

TENNESSEE BOARD OF OPTOMETRY MEETING MINUTES

DATE: October 28, 2020

TIME: 9:00 A.M., CT

LOCATION: Health Related Boards
WebEx-Teleconference
665 Mainstream Drive
Nashville, TN

BOARD MEMBERS

PRESENT: Christopher Cooper, O.D.
Tonya Reynoldson, O.D.
Kurt Steele, O.D.
Linda Tharp, O.D., Chair

BOARD MEMBERS

ABSENT: Kenneth Young, O.D.
Nancy P. Strawn, Consumer Member

STAFF

PRESENT: Yvette Vagle, Board Administrator
Lyndsey Boone, Board Manager
Kimberly Wallace, Unit Director
Kaitlin Parham, Associate General Counsel

Call to Order

This meeting was convened electronically, via WebEx, due to the gathering restrictions resulting from the COVID-19 pandemic. The meeting was called to order by Board Chair, Dr. Linda Tharp, at 9:08 AM CST.

Necessity of Meeting

Before conducting the roll call, Ms. Wallace welcomed new Board Member, Dr. Kurt Steele, to the Board. Dr. Steele is taking the seat formerly held by Dr. Torrey Carlson. Ms. Wallace offered thanks to Dr. Carlson for his term of service that has just ended.

A roll call of the Board Members and Board staff present was conducted by Kimberly Wallace, Unit 3 Director, with a quorum of Board Members present.

- Dr. Christopher Cooper
- Dr. Tonya Reynoldson
- Dr. Kurt Steele
- Dr. Linda Tharp, Board Chair
- ~~Dr. Kenneth Young~~ ABSENT
- Board Manager, Lyndsey Boone
- Board Admin, Yvette Vagle
- Board Attorney, Kaitlin Parham

Ms. Wallace requested that each Board Member and Staff Member confirm they were able to hear one another. All confirmed.

- Dr. Cooper
- Dr. Reynoldson
- Dr. Steele
- Dr. Tharp
- ~~Dr. Young~~ ABSENT
- Ms. Boone
- Ms. Vagle
- Ms. Parham

Purpose of Meeting and Necessity of Teleconference

Ms. Wallace informed all present that prior to proceeding with the electronic meeting, certain criteria for continuing with an electronic meeting must be met.

Next, Ms. Wallace informed all present that the purpose of this meeting was to ratify licenses - including new licenses and reinstated licenses - to ratify orders received after the Board's last meeting, and to consider other time sensitive matters. Because this Board was unable to convene in a physical location today to consider these matters - in light of the COVID-19 pandemic, for which the TN Governor and Mayor of Nashville have recommend limiting the number of attendees at meetings - this WebEx remote meeting was necessary.

A motion was made by Dr. Tharp to proceed with the electronic meeting for the aforementioned purpose, with a second made by Dr. Reynoldson.

Discussion: None OR As Follows

A roll call vote was conducted:

Dr. Cooper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Reynoldson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN

Dr. Steele YES NO RECUSED ABSTAIN
 Dr. Tharp YES NO RECUSED ABSTAIN
 Dr. Young YES NO RECUSED ABSTAIN ABSENT

The motion passed. YES NO

In addition, all Taskforce Members were asked to acknowledge whether they had received, prior to this meeting, copies of all the materials and documents that were to be discussed at this meeting.

Dr. Cooper YES NO
 Dr. Reynoldson YES NO
 Dr. Steele YES NO
 Dr. Tharp YES NO
 Dr. Young YES NO ABSENT

All Board Members confirmed that they did receive the materials prior to the meeting for review purposes.

Finally, only certain matters are proper for a teleconference; accordingly, Dr. Cooper made a motion, with a second made by Dr. Reynoldson, that the matters that were to be discussed in this meeting met the following requirements:

The subject matter requires timely action;

The physical presence of all members is not possible considering the period of time required for action; and

The participation by some or all of the members of the Committee by electronic means is necessary.

