

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

MINUTES OF MEETING¹

Date: March 28, 2022

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, HI 96813

Virtual Videoconference Meeting – Zoom Webinar
<https://dcca-hawaii-gov.zoom.us/j/96677405824>

Present: Robb Shibayama, O.D., Chairperson (“Chair”)
K. Paul Chin, O.D., Vice Chairperson (“VC”)
Seulyn L. Au, O.D.
Wallace Kojima, O.D.
Peter Clayton Searl, O.D.

Excused: None

Staff: John Cole, Deputy Attorney General (“DAG”)
Kerrie Shahan, Executive Officer (“EO”)
Wilma Balon, Secretary
Chelsea Fukunaga, Tech Support

Guests: 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”).

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.

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.

There being a quorum present, Chair Shibayama called the meeting to order at 9:13 a.m.

2. Approval of Board Minutes of January 31, 2022: Chair Shibayama asked the Board members if there were any comments or concerns regarding the Board meeting minutes of January 31, 2022. There were none; it was moved by Chair Shibayama, seconded by VC Chin and unanimously carried to approve the Board meeting minutes of January 31, 2022.
3. Executive Officer's Report & Disciplinary actions through February 28, 2022: EO Shahan advised there were no disciplinary actions to report.
EO Shahan reminded Board members to file their annual disclosure by May 31, 2022 with the Hawaii State Ethics Commission.

a. Hawaii Administrative Rules 16-92 Revisions Update

EO Shahan reported that DAG Cole provided an update on the draft Optometry Rules Revision. EO Shahan advised that DAG Cole did not have substantive changes. However, he needed clarification on the following items:

1. **§16-92-20 [NBEO] National Board of Examiners in Optometry examinations.** The board shall not accept the scores of the [NBEO] National Board of Examiners in Optometry written examinations unless the examinations were passed in their entirety by the applicant after December 31, 1986. The board shall not accept the scores of the practical (Patient Care) examination unless the examination was passed in its entirety by the applicant after January 1, 1991.

DAG Cole would like to clarify that the "entirety exam" language is consistent with the references to "Parts I, II, and III" of the exam language used in sections 16-92-19 (a) and 16-92-26 (4).

Chair Shibayama answered in the affirmative.

EO Shahan inquired with DAG Cole whether the Board would need to clarify that clearly or is it clear enough to move the rule revision forward.

DAG Cole explained that if that is the case then it is okay. However, if somebody was not familiar with the exam and its Parts, DAG Cole further explained that he wants to make sure that it is consistent across the whole thing.

2. **§16-92-39.1 Requirements for organizations and sponsors seeking course approval.** (a) Any sponsor or organization not covered under section 16-29-29, shall obtain the board's approval for continuing educational courses by submitting to the board for approval on a form as

provided by the board, all documentary information required by the board, and an application fee as required by chapter 16-53, no more than forty-five days after the course is completed.

DAG Cole explained that section "16-29-29" should be "16-92-39".

EO Shahan advised that that DAG Cole is correct and she will make the change as noted.

3. **§16-92-40 [Certificates] Proof of continuing education.** (a) [Certificates] Proof of continuing education such as certificates, transcripts, or reports shall be submitted on or before December 31 of each odd numbered year and shall contain the following information:
 - (1) Name of sponsoring or approving organization;
 - (2) Name of licensee;
 - ~~[(3) Place of course;]~~
 - ~~[(4)]~~ (3) Title of course;
 - ~~[(5)]~~ (4) Number of hours of course;
 - ~~[(6)]~~ (5) 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]~~

EO Shahan explained that DAG Cole inquired whether the Board is certain that they want to delete the index number assigned by the Board. She noted further that the index number is a way to verify/track courses taken.

With that said, EO Shahan inquired with the Board if they would like to keep the requirement to list the index number on certificates of Board approved courses. The Board answered in the affirmative.

EO Shahan explained that if the Board is in consensus, she will make the changes noted above prior to moving the Optometry Rules Revision onto the next step.

