

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

MINUTES OF MEETING

- Date: March 29, 2021
- Time: 9:00 a.m.
- Place: Virtual Videoconference Meeting – Zoom Webinar
- Present: Robb Shibayama, O.D., Chairperson (“Chair”)
K. Paul Chin, O.D., Vice Chairperson (“VC”)
Seulyn L. Au, O.D.
Darek Sato, Public Member
Wallace Kojima, O.D.
- Staff: Daniel Jacob, Deputy Attorney General (“DAG”)
Christopher Fernandez, Executive Officer (“EO”)
Kerrie Shahan, Executive Officer (“EO”)
Erin Emerson, Secretary
Christine Dela Cruz, Secretary – Tech Support
Leanne Abe, Secretary – Tech Support
- Excused: None
- Guests: Pamela Aubuchon - Jenkins Eye Care
- 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”).
- A short video was played to explain the meeting procedure and how members of the public could participate in the virtual meeting.
1. Call to Order: Chair Shibayama welcomed everyone to the meeting and proceeded with a roll call of the Board members. All Board members confirmed that they were present.
- There being a quorum present, Chair Shibayama called the meeting to order at 9:07 a.m.
2. Approval of Board Meeting Minutes of January 25, Chair Shibayama asked the Board members if there were any comments or concerns regarding the Board meeting minutes of January 25, 2021. There were none.

¹ Comments from the public were solicited on each agenda item. If no public comments were given, the solicitation for and lack of public comment are not explicitly stated in these minutes.

2021: Upon a motion by VC Chin, seconded by Dr. Au, it was moved and unanimously carried to approve the meeting minutes of January 25, 2021.

3. Executive Officer's Report EO Fernandez explained that following the departure of EO Daniel Jimenez, he had been temporarily assisting as the Executive Officer for the Board. He then introduced the new Executive Officer for the Board of Optometry, Kerrie Shahan. EO Shahan thanked EO Fernandez for the introduction and provided the Board with some background information on her work with the Licensing Board in the State of New Jersey.

EO Shahan advised there were no disciplinary actions to report.

EO Shahan told the Board members to expect an email regarding their financial disclosures; if they have not received the email by the end of April, they should let her know.

EO Shahan asked EO Fernandez to discuss an outstanding item from January 2020. EO Fernandez recapped with the Board that during the January 6, 2020 board meeting, a request for extension was approved for Dr. Serena Leung that allowed her six (6) months to complete her continuing education ("CE") requirements for the restoration of her license. He advised that due to the ongoing pandemic and internal staffing changes, the letter advising of the Board's decision was never sent to Dr. Leung. He informed the Board that he will send the letter out, dated today, to initiate the six (6) month extension for Dr. Leung to complete her CE requirements for the previous biennium, 2018-2019. He advised that Dr. Leung is aware that, upon restoration, she will also need to complete the separate CE requirements for the upcoming biennium renewal, 2020-2021. EO Fernandez asked if the Board had any comments or concerns. There were none.

4. Applications: Ratifications

It was moved by Chair Shibayama, seconded by Dr. Kojima, and unanimously carried to ratify approval of the following TPA and DPA Certification:

Approved for TPA Certification

OD946 MALIA Y KUNIOKA

Approved for DPA Certification

OD946 MALIA Y KUNIOKA

5. Request for CE Program a. New Course Request

Approval:

Chair Shibayama asked if the Board had any comments or concerns regarding the list of new applications for CE courses. There was none.

Upon a motion by Chair Shibayama, seconded by VC Chin, it was unanimously voted to approve the following CE programs:

INDEX #	PROGRAM TITLE	SPONSOR'S NAME	DATE	LOCATION	DPA/TPA HOURS APPROVED
21-005	Mahalo 2021	VSP Global	2/5/2021	Webinar	1/1
21-006	Mahalo 2021	VSP Global	2/5/2021	Webinar	1/1
21-007	HOA Live Virtual CE Seminar	Hawaii Optometric Association	3/7/2021	Webinar	4/4
21-008	Thyroid Eye Disease-Updates in Evaluation & Treatment	Aloha Laser Vision	4/6/2021	Webinar	1/1
21-009	Visual Fields - The Old, The New and Monitoring Progression	Jenkins Eye Care	4/1/2021	Webinar	2/2
21-010	OCT: Progression Analysis and Monitoring in Glaucoma	Jenkins Eye Care	5/6/2021	Webinar	2/2
Big Island Ophthalmic Education Conference					
21-011-1	Visual Fields: The Fundamentals	Hawaii Vision Specialists	3/2/2021	Webinar	1/1
21-011-2	Optical Coherence Tomography Basics	Hawaii Vision Specialists	3/2/2021	Webinar	1/1
21-011-3	Optic Nerve Variations, Anomalies and Diseases	Hawaii Vision Specialists	3/2/2021	Webinar	1/1
21-011-4	Retinal White Dot Syndromes	Hawaii Vision Specialists	3/2/2021	Webinar	1/1
21-012	Myopia Management in Children	Aloha Laser Vision	5/27/2021	Webinar	1/0