Discussion: None OR As Follows

A roll call vote was conducted:

Dr. Cooper YES NO RECUSED ABSTAIN
 Dr. Reynoldson YES NO RECUSED ABSTAIN
 Dr. Steele YES NO RECUSED ABSTAIN
 Dr. Tharp YES NO RECUSED ABSTAIN
 Dr. Young YES NO RECUSED ABSTAIN ABSENT

The motion passed. YES NO

Public Comments

It was noted that Public Comments would be heard during this meeting. Instructions were provided for all attendees via the WebEx system and phone call-in options. It was reminded that the Board may only take action on items that are listed on the agenda.

Conflict of Interest Statement

Ms. Parham reviewed the Conflict of Interest statement and Open Meetings Act statement, as follows:

If you have a personal or financial interest in the outcome of any issue or matter before this board which may suggest a bias on your part, you are asked to state that interest on the record so that a determination can be made as to whether there exists a need for recusal. You are reminded that it is the duty of this board to protect the health, safety, and welfare of the citizens of Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety.

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 Committee meeting. The prohibition applies to phone calls, emails, and text messages. Committee member 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.

Approve Minutes from Board Meeting July 8th, 2020

A motion was made by Dr. Reynoldson to approve the July 8, 2020, Board Meeting Minutes as written, with a second made by Dr. Cooper.

Discussion: None OR As Follows

A roll call vote was conducted:

Dr. Cooper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Reynoldson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Steele	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Tharp	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Young	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN <input checked="" type="checkbox"/> ABSENT

The motion passed. YES NO

Approve Minutes from Taskforce Meeting August 19, 2020

A motion was made by Dr. Cooper to approve the August 19, 2020, Taskforce Meeting Minutes as written, with a second made by Dr. Steele.

Discussion: None OR As Follows

A roll call vote was conducted:

Dr. Cooper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Reynoldson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Steele	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Tharp	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Young	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN <input checked="" type="checkbox"/> ABSENT

The motion passed. YES NO

Receive Reports and/or Requests from the Office of Investigations

Lori Leonard provided reports to the Board of the currently monitored practitioners report and investigative report, as follows:

CURRENTLY MONITORED PRACTITIONERS

PERIOD: As of 10/19/2020

Total # Currently Monitored Practitioners	1
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PERIOD: 2020 Calendar Year To-Date through 10/19/2020

COMPLAINTS

New Complaints	Number of Complaints
Unprofessional Conduct	3
Practice Beyond the Scope	1
Outside of Investigative Scope	1
Total # New Complaints	5
Closed Complaints	
Closed BIV, EMS, HCF, AW	1
Closed – Letter of Concern	3
Closed – Warning Letter	1
Total # Currently Open Complaints	2

Ms. Leonard reminded the Board and the public that the letters of warning and the letters of concern are not reportable to the National Practitioner Data Bank (NPDB) and therefore, they are not considered formal discipline.

Receive Reports and/or Requests from the Division of Health Licensure and Regulation

Ms. Wallace introduced the new Fiscal Director, Ms. Alicia Grice. Ms. Grice presented the FY2020 financial reports. Data presented included:

- FY2020 Total Expenditures \$201,839.18
- FY2020 Total Board Fee Revenue \$193,775.72
- FY2020 Current Year Net (\$8,063.46)
- Cumulative Carryover Balance \$731,939.60

Ms. Grice does not recommend a change to the fee structure at this time, due to the uncertainties of the pandemic. There were only approximately 3 months since the beginning of the pandemic that show on this report that reflect the impact of the pandemic in FY2020, so the long-term effect is unknown at this time.

Guest Report – Dr. Davis Bess, Gateway Project Presentation

Dr. David Bess was present and gave an update to the Board of the status of the Gateway Project. They are anticipating a third year of grant funding for this project. Some delay has occurred due to COVID-19 issues arising, but they have still experienced a significant number of entities onboarding each week.