Discussion followed. There was no objection from the Board. It was noted that all Board members were in consensus.

4. Applications:

a. Ratifications

Approved for DPA Certification

OD-974	MEAGAN LINCOLN
OD-975	RANJANI GANESH WELCH
OD-976	DEIDRIE JO COLTER
OD-977	CARTER LIOTTA

Approved for TPA Certification

OD-964 COLIN IMAOKA
 OD-966 JOANNA TANAKA
 OD-971 ALYSSA CHIN

It was moved by Dr. Searl, seconded by Dr. Au, and unanimously carried to ratify the above licenses and certifications.

5. Request for CE Program
Approval:

It was moved by Dr. Kojima, seconded by VC Chin, and unanimously carried to approve the following CE programs:

INDEX #	PROGRAM TITLE	SPONSOR'S NAME	DATE	LOCATION	HOURS REQUESTED	TPA HOURS
22-003	Corneal Neurotization: Revitalizing the Eye	Aloha Laser Vision	2/24/2022	Webinar	1	1
22-004	Presbyopia Management	Aloha Laser Vision	3/31/2022	Webinar	1	1
22-005	Neoplasm of the Ocular Adnexa	Adam Sweeney, MD	3/24/2022, 5/12/2022, 7/14/2022	Webinar	1	1
22-006	HOA Live Virtual CE Seminar					
22-006-01	Lower Lid Malpositions	Hawaii Optometric Association	4/10/2022	Webinar	1	1
22-006-02	Tear Drainage Dysfunction	Hawaii Optometric Association	4/10/2022	Webinar	1	1
22-006-03	Nutrition and the Retina	Hawaii Optometric Association	4/10/2022	Webinar	1	1
22-006-04	Treatment of Early to Intermediate AMD	Hawaii Optometric Association	4/10/2022	Webinar	1	1

6. New Business: a. Request for Trade Name Approval

It was moved by Dr. Searl, seconded by Dr. Kojima, and unanimously carried to approve the following trade name requests:

- i. "Honolulu Vision Care Center" requested by Nora M.Y. Chan (OD-636)

7. ARBO

Communications: a. Proposed COPE Course Format Changes

Chair Shibayama explained that the Board received the COPE Governing Committee's recommendations for updating and modernizing the COPE course formats as shown below. He noted that table 1 shows the current COPE course format options. Table 2 lists the proposed NEW COPE course format options.

EO Shahan reiterated the definition of Synchronous and Asynchronous as noted under table 2 below. She advised that if anyone had any questions regarding these communications, they could let her know and she would reach out to the organizations for clarification.

Chair Shibayama asked if the Board had any comments or concerns regarding the communications received from the Council on Optometry Practitioner Education (COPE) or Association of Regulatory Boards of Optometry, Inc. ("ARBO"). There were none.

Table 1. Current COPE Course Formats

Format	Definitions	Examples
1. Live	<p>A live format is when the instructor is in the same room with the participants, even if other formats are used as audiovisual aids for teaching the course. The instructor is face-to-face with the audience and can touch the participants.</p> <p>1. CE: There is no post-course test. 2. CEE (Continuing Education with Examination): There is a post- course test.</p>	<ul style="list-style-type: none"> • Grand Rounds • Hands-on Workshop • Lecture • Panel • Posters • Symposia
2. Interactive Distance Learning	<p>In an interactive distance learning format, the learners and the instructor attend together at the same time. Attendees must be able to have immediate interaction with the instructor. The activity can only be presented at one specified time, and once it has taken place, the learners may no longer participate in that activity.</p>	<ul style="list-style-type: none"> • Webinar • Video conference • Teleconference • Other format that allows for immediate interaction and feedback between the audience and the instructor
3. Enduring Distance Learning (Non-Interactive)	<p>In an enduring distance learning format there is no immediate interaction with the instructor and learners can choose when to participate.</p>	<ul style="list-style-type: none"> • Webcast • Podcast • Video • Journal • Website • Written • Other format that provides one-way content to the audience without immediate interaction with the instructor