b. Course Amendment Request

Chair Shibayama asked if the Board had any comments or concerns regarding the course amendment request for course 20-001 – Keratoconus and Crosslinking Review. The sponsor, Aloha Laser Vision is requesting a new course date of 02/18/21. There were no comments or concerns.

Upon a motion by Chair Shibayama, seconded by Dr. Kojima, it was unanimously voted to approve the course amendment request.

6. ARBO Communications:

a. ARBO 2020 Year in Review – informational only

b. COPE Call for Comment

c. ARBO Call for Nominations

Chair Shibayama asked if the Board had any comments or concerns regarding ARBO 2020 Year in Review – informational only, COPE Call for Comment or ARBO Call for Nominations.

Dr. Kojima noted that the COPE Call of Comment had a deadline to submit comments listed as January 8, 2021. He requested that future communications be released to the Board members prior to deadline.

EO Shahan confirmed that she would be sure to release future communications prior to deadline.

Upon a motion by VC Chin, seconded by Mr. Sato, it was unanimously voted to approve all three (3) ARBO Communications items.

7. Rule Revision:

Chair Shibayama asked if there were any comments or concerns from the Board regarding the draft revisions of the Hawaii Administrative Rules (“HAR”).

Dr. Au asked for a timeline for implementation of the HAR revisions.

Chair Shibayama could not provide an exact timeline and he explained that there are many steps involving public input that could prolong the process.

Dr. Au queried whether the CE amendments in the revised HAR would be implemented for the 2021 renewal audits.

Chair Shibayama advised that until the HAR revisions process is finalized, the Board will need to follow the current HAR definitions for CEs.

Dr. Au stated that her colleagues have been asking about how CEs will be handled during the upcoming renewal audit. She asked what she should tell them since the HAR revisions are not official.

Chair Shibayama informed the Board that EO Fernandez and EO Shahan are working on a statement regarding the upcoming renewal CE requirements. They are hoping to have it available on the optometry website by July. Chair Shibayama explained that optometrists will still be required to fulfill their CE renewal requirements using virtual courses, even in the absence of live in-person courses. He further explained that the Board does not have the authority to allow for more than 25% of CE hours to be completed with non-virtual correspondence courses.

EO Fernandez concurred with Chair Shibayama. He also advised that the Board does not have the authority to reduce the number of CE hours required for license renewal. EO Fernandez surmised that if there were no objections to the HAR revisions there is a possibility they could finish the HAR revision process by mid-year 2023.

DAG Jacob recommended not voting on the HAR revisions today as the draft was not attached to the agenda when it was filed, nor was the agenda wording specific enough to substantiate a vote. He said that if the Board has no objections to the current HAR revision draft, he could start his initial review and the Board could vote to approve it at the next meeting.

EO Fernandez asked DAG Jacob if they could also include justifications of the HAR revisions in the next meeting.

DAG Jacob outlined the many steps of the HAR revision process and explained that they would not be at that step in the process for the next meeting. He advised that provided the next meeting agenda has detailed HAR revision wording, or the revisions are attached to the agenda when filing, the Board could vote to approve the revisions at the next meeting.

EO Shahan confirmed that she would work with DAG Jacob to finalize the agenda prior to the next meeting.

DAG Jacob asked the Board if they had any amendments they wanted to make to this HAR revision draft. There were none. DAG Jacob confirmed that since there are no objections, he would proceed with his review.

Chair Shibayama stated that the Board would look forward to DAG Jacob's review and voting on the revisions at the next meeting.

8. Next Board Meeting: Monday, May 24, 2021 9:00 a.m.
9:00 a.m.
Virtual Videoconference Meeting – Zoom Webinar
11. Adjournment: With no further business to discuss, Chair Shibayama adjourned the meeting at 9:41 a.m.

Taken by:

/s/ Erin Emerson
Erin Emerson
Secretary

Reviewed by:

/s/ Kerrie Shahan
Kerrie Shahan
Executive Officer

3/31/21

[x] Minutes approved as is.

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