

The Kentucky Board of Ophthalmic Dispensers
May 19, 2010

A regular meeting of the Kentucky Board of Ophthalmic Dispensers was conducted May 19, 2010, at the Office of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky.

Members Present

Granville Smith, Chairman
Melanie Abner, Secretary
Dr. John Gleason
Dr. Kevin Stallard

Occupations and Professions Staff Present

Frances Short, Executive Director
David Garr, Deputy Executive Director
Carla Claypool, Board Administrator

Others Present

J. Michael West, Board Counsel/ Assistant Attorney General
Byron Brentlinger, Ophthalmic Inspector

Members Absent

Charlotte Whittaker

Call to Order

Chairman Smith called the meeting to order at 9:08 a.m.

Approval of Minutes

Ms. Abner made a motion to approve the minutes from March 17, 2010 as presented. The motion, seconded by Dr. Stallard, carried.

Approval of 2010 Financial Statements

Ms. Abner made a motion to approve the financial statements for March and April. The motion, seconded by Dr. Stallard, carried.

Executive Director's Report

Board Appointments - Executive Director Short reminded the Board that some members' appointment terms will be expiring soon (effective June 30, 2010). Director Short advised that any member whose term is set to expire may reapply to serve by going to the website: www.ky.gov. A link to Boards and Commissions can be accessed from the Governor's webpage and applications can be printed off.

Chairman Smith stated that he has enjoyed his time serving on the Board and believes the consumer has been better protected by the Board's work. He announced that he and Ms. Abner will be applying for reappointment soon. Chairman Smith also announced that Dr. Gleason, whose appointment term expires on June 30, is willing to serve until someone else is appointed but he does not plan to apply for reappointment. Director Short agreed to call the Governor's office to alert them that the two applications are forthcoming.

Board Counsel Report

Attorney West reported that, per the Board's request in March, a letter was sent to Funke People instructing them to conform with the laws and regulations pertaining to ophthalmic dispensing. A letter of response was received from Funke People on March 24, 2010, apologizing for the mistake and stating that they no longer sell those lenses. Chairman Smith suggested the Board follow up on this matter.

Ophthalmic Inspector Report

Inspector Brentlinger submitted a report to the Board that included information about the inspections he has conducted since the beginning of 2010. Specifically, Mr. Brentlinger brought the following to the Board's attention:

America's Best – Mr. Brentlinger discussed his inspection of this facility. As a result of that inspection, Ms. Abner made a motion for the Board Administrator to write and send two letters; one to the person who gave the anonymous tip to Inspector Brentlinger acknowledging receipt and expressing thanks for the information and the second letter to be sent to Ms. Jessica Fox, via certified mail, asking her to supply the Board with supervisor and employee work schedules that demonstrate how the hours of operation have and are being covered. The motion, seconded by Dr. Stallard, carried.

Sears Optical/Jefferson Mall – Mr. Brentlinger also discussed his inspection of this facility. As a result of that inspection, Ms. Abner made a motion to have Attorney West file an Administrative Complaint and set settlement parameters against Sears Optical located at Jefferson Mall, 4807 Outerloop Rd, Louisville, KY 20219; and to have Attorney West file an Administrative Complaint and set settlement parameters against "DM", licensed optician at Sears Optical/Jefferson Mall. The motion, seconded by Dr. Gleason, carried.

Chairman Smith thanked Inspector Brentlinger for his work and told him that he believes much progress is being made because of his hard work.

Licensure Status Report

There currently are 171 apprentice ophthalmic dispensers, 601 active ophthalmic dispensers and 214 inactive ophthalmic dispensers.

Approval of Apprentice Applications

Dr. Stallard made a motion to approve the following applicants for apprentice ophthalmic dispenser licenses:

1. Traci Maureen Bermingham – Walmart, Columbia
2. Andrea Jean Brown – Vision First, Louisville
3. Gregory Allen Elliott – Walmart Vision Center, South Williamson
4. Rocky Alton Hall – HR Optical, Somerset
5. Andrea Dawn Harman – Lenscrafters, Paducah
6. Madalyn F. Kamkar – Lens Crafters, Lexington
7. Christy Gail Logan – Abney Eye Center, Leitchfield
8. Jessica Dawn Mason – Sears Optical, Florence
9. Melissa Ann Miller – 20/20 Eyecare, Shepherdsville

10. Celeste Kathryn Nielsen – Lenscrafters, Louisville
11. Sonia Ostorga-Truscott – Walmart Vision Center, Lexington**
12. Rita Kay Parrish – Lenscrafters, Paducah
13. William Calahan Pullem – Lenscrafters, Louisville
14. Kristin Anne Scarbrough – Pearle Vision, Lexington
15. John Brent Seilheimer – Eyeware Express, Paducah
16. Michael W. Stone – Walmart Vision Center, Hazard
17. Dylan Browning Whitehead – Korrekt Optical, Louisville

**approved, pending receipt of application fee

The motion, seconded by Ms. Abner, carried.

Approval of Continuing Education Applications

Dr. Stallard made a motion to approve the continuing education applications with the following results:

- SouthEastern Opticians Conference, 35 hours, July 23-25, 2010 – **full credit**
- Tennessee Dispensing Opticians Association, 16 hours, June 26-27, 2010 – **½ credit**

The motion, seconded by Ms. Abner, carried.

Approval of Reinstatement Applications

Ms. Abner made a motion to approve the reinstatement applications with the following results:

- Ken Canterbury II, approved with CEU extension until July 21, 2010
- Elizabeth Cuisinier, approved with CEU extension until July 21, 2010
- Jamie L. Mills, approved with CEU extension until July 21, 2010
- James H. Tackett, approved as is

The motion, seconded by Dr. Gleason, carried.

Practical Exam Consideration

Kimberly M. Flannery – The Board asked the Board Administrator to send Ms. Flannery a practical exam application which the Board will review in July. No other action taken.

Katja Spear – The Board asked the Board Administrator to send Ms. Spear a practical exam application which the Board will review in July. No other action taken.

Additional Business

Ophthalmic Inspector Contract – Renewal Consideration – Mr. Garr explained that the existing contract with the Ophthalmic Inspector expires June 30, 2010 and that because there was not an option to renew, a new Request for Proposal (RFP) must be issued. Mr. Garr further explained that Mr. Brentlinger would have to reapply for the job if he would like to be considered. Ms. Abner made a motion to have a new RFP issued with the same terms as the existing contract adding the provision to renew it for an additional two (2) years, if the Board decides to. The motion, seconded by Dr. Stallard, carried.

National Practical Update – Chairman Smith reported that much more work has been completed toward the establishment of a national practical. The exam, which will be made available for review to those attending the upcoming meeting in Cincinnati, is very close to being finalized. The anticipated date for Kentucky to implement the exam is March 2011.

Approval of Travel and Per Diem

Ms. Abner made a motion to approve travel and per diem for the members attending today's meeting. The motion, seconded by Dr. Gleason, carried.

Next Meeting

The next meeting of the Board will be Wednesday, July 21, 2010 at 10:00 a.m. with the practical exam to be given at 1:00 p.m.

Adjournment

Having no further business to bring before the board, Ms. Abner made a motion to adjourn at 9:58 a.m. The motion, seconded by Dr. Stallard, carried.

(Signature on File)

Approved July 21, 2010
Granville Smith, Chairman