

**MEETING MINUTES  
TENNESSEE BOARD OF DISPENSING OPTICIANS**

**DATE:** February 27, 2019  
**TIME:** 9:00 A.M., CDT  
**LOCATION:** Health Related Boards  
Poplar Room  
665 Mainstream Drive  
Nashville, TN

**BOARD MEMBERS**

**PRESENT:**  
William DeCrow, DPO – Chair  
Les Freeman, DPO – Secretary  
Janet Perry-Martinez, DPO  
Brandy Miller, DPO  
P. Warren Perry, DPO

**BOARD MEMBER**

**ABSENT:** Consumer member (vacant position)

**STAFF**

**PRESENT:** Yvette Vagle, Board Administrator  
Kimberly Wallace, Unit 3 Director  
Kaitlin Parham, Assistant General Counsel  
Kimberly Hodge, Administrator Director

Mr. DeCrow called the meeting to order at 9:01A.M. A roll call was conducted and a quorum was present.

**Review/Approve October 24, 2018 Board Meeting Minutes**

Upon review of the July 25, 2018 Board Meeting minutes, Mr. Perry made a motion, seconded by Ms. Miller, to approve the minutes as written. The motion carried.

**Office of Investigations**

Lori Leonard, Disciplinary Coordinator, stated she is currently monitoring three (3) licensees under a Board order; Cyndie Doker is closed in the Attorney General’s Office - they could not contact her for collections - Ms. Leonard has sent Ms. Doker to another collection agency. Darrell C. Lassiter is making payments and Vickie Woodard is making payments.

In 2018, investigations received two (2) new complaints, one (1) was for fraud and false billing and one (1) for unlicensed practice, zero (0) complaints are closed, currently eleven (11) open pending investigation and or review. Ms. Leonard stated in 2019 investigations received three (3) new complaints, January 2019 investigations closed seven (7) files, six (6) of those were closed with no action and one (1) with a letter of concern, four (4) open complaints currently pending review and or investigation.

### **Financial Report 2018**

Noranda French reviewed the 2019 Mid-Year Financial Report; projection FY 2019 the total direct expenditure of \$64,312.22, total allocated expenditures of \$20,854.29, total expenditures of \$85,166.51, the Board Fee Revenue of \$151,780.00 and the current year net of \$66,613.49.

### **Office of General Counsel**

Kaitlin Parham stated the Conflict of Interest policy.

### **Open Meetings Act**

Pursuant to the Open Meetings Act, Committee business may only be discussed by the committee members during the meeting. Members should not discuss the Committee's business at any time other than during the open meeting. The prohibition applies to phone calls, emails, and text messages. Committee members should also ensure that all comments during the meeting are stated for all to hear; private conversations between or among members during the meeting are inappropriate.

### **Rule Activity**

Kaitlin Parham stated the rule amendments regarding definitions, licensure, fees, renewals, applications, continuing education, apprenticeship, examinations and supervision are currently going through the internal review process. On February 1, 2019 the governor issued an executive order that halts all new rules and regulations and, holding for ninety (90) days.

### **Disciplinary Activity**

As of January 17, 2019, the Office of General Counsel has no open complaints.

### **Administrative Report**

Yvette Vagle stated there are 459 apprentices and 878 licensed Dispensing Opticians as of February 25, 2019.

Ms. Vagle stated in October 2018 there were thirty-four (34) apprentices, one (1) newly licensed, forty-eight (48) renewals with twenty-seven (27) renewing online for a total of 56%, four (4) retired and one (1) expired.

Ms. Vagle stated in November 2018 there were zero (0) apprentices, one (1) newly licensed, thirty-two (32) renewals with sixteen (16) renewing online for a total of 50%, one (1) retired and four (4) expired.

Ms. Vagle stated in December 2018 there were zero (0) apprentices, thirteen (13) newly licensed, thirty-four (134) renewals with twenty-two (22) renewing online for a total of 65%, one (1) retired and four (4) expired.

**Board Meeting Dates for 2019:**

April 24, 2019, July 24, 2019 and October 23, 2019

**Newly Licensed**

Mr. Perry made a motion, seconded by Ms. Perry-Martinez, to approve the following applicants for licensure:

**Audrey Britt  
Mckensey Dawn Cody  
Sierra Lynn Cole  
Heather Lynn Conaster  
Kristen Dawn Davis  
Jennifer Lee Feld  
Bethni L. Hardy  
Ashley Brooke Harris  
Shirley D. Hawkins**

**Kandy Kay Hutchison  
Leslie Robert Jones  
Christopher Lance Ogden  
Lacey Pinkston  
Erika Terrill  
Nieka Tritt  
Haley Brooke Turpin  
Britnee D'Ann Walden**

The motion carried.