Emails have been going out from Apriss regarding connection availability. Smooth transitions have been occurring, based on feedback they have been receiving, and they will be sending out additional communications in the weeks to come. The CSMD has updated their website with a new integration link to assist with the Gateway project and their 3-step connection process. The CSMD Team is available to assist with connections through Apriss. They are excited for the progression of the Gateway project nationally.

Dr. Cooper thanked Dr. Bess for the work on the Gateway project. He inquired about the adoption by physician's offices. Dr. Bess stated that about 1/3 of those entities signed up so far are pharmacies and the rest are physician's/prescribers.

Dr. Cooper asked if there are expansion plans, and Dr. Bess confirmed there are. Dr. Bess would welcome feedback for additional interface build-outs. Dr. Cooper noted that Office Mate, and Copylink are currently integrated with Gateway, but Revolution is not a listed software vendor.

Dr. Steele has Revolution in his practice and will obtain contact information for Dr. Bess.

Discuss legislation and take action if needed

Ms. Parham presented an overview of the recently passed Public Chapter 4, regarding Telehealth. This legislation was recently signed by the Governor. T.C.A. 63-1-155 already applies to Optometry, so this new Public Chapter does not add anything new for Optometry.

Administrator’s Report

Ms. Wallace brought it to the Board’s attention that the Board of Optometry is slated for their Sunset Hearing this fiscal year. This is a regular part of the cycle for all Health Related Boards and will consist of a review and hearing regarding the operations of the Board. It is currently scheduled for Tuesday, December 8th, 2020, beginning at 9:00am CST and will be held before the Education, Health and General Welfare Joint Subcommittee of Government Operations. The Hearing will be held downtown Nashville in the Cordell Hull Building. The current Board Chairman, Dr. Sharp, and Board Attorney, Kaitlin Parham, along with other executive representatives of the Office of Health Related Boards will be present at the hearing to represent the Board and answer any questions the Committee may have. We will present a summary of that hearing at the next Board Meeting.

Ms. Vagle presented the Administrator’s report, as follows:

PERIOD: As of 10/23/2020

Total # Currently Licensed Optometrists	1,358
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LICENSE STATUS SINCE THE LAST BOARD MEETING

PERIOD: July 8, 2020 – October 23, 2020

New Optometry Licenses	28
Renewed Licenses – Total	188
Licenses Renewed Online as % of Total Renewals	135 – 72%
Retired Licenses	5
Expired Licenses	16

Ms. Vagle also presented the dates for the 20201 Board Meetings, as follows:

- January 6, 2021
- April 14, 2021
- July 14, 2021
- October 6, 2021 (if the Board is unable to conduct an in-person meeting on October 8th in Gatlinburg, TN, as tentatively scheduled).

Ms. Wallace presented the Board phone & email contact information of 615-532-5090 and Unit3HRB.Health@tn.gov.

OGC Report and Requests

Ms. Parham presented the OGC report; there were no other legal items to review in this meeting other than that the telehealth rules and contact lens examination amendment are currently going through the internal review process, and that the Scope of Practice Taskforce met on October 14, 2020, and approved redlines for the full Board to review regarding the Optometric Scope of Practice, pursuant to T.C.A. 63-8-102(12)(e)(i)(b), which are slated for discussion in a later agenda item in this meeting.

OGC has no open discipline cases.

Dr. Cooper inquired about Executive Orders, asking if there will be a summary list available of the EO's that have affected licensees. Ms. Parham stated she will look into this.

Applicant Interviews/File Reviews/Waiver Requests

There were no applicant interviews/file reviews/waiver requests to review at this meeting.

Ratification List – Newly licensed, Reinstated Licenses, Closed/Withdrawn Files

Ms. Wallace confirmed that all files on the ratification list have been reviewed and found complete and in good order according to the Rules for new licensure, and reinstatement of licensure, and that there are no closed/withdrawn files for this meeting.

A motion was made by Dr. Reynoldson to accept and approve the list of all newly licensed, as well as those reinstated, with a second made by Dr. Cooper.

