

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

MINUTES OF MEETING¹

Date: November 18, 2024

Time: 9:00 a.m.

Place: PVL Exam Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Virtual Videoconference Meeting – Zoom Webinar

<https://dcca-hawaii-gov.zoom.us/j/86779666854?pwd=E4gDD7PJvkPP3Lf5LFOkSYYyRmdCYU.1>

Zoom Recording Link https://youtu.be/2LdBo-T7_k

Present: K. Paul Chin, O.D., Chairperson (“Chair”)
Peter Clayton Searl, O.D., Vice-Chairperson (“VC”)
Gayle Chang, Public Member
Wallace Kojima, O.D (Virtual)

Excused: None

Staff: Andrew I. Kim, Deputy Attorney General
 (“DAG”)

Kerrie Shahan, Executive Officer (“EO”)
Dawn Lee, Secretary
Johnny Li, Tech Support

Guests:

Agenda: The agenda for this meeting was posted on the State electronic calendar as required by HRS section 92-7(b).

A short video was played to explain the meeting procedure and how members of the public could participate in the virtual meeting.

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.

1. Call to Order: Chairperson Chin welcomed everyone to the meeting and proceeded with a roll call of the Board members. Board members joining via Zoom confirmed that they were present and alone.

There being a quorum present, Chair Chin called the meeting to order at 9:10 a.m.

2. Approval of Board Minutes Of August 19, 2024 Chair Chin inquired if anyone would like to provide public testimony regarding the agenda item for approving the Board Meeting Minutes. Since no one came forward, he then asked the Board members if they had any corrections or amendments to the minutes. With no corrections offered, he requested a motion to approve the minutes. It was moved by Ms. Chang and seconded by VC Searl. The motion to approve the open session Board meeting minutes from August 19, 2024, as circulated, was without objections. The motion was unanimously carried.

3. Applications

- a. Ratifications

- Approved for DPA Certification

OD1045	CARLEE KRAMER
OD1046	SHARMELLE KAMIBAYASHI

- Approved for TPA Certification

OD1045	CARLEE KRAMER
OD1029	JEREMY HUANG
OD1043	JAQUELINE PAN
OD1046	SHARMELLE KAMIBAYASHI

Chair Chin inquired if anyone would like to provide public testimony regarding the agenda item concerning the approval of DPA and TPA Certifications. Since there were no objections, he requested a motion to ratify the approved applications. The motion was moved by VC Searl and seconded by Ms. Chang. He then asked if there were any objections. As there were no objections, the motion to ratify the applications was approved.

4. Request for CE Program Approval a. New Course Request

Chair Chin inquired if anyone would like to provide public testimony regarding the agenda item concerning the request for approval of these Continuing Education "CE" programs. Since there were no

objections, he requested a motion to approve the CE programs. The motion was moved by Ms. Chang and seconded by VC. Searl. He then asked if there were any objections. As there were no objections, the motion to approve the following CE programs:

INDEX #	PROGRAM TITLE	SPONSOR'S NAME	DATE	LOCATION	HOURS REQUESTED	TPA HOURS REQUESTED
24-013	2024 Pacific Rim Optometric Conference	Hawaii Optometric Association	11.3.2024	Honolulu	8	8
24-014	Review of Cataract and IOL Technology	Aloha Laser Vision	10.9.2024	Zoom	1	1
24-015	Hydrus Microstent Advancements	Hawaii Vision Specialists	10.28.2024	Hilo	2	2
24-016	Interventional Glaucoma Advancements	Hawaii Vision Specialists	11.11.2024	Hilo	2	2

- 5. New Business
 - a. Request for Trade Name – Ratification
 - i. LocalEyes Optometry of Hawaii
Chia Yu Chen, OD995

Chair Chin inquired if anyone would like to provide public testimony regarding the agenda item concerning new business. No requests for testimony were made. The first item on the agenda is a request for trade name ratification for "LocalEyes Optometry of Hawaii" submitted by Dr. Chia Yu Chen. Dr. Chen sent the request, and our Executive Officer, Ms. Shahan, was kind enough to verify that there are no similar names. She also sent an approval letter. Chair Chin then asked the Board members if they had any discussions about the trade name. Since there were no comments, he requested a motion to ratify the trade name. The motion was moved by Dr. Kojima and seconded by Vice Chair Searl. He then asked if there were any objections. As there were no objections, the motion to ratify "LocalEyes Optometry of Hawaii" was passed.

- b. Potential Regulatory Issue Regarding
Kentucky Board of Optometric Examiners Proposed Regulation:
NBEO/OEBC
 - i. November 8, 2024 Email from Lisa Fennel, Executive Director/CEO, Association of Regulatory Boards of Optometry (ARBO)
 - ii. November 7, 2024 Email from Margaret Whelan, Executive Officer, Arizona State Board of Optometry

Chair Chin explained that the Kentucky Board of Optometry has proposed a change regarding the examination process. They are considering allowing individuals who do not pass National Board of Examiners in Optometry “NBEO,” which is the exam required by Hawaii, to qualify by passing the Canadian equivalent, known as the Optometry Examining Board of Canada “OEBC.” Other Boards of Optometry and ARBO have held discussions regarding this proposal. ARBO has suggested that Boards of Optometry send a letter to the Kentucky Board expressing the boards positions. Hawaii's laws are quite strict, allowing the Board to accept only the NBEO; therefore, the Board cannot recognize the OEBC. Chair Chin suggested that, although unsure if a formal motion is needed, we should write a letter from our Executive Officer (EO) to their EO, stating that Hawaii would not be able to license or engage in reciprocity with Kentucky licensees should this legislation become law, as Kentucky licensees would not have passed the NBEO in all its parts. Chair Chin then opened the floor for discussion among the Board members.