**Newly Approved Apprentices**

Mr. Freeman made a motion, seconded by Mr. Perry, to approve the following apprentices:

**Kindra Brown  
Elizabeth Frazier  
Sonja Hancock  
Kellie Holbrook  
Isabelle Hooks  
Sharon Insalago  
Susan Johnson  
Sandy Jones**

**Amanda Liberatore  
Carly Nihells  
Kayla Purnell  
Emily R. Hodges  
Kathy Rowe  
Christopher Sawyer  
Rebecca Standifer**

The Motion carried.

**Practical Examination Candidates**

Mr. Perry made a motion, seconded by Ms. Perry Martinez, to approve the following applicants to sit for the practical examination:

**Christina Copeland  
Patricia Bradley  
Amanda Brooks  
Donna Church  
Michael Graham Jr.  
Mary Yvette Kennedy  
Carrie Kerley**

**Kyle Lee Kimple  
Katherine McFadden  
Holly Lee Miller  
Ramona Ogle  
Latoria Stewart  
Freddie Strong  
William Williams**

**Edmund LaHouse – Applicant Interview/File Review** – Mr. DeCrow invited Edmund LaHouse to speak to the Board. Edmund LaHouse is a licensed Dispensing Optician currently in Georgia, who recently re-located to Tennessee in February 2018. He has been employed with Target Optical in TN since July 2018 and is pursuing licensure in Tennessee.

Mr. LaHouse was licensed in Georgia in 2006. There was not an apprenticeship program in GA at that time. Prior to the apprenticeship program being put into place in that state, an individual would work under a licensed optician for two (2) years of supervised experience and then could be approved to sit for the practical exam. Mr. Decrow asked Mr. LaHouse did he recall how many hours they required him to complete, he stated he believe it was about three-thousand (3,000) hours. Mr. LaHouse would like to be approved to sit for the TN practical exam.

Ms. Vagle stated the reason the file was being brought to the Board was because Mr. LaHouse didn't have formal apprenticeship hours and he has requested to use his experience in lieu of a formal apprenticeship program. Mr. LaHouse presented a copy of the minutes from the April 10, 2013, Optometry Board Meeting, wherein the Board heard the case of a candidate in a similar situation who was licensed in GA prior to the formal apprenticeship program. When that individual moved to TN, the Board approved her to sit for the practical exam after providing a notarized copy of her GA supervised pre-licensure work experience history. Ms. Wallace read the applicable section of the April 10, 2013 minutes to the Board.

Ms. Parham gave the Board legal advice, pursuant to rule 0480-01-.04(3)(d), listing qualifications for licensure. She stated that since Mr. LaHouse didn't participate in an apprenticeship program, she didn't see how he could have the three (3) years of time that's required. Mr. Perry stated he would interpret to say he has sufficient on the job training to meet the requirements.

Mr. Perry made a motion to accept Mr. LaHouse's application to sit for the practical exam, seconded by Ms. Perry-Martinez. The motion carried.

Kimberly Hodge directed the Board to the statute 63-14-103 which requires 3 years of supervised apprenticeship in the listed qualifications. Mr. DeCrow asked Mr. LaHouse who he worked with prior to licensure and Mr. LaHouse referenced Ray Grimble at LensCrafters from June 2003 - Mar 2004, where he worked worked in the lab, and VisionWorks from March 2004 to February 2006. Ms. Parham asked Mr. LaHouse if he could get documentation for the extra year and Mr. LaHouse said he would try, but he knows that Ray Grimble retired years ago and he

does not know if he can be reached for verification. Ms. Hodge stated per the statutes, he would need some form of documentation to be granted approval to sit for the practical exam. She suggested making his approval contingent upon receipt of the additional proper documentation by the Administrative Office and review by the Director and Attorney for the Board.

Mr. Perry made a motion to re-open and amend original motion for Mr. LaHouse, seconded by Ms. Perry-Martinez. Mr. Perry made a motion to amend the motion for Mr. LaHouse to sit for the practical exam pending administrative receipt of the additional one (1) year of work history, which would give him the equivalent of 3 years of apprenticeship, seconded by Ms. Perry-Martinez. The motion carried.

Mr. Lahouse asked the Board if they needed other letters from anyone else in those three (3) years in case he can't get in touch with Mr. Grumble. Mr. DeCrow replied that documentation showing that Mr. LaHouse has supervised work in the dispensing optician field can be verified by anyone authorized at the employer and submitted for legal counsel to review. Ms. Miller asked if the documents needed to be notarized. Ms. Wallace stated that in the minutes from the previous similar situation from 2013, the Board required that applicant to provide proof of supervision that was notarized. This Board requested that Mr. LaHouse's documentation be notarized as well.

### **Reinstatement Applications**

Mr. Perry made a motion, seconded by Mr. Freeman, to approve the following reinstatement applicants:

**Terrell Lee Flanary**  
**Sherry L. Nelson**  
**Michael M. Roberts**

The motion carried.

### **Approve Closed and Withdrawn Applications**

Ms. Miller made a motion, seconded by Mr. Freeman, to approve the following closed/withdrawn applications.