Discussion: None OR As Follows

A roll call vote was conducted:

As I state your name, please voice your vote on the motion.

(STATE EACH BOARD MEMBER'S NAME)

Dr. Cooper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	
Dr. Reynoldson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	
Dr. Steele	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	
Dr. Tharp	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	
Dr. Young	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT

The motion passed. YES NO

Newly Licensed
Licenses issued 7/8/2020 to 10/23/2020

Prof Code	Rank	License Statu	Current	Lice Lie.#	Name	License Expiry Date
1812 OD	7/14/2020	Licensed		3621	Adams Thomas Eric	12/31/2021
1812 OD	10/12/2020	Licensed		3628	Bancroft Amanda	10/31/2021
1812 OD	9/25/2020	Licensed		3648	Bowman Shayna	3/31/2022
1812 OD	7/16/2020	Licensed		3633	Chu Jason Tyler	9/30/2021
1812 OD	8/12/2020	Licensed		3636	Fiddler Patrick Thomas	10/31/2022
1812 OD	7/14/2020	Licensed		3619	Follansbee Caitlin Ian	8/31/2021
1812 OD	8/24/2020	Licensed		3646	Fowler Sarah	5/31/2023
1812 OD	8/31/2020	Licensed		3642	Garner Torrie Marie	7/31/2022
1812 OD	8/24/2020	Licensed		3603	Girges Mariam	4/30/2022
1812 OD	8/24/2020	Licensed		3647	Horner Darion Michael O.D.	7/31/2022
1812 OD	7/15/2020	Licensed		3627	Hughes Hannah	8/31/2022
1812 OD	10/14/2020	Licensed		3649	Kapperman Conner Michael	6/30/2022
1812 OD	9/23/2020	Licensed		3638	Macchio Samantha	4/30/2022
1812 OD	9/30/2020	Licensed		3645	Maisonville Ian Bailie	9/30/2022
1812 OD	7/31/2020	Licensed		3640	Malani Sophia U Dr .	12/31/2021
1812 OD	10/12/2020	Licensed		3614	Matz Hayden	9/30/2022
1812 OD	7/31/2020	Licensed		3626	Mitchell Kyley .	3/31/2023
1812 OD	8/31/2020	Licensed		3630	Mitchell Shermita	9/30/2021
1812 OD	7/16/2020	Licensed		3639	Nelson Brandee	4/30/2022
1812 OD	8/12/2020	Licensed		3625	Purman Heather Dr	3/31/2023
1812 OD	7/16/2020	Licensed		3610	Roddy Nicole Leigh	3/31/2022
1812 OD	7/31/2020	Licensed		3579	Rogaski Peter Michael	9/30/2021
1812 OD	8/12/2020	Licensed		3613	Sain Mary Kate	3/31/2023
1812 OD	10/21/2020	Licensed		3651	Smith Christine A.	9/30/2022
1812 OD	7/31/2020	Licensed		3631	Stahl Riley	10/31/2021
1812 OD	7/31/2020	Licensed		3643	Strumpfner Alyss2	9/30/2022
1812 OD	8/27/2020	Licensed		3641	Tessman Charles Matthew Sr .	6/30/2023

Reinstatements
Licenses issued 7/8/2020 to 10/23/2020

Prof Code	Rank	License Statw	Current	Li, Lie.#	Name License	Expiry Date
1812 OD	9/25/2020	Licensed		3404	Adams Kristin Lynn	7/31/2023

Taskforce/Committee Reports

CSMD Committee

Dr. Reynoldson presented a summary of the recent CSMD Committee meeting she attended. Interesting points she noted include a 53% decrease in morphine milligram equivalents prescribed and dispensed in TN since 2012, a decrease in the number of pain clinics by 62%, and doctor shopping has decreased by 89%. There has also been a significant decrease in opioid-related deaths. Unfortunately, there has been an increase of heroin overdose deaths and methamphetamine overdose deaths.