VC Searl asked to confirm that Chair Chin stated our laws are straightforward. Chair Chin affirmed this was the case. All Hawaii applicants must pass every section of the NBEO exam successfully.

Ms. Shahan stated that she included the rules about reciprocity in the Board's packet. Hawaii Administrative Rules “HAR” §16-92-26 specifically item number four, pertains to the NBEO.

Hawaii Administrative Rules “HAR” §16-92-26 provides that:
§16-92-26 Reciprocity. An optometrist who is registered and licensed under the laws of another state or jurisdiction shall be licensed in this State, subject to all of the following:

- (4) That the applicant has passed the NBEO written and practical examinations in their entirety;

Dr. Kojima suggested that the Board's letter should specify that any Kentucky license or optometrist who has not passed one of the parts of the NBEO would not qualify. Applicants who have passed all parts of the NBEO are would qualify in Hawaii, just not applicants that did not pass the NBEO. He believes the Board should specify a Kentucky license based solely on the Canadian component.

Chair Chin concurred with Dr. Kojima and stated that this would apply to all states by default if it were to happen. Therefore, the letter will specify which individuals have not passed the NBEO.

Ms. Shahan expressed her belief that the Board does not require a motion to send a letter to Kentucky. Instead, she suggested that the board could reach a consensus to authorize the Executive Officer to send the letter containing that information.

The Board reached a consensus.

Ms. Shahan mentioned that she will draft a letter and asked if the Board would like to review the draft before it is sent. Chair Chin informed Dr. Kojima that the paper on the desk was his suggestion to accept applicants who have passed the NBEO.

c. ARBO State Scope of Practice Overview

Chair Chin mentioned that, upon reviewing the material, he believes it is intended solely for informational purposes on the ARBO site for Hawaii. He noted that everything appears accurate regarding the Board's capabilities and limitations. Chair Chin then opened the floor for discussion among the Board members, expressing that the matter seems quite straightforward and that he does not anticipate any corrections.

Dr. Kojima has a question regarding lumps and bumps. It's a vague topic. For instance, if we have a chalazion, which can be classified as a lump or bump, we sometimes treat it with doxycycline and similar medications. However, the category itself is quite broad and not very specific.

Chair Chin indicated that he might consider surgical intervention, but he concurred with Dr. Kojima. He noted that it only mentioned lumps and bumps. He was uncertain how the Board would prefer to address this issue.

Dr. Kojima was uncertain whether it made a difference. It might be a moot point.

Chair Chin clarified that this review material is for informational purposes only. Should the Board send a letter to further explain what ARBO means by 'many lumps and bumps'?

Dr. Kojima stated that as long as the Board does not face issues with treating it with medication such as doxycycline.

Ms. Shahan clarified that this information is not binding; it is simply general information provided by ARBO on their website for individuals. If someone in Hawaii believes they can do something which is not noted on the list, they are welcome to reach out to the Board for clarification. Based on this, Ms. Shahan asked if she needed to correct anything with ARBO.

Dr. Kojima stated that Ms. Shahan should not have to go through that trouble.

Chair Chin noted that the ARBO could have provided more specific language, such as "surgical incision," but he is fairly certain that this is what they intended. Additionally, an optometrist has topical authority, which would take precedence. Chair Chin requested that the text remain unchanged.

d. American Optometric Association
Eyeglass Rule Compliance Toolkit (Informational – No action needed)

Chair Chin explained that the American Optometric Association has created a toolkit for compliance with eyeglass prescription rules, which is primarily informational. He has received a few phone calls regarding this topic. He emphasized that this is a federal law, not a state law, meaning the Board does not have jurisdiction over it. Everyone here should be aware of this. After an eye exam, we must have consumers sign a document acknowledging they received their prescription. Chair Chin then opened the floor for discussion among the Board members, but no comments were made.

6. Executive Officer Report a. 2025 Meeting Dates

Ms. Shahan hopes to have some information regarding CE audit statistics for our next meeting. EO Shahan provided the 2025 schedule for the Board and noted that the schedule is subject to change if any issues arise. The Board will be meeting quarterly on the following dates: February 10, May 12, August 11, and November 10.

7. Next Board Meeting:

Monday, February 10, 2024

9:00 a.m.

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

Virtual

Participation: Virtual Videoconference Meeting – Zoom Webinar

9. Adjournment:

With no further business to discuss, Chair Chin adjourned the meeting at 9:21 a.m.

Taken by:

Dawn Lee
Dawn Lee,
Secretary

Reviewed by:

s/ Kerrie Shahan
Kerrie Shahan
Executive Officer

12/2/2024

[] Minutes approved as is.

[] Minutes approved with changes; see minutes of_____.