Table 2. Proposed New COPE Course Formats

Format	Definitions	Examples
<p>1. Synchronous</p> <ul style="list-style-type: none"> • In-person <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Virtual 	<p>Interactive:</p> <ul style="list-style-type: none"> • Lecturer and learner are together at the same time • Real time communication between the instructor and the learner • Learners can receive immediate feedback • Fixed schedule; learning takes place only once at a specific date and time 	<ul style="list-style-type: none"> • In-person <ul style="list-style-type: none"> • Face-to-face • Hands on workshop • Interactive posters with authors present • Remote/Virtual <ul style="list-style-type: none"> • Interactive webinars in real time • Videoconferences • Interactive posters with authors present • <i>*Post-course tests will not be required for courses presented in a synchronous format unless the course is for CEE credit. See CEE definition below.</i>
<p>2. .Asynchronous</p> <p style="text-align: center;">Distance</p>	<p>Non-Interactive:</p> <ul style="list-style-type: none"> • Lecturer and learner are not together at the same time • No real time communication between the instructor and the learner • Learners do not receive immediate feedback • Content is created and made available for attendance at a later date • No fixed schedule, learner-paced • 	<ul style="list-style-type: none"> • Recorded webinar without instructor interaction • Journal article • Webcast/podcast • <i>*Post-course tests will be required for all courses presented in an asynchronous format.</i>

b. COPE Categories Revised January 2022

EO Shahan provided the Board the Council on Optometric Practitioner Education (“COPE”) Categories revised from 2014 – 2022 changes.

EO Shahan related that this is a very important information for the Board to have since it uses COPE categories as a guideline on whether a course should count toward DPA or TPA continuing education.

Chair Shibayama reminded the members that generally, though not always, the Board accepts course in the ‘A’ category for DPA licensed optometrists, that it accepts course in the ‘B’ and ‘C’ category for TPA certified optometrists, and that the Board does not accept courses in the ‘D’ category towards the continuing education requirement.

Discussion followed. EO Shahan explained that COPE has already made the changes, therefore, no vote is necessary.

8. Correspondence:

a. Email dated March 15, 2022, RE: Request for NBEO Sponsorship

The Board reviewed Dr. Baek March 15, 2022 email requesting National Board of Examiners in Optometry (“NBEO”) sponsorship.

EO Shahan explained that Dr. Baek is a foreign board-certified Ophthalmologist who is pursuing licensure in Hawaii as an optometrist, not an ophthalmologist.

Discussion followed. It was moved by VC Chin, seconded by Dr. Searl to deny Dr. Baek’s request. The Board noted that it is unable to sponsor Dr. Baek to take the NBEO as the Hawaii Board of Optometry is not an examination board and does not approve individuals or applicants for examination.

Further, Hawaii Revised Statutes (“HRS”) section 459-7 requires that applicants be graduates of accredited schools of optometry:

HRS §459-7 Application; examination; reexamination; appeal; renewal; continuing education; license. (a) Except as otherwise provided in this chapter, every person desiring to begin or to continue the practice of optometry, before beginning or continuing practice, upon satisfactory evidence that the applicant is a graduate of an optometric college, school, or university approved by the Hawaii board of optometry and accredited by a regional or professional accreditation organization and recognized by the council on post-secondary accreditation or by the United States Department of Education, shall pass all examinations required by the board and comply with the following requirements:

9. Next Board Meeting:

Monday, May 23, 2022

9:00 a.m.

In-Person: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Virtual

Participation: Virtual Videoconference Meeting – Zoom Webinar

9. Adjournment:

With no further business to discuss, Chair Shibayama adjourned the meeting at 9:55 a.m.

Taken by:

/s/ Wilma Balon

Wilma Balon

Secretary

Reviewed by:

/s/ Kerrie Shahan

Kerrie Shahan

Executive Officer

03/21/22

[x] Minutes approved as is.

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