

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

MINUTES OF MEETING

- Date: Monday, January 6, 2020
- Time: 9:00 a.m.
- Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813
- Present: Peter J. Shoji, O.D., Chair (“CH”)
Robb Shibayama, O.D., Vice Chair (“VC”)
Seulyn L. Au, O.D.
K. Paul Chin, O.D.
Scott Kubota, Public Member
Darek Sato, Public Member
Wallace Kojima, O.D
Daniel Jacob, Deputy Attorney General (“DAG”)
Christopher Fernandez, Executive Officer (“EO”)
LaJoy Lindsey, Secretary
- Excused: None
- Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by section 92-7(b), of the Hawaii Revised Statutes (“HRS”).
1. Call to Order: There being a quorum present, Chair Shoji called the meeting to order at 9:00 a.m.
 2. Approval of Board Meeting Minutes of November 25, 2019: Chair Shoji asked if there were any comments or concerns regarding the Board minutes of the December 16, 2019 meeting. There being none, upon a motion by Vice chair Shibayama, seconded by Dr. Kojima, it was unanimously carried to approve the minutes of the meeting as circulated.
 3. Executive Officer’s Report
 - a. Disciplinary Actions

EO Fernandez reported that there were no disciplinary actions through

December 2019. He also noted an error on the agenda as it stated the Disciplinary Actions were through November.

- b. Executive Officer Kedin Kleinhans was introduced and the Board informed that he will fill in for Mr. Fernandez while he is out on family leave. EO Kleinhans is also the EO for Barbering and Cosmetology, Elevator Mechanics, Motor Vehicle Industries Licensing and other programs.

4. Applications:

a. Ratifications

Upon a motion by Dr. Chin, seconded by Dr. Au, it was unanimously carried to ratify the following:

1) Approved for TPA Certification

- OD-924 MOALLEM, Marjan

5. New Business:

a. Request for Trade Name Approval

After review of the letter from Dr. Punzal, the Board, with a motion from Dr. Au, seconded by Mr. Sato, and voted unanimously to approve the use of the trade name to "Punzal Vision". It was previously approved on May 12, 2014.

b. Request for Extension

Dr Serena Leung requests extension to complete the required CE continuing education for 16-92-26. Dr. Leung is active duty in Japan and has been since 2017. EO Fernandez informed the Board that typically, the military provides funds to take courses, however the funding has been cut. An extension would allow her to attend the Island Eyes conference in January.

One Board member reminded others that only 17 TPA hours were approved for the conference.

EO Fernandez suggested a six-month window for Dr. Leung to complete the required continuing education ("CE") since the board may set the timeframe. With a motion by Mr. Sato, seconded by Dr. Shibayama and voted unanimously to grant Dr. Leung a 6-month extension.

6. Request for CE Program Approval:

NONE.

Index #	Course Title	Sponsor or Requestor	TPA Hours Requested	TPA Hours Approved
	NONE			

7. Old Business:

a. Rule change discussion and Revision

The Board discussed updating the continuing education section of the rules to include that CE be obtained within the biennium they are submitted for. It was brought to EO Fernandez's attention that there is a limit set prior to the biennium but not for after. He stated for example that within the Naturopathic Medicine chapter of HRS, CE must be obtained within the biennium. If an optometry licensee submits CE late, they have to restore their license and pay the late fee, and can submit CE obtained in the subsequent biennium. It is of importance to note that if the licensee submits an online renewal prior to the end of the biennium stating that they completed their CE requirement, and had not completed the CE, then they would be in violation of the statute for a falsely attesting they had completed their CE requirement. In cases like this RICO is notified that CEs were not completed at the time of online renewal.

The Board noted the difference between two situations: sending a definite and deficient number of CE hours, and submitting at least the proper amount and not realizing that some or all CEs are unacceptable. If licensees don't have the CEs, they should not renew online. If a licensee has not renewed by the end of the biennium, then they should also not be practicing since any practice would be considered unlicensed. Licensees are responsible to abide by the rules.

DAG Jacob mentioned that a license may be revoked at RICO's discretion for not meeting the CE requirement or fraudulently attesting to having done so.

EO Fernandez stated that deficiency notices instruct licensees to submit CEs from the given time period.

Dr. Kojima asked, if a licensee is required to complete 36 hours, and they submit more than the allowable 8 hours of online courses and are short two hours overall because of this, what is their option?

