- (b) The board shall accept [certified] copies of certificates of continuing education in lieu of originals [if good cause is shown].

EO Matsushima also suggested adding language which would allow the Board, at its discretion, to request additional information. She will provide language used by other boards to EO Kobashigawa for the Board to review.

After some discussion, it was the consensus of the Board to defer this discussion.

6) New Business:

- a. Request from JoAnne Takara, O.D. for Approval of the 100 hour Therapeutic Pharmaceutical Agents ("TPA") Certification/Board Review course at Nova Southeastern University School of Optometry, July 8-18, 2018

The Board reviewed Dr. Takara's request to approve the 100 hour TPA Certification/Board Review course which will be held at Nova Southeastern University, School of Optometry on July 8-18, 2018. Dr. Takara provided the course outline with her request.

EO Matsushima noted that the Board has previously approved two requests for approval of the 100 hour TPA Certification course at Nova Southeastern University School of Optometry 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 Mr. Sato, it was voted on and unanimously carried to approve the 100 hour Therapeutic Pharmaceutical Agents Certification/Board Review course at Nova Southeastern University School of Optometry, which will be held on July 8-18, 2018, 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.

At 10:00 a.m., Ms. Chang left the meeting.

b. Request from Kevin Lui, O.D. for Board reconsideration of non-acceptance of Association of Regulatory Boards of Optometry ("ARBO") Certificate of Completion

The Board reviewed a request from Dr. Lui which he is asking for the Board to reconsider not accepting ARBO certificates of completion. Dr. Lui's request stated that he does not dispute the CE certificate stipulations in HAR Chapter 92, however, he feels since the Board has accepted the ARBO certificates in the past, the Board has an onus to inform licensees if there are any changes to accepted documents.

EO Matsushima noted that HAR §16-92-40(a) requires that certificates of continuing education contain the signature of lecturer or any authorized official of the sponsoring body. During previous discussions regarding amending the Board's administrative rules, the Board's DAG determined that as the ARBO certificate requires the licensee to self-certify and does not include the required signature, it is not acceptable. EO Matsushima noted that the Board did not accept ARBO certificates during the 2015 renewal.

DAG Jacob stated that based on the current rules, he does not believe the Board can accept the ARBO certificates.

EO Matsushima noted that earlier in the meeting, the Board voted to amend their rules. She asked if that would allow them to accept the ARBO certificates for the current renewal.

DAG Jacob said he did not believe so, however, he can do additional legal research to see if there is a way they may be accepted for the current renewal.

After further discussion, this matter was deferred to allow DAG Jacob to conduct additional legal research.

c. Request for Trade Name Approval from Grant T. Miyashiro, O.D.

The Board reviewed the request from Dr. Miyashiro for approval to use the trade name "Eye Care Hawaii".

After discussion, upon a motion by Dr. Shibayama, seconded by Dr. Au, it was voted on and unanimously carried to approve Dr. Miyashiro's request for approval of the trade name "Hawaii Vision Associates".

At 10:32 a.m., Vice Chair Shoji left the room.

d. Request from Jeffrey Coleman, O.D. for Board consideration of CE Transcript from the Texas Optometry Board in lieu of CE certificates

The Board reviewed the request from Dr. Coleman to accept a CE transcript from the Texas Board with the Board Seal in lieu of his CE certificates.

At 10:35 a.m., Vice Chair Shoji returned to the room.

EO Matsushima reported that the Texas Board has since emailed a list of continuing education that Dr. Coleman has submitted to the Texas Board. To date, the Board has not received a CE Transcript with the Board's seal.

Chair Saito stated that he did a preliminary review of the list of continuing education and at least two courses would not be accepted. This would mean Dr. Coleman is short CE hours even if the Board accepted the Texas Board transcript.

By consensus, this matter was deferred pending receipt of the CE Transcript with the Texas Board seal for review. The Board directed the EO to inform Dr. Coleman that he will be short CE hours even if the Board accepts the Texas Board transcript.

At 10:40 a.m., Vice Chair Shoji left the meeting.

7) Request for CE
Program Approval:

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

<u>Index #</u>	<u>Program Title/Sponsor</u>	<u>CE</u>	<u>TPA Hours</u>
17-023	Advances in Diagnostic Imaging Guiding Treatment of Retinal Disease <i>Mark E. Tafoya, MD of Pacific Retina Care</i>	2	2

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

8) Next Board
Meeting:

January 8, 2018
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

//
//
//

- 9) Adjournment: With no further business to discuss, Chair Saito adjourned the meeting at 10:59 a.m.

Taken by:

/s/ Jennifer Fong

Jennifer Fong
Secretary

Reviewed by:

/s/ Sandra Matsushima

Sandra Matsushima
Executive Officer

12/19/17

[☒] Minutes approved as is.

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