**Dillian Dwayne Adkins** – Closed as of 2/13/19, he didn't complete application as of 9/13/18.

**Christopher VanFossen** – Closed as of 1/28/19, he didn't complete application, he moved to Michigan, per supervisor.

**Dennis Bryant** – Closed as of 1/28/19, he didn't complete application as of 4/20/18.

**Christine Incorvia** – Withdrawn application per written request on 2/13/19.

**Jennifer Price** – Closed as of 1/30/19, she didn't complete application as of 6/20/18.

**Angela Reid** – Withdrawn application per written request as of 2/12/19.

**Helene Silverman** – Closed as of 2/5/19, she didn't complete application as of 10/19/18.

The motion carried.

## **Review/Approve/Any Continuing Education courses for 2019**

Upon review, Mr. Perry made a motion, seconded by Mr. Freeman, to approve the continuing education requests for:

- **The Learning Curve – Roy R. Ferguson, PhD**  
Holiday Inn, Johnson City, TN on February 10, 2019.  
Holiday Inn Select, Knoxville, TN on February 124, 2019 & November 10, 2019.  
Hampton Inn, Cleveland, TN on March 17, 2019 & September 8, 2019.  
Cookeville Regional Hospital, Cookeville, TN on April 7, 2019 & October 13, 2019.
- **International Vision Expo & Conference**  
International Vision Expo & Conference East 2019 held at the Jarvis Center in New York, NY on March 21 – 24, 2019.
- **Tennessee Dispensing Opticians Association**  
TriCities - February 17, 2019 at Sullivan Central High School, Blountville, TN.  
Memphis - March 3, 2019 at Crosstown Concourse Building Community Room, Memphis, TN.
- **SECO International, LLC**  
SECO 2019 Where Sight Meets Vision at the Ernest N. Morial Convention Center in New Orleans, LA, on February 20 - 24, 2019

The motion carried.

## **Continuing Education Waivers**

The Board reviewed a letter from Katrina Moser, DPO, requesting a waiver for 2018 continuing education hours. Mr. Perry made a motion to accept the waiver for 2018 continuing education hours due to hardship, seconded by Ms. Miller. The motion carried.

The Board reviewed a letter from Brandi Bunch, DPO, requesting to make up 2018 continuing education hours to be completed in 2019. Mr. Perry made a motion to accept Ms. Bunch to make up 2018 continuing education hours in 2019, seconded by Mr. Freeman. The motion carried.

Mr. Perry made a motion to re-open the waiver for Brandi Bunch, seconded by Mr. Freeman. Mr. Perry stated for the Administrative office to send a letter explaining that continuing education is available throughout the year; a waiver could not be granted and the Board advises Ms. Bunch making up those hours now, and to inform Ms. Bunch should she be audited she could be fined during the appropriate time period. The motion carried.

The Board reviewed a letter from Eric Hanson, DPO, requesting to make up 2018 continuing education hours to be completed in 2019. Mr. Perry made a motion for the Administrative office

to send a letter explaining that continuing education is available throughout the year; a waiver could not be granted and the Board advises Mr. Hanson making up those hours now, and to inform Ms. Bunch should she be audited she could be fined during the appropriate time period, seconded by Mr. Freeman. The motion carried.

The Board reviewed a letter from Kristi Hurst, DPO, requesting to make up 2018 continuing education hours to be completed in 2019. Mr. Miller made a motion for the Administrative office to send a letter explaining that continuing education is available throughout the year; a waiver could not be granted and the Board advises Ms. Hurst making up those hours now, and to inform Ms. Bunch that, should she be audited, she could be fined during the appropriate time period, seconded by Ms. Perry-Martinez. The motion carried.

### **Correspondence**

Wade Delk – NCSORB – Rule change request for Examinations rule 0480-01-.08 these rules were last changed June 10, 2009. NCSORB now has (1a) National Opticianry Competency examination and (1b) National Contact Lens Registry Exam to be used and they are asking for a rule change to allow NSCORB exams to be used in the basic space, Basic exams - Contact Lens exam \$150.00 retest \$150.00 and Spectacle exam \$150.00 and retest is \$150.00. Ms. Hodge suggested to the Board to review more information regarding the exam and to review the documentation to see if they meet the criteria that the Board holds as a standard before making this decision.

Mr. DeCrow stated this will open up to other organizations - not just this one. Mr. DeCrow asked Mr. Delk to send information for legal to review and if it takes a rule change then they will review.

Ms. Vagle stated that the 2019 Jurisprudence exams are being grading. The waiver letter for grading 2017 & 2018 is almost completed, and the status count will be presented at the next Board meeting. Ms. Vagle and Ms. Wallace will start the process looking into how the Gizmo system could be utilized for this, possibly in 2020.

Beginning the process of writing a Policy Statement for continuing education audits will be put on the agenda for the next meeting.

### **Adjourn**

With no other Board business to conduct, Ms. Miller made a motion, seconded by Ms. Perry Martinez, to adjourn at 11:55 a.m.

The motion carried.