We have seen a 20% increase in overdose deaths since June 2020 compared to previous years, which is being connected to the COVID-19 pandemic. Suicide intervention efforts have significantly increased. A mandatory e-prescribing of controlled substances starts in January 2021. The CSMD annual report is posted on their website.

Scope of Practice Taskforce

Dr. Cooper provided information on the Taskforce, in that they reviewed the Scope of Practice for several surrounding states and reviewed their language in light of TN's. He noted that the Board has previously used a list of approved procedures and services, and some third-party payors have referenced that list for use in reimbursements. The Taskforce has made a recommendation with an emphasis of what the practice of Optometry is not, rather than maintaining a list of what is approved by the Board.

Ms. Parham noted that the Scope of Practice Taskforce met on October 14, 2020 and approved redlines for the full Board to review regarding the Optometric Scope of Practice, pursuant to T.C.A. 63-8-102(12)(e)(i)(b).

Ms. Parham reviewed and read into the record the redline rules draft with the Board, providing opportunity for questions after each section.

Section 1 – no questions

Section 2 – no questions

Ms. Parham also noted that Rule 1045-02-.12 Primary Eye Care Procedures is being removed altogether in the redline draft.

A motion was made by Dr. Cooper to accept the proposed Scope of Practice rules as defined by the Taskforce through the redline draft and moved forward to internal review as written, with a second made by Dr. Steele.

Discussion: None OR As Follows

Dr. Cooper asked about the length of the internal review process. Ms. Parham said it can take approximately 2 years up to complete the process.

A roll call vote was conducted:

Dr. Cooper YES NO RECUSED ABSTAIN

Dr. Reynoldson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Steele	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Tharp	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Young	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN <input checked="" type="checkbox"/> ABSENT

The motion passed. YES NO

Strategic Planning Taskforce

Dr. Cooper provided an update to the Board of the activities of the new Strategic Planning Taskforce, which held its first meeting on October 14, 2020. He shared a list of resources that he used for research on strategic planning. He stated that he believes it is the work of the Taskforce to provide a vision of what the Board should become and strategies the Board can use in the current age, including rulemaking, enforcement, and outreach. Next steps include development of goals and objectives and recommendations to the full Board. This Taskforce is set to meet again in mid-December. There are no recommendations as of yet, as they are in the formation process. He expressed thanks to the Taskforce Members for their participation. Dr. Tharp also thanked the Taskforce Members for their participation.

Discuss and take action as necessary regarding rulemaking, rulemaking hearings, rule amendments, and policies

Ms. Parham presented this item. The one Rule packet currently in internal review regarding telehealth and the contact lens examination is the only rule-related item this Board has in process.

Correspondence Review

2020 ARBO Annual Meeting Minutes & Auditor’s Report

This item was presented for the Board’s information only, with no action required. These were the follow-up reports provided by ARBO, subsequent to their annual meeting and audit.

ARBO – NBEO/COVID-19 Exam Updates

This item was presented for the Board’s information only, with no action required. ARBO and NBEO presented information regarding their steps to review and access the testing/examination needs and special considerations during the current COVID-19 pandemic.

ARBO Member Board Executive Meeting

This item was presented for the Board's information only, with no action required. Monthly, ARBO hosts a virtual meeting for Executive Directors, and this report was provided as a means of communicating the steps that NBEO is taking to evaluate examination considerations during the COVID-19 pandemic.

Dr. Cooper noted that the on-location practical exam - because of the security of the test and other factors - has historically been administered only in the Charlotte location.

Changes to National Contact Lens Rule

Ms. Parham presented a brief overview of the recent changes to the National Contact Lens Rule which became effective 10/16/2020. For more information, licensees can visit the Federal Trade Commission's website on the rule update, at <https://www.ftc.gov/tips-advice/business-center/guidance/faqs-complying-contact-lens-rule>.

COPE CE Extension through 06/30/2021

This item was presented for the Board's information only, with no action required. This was a notice from ARBO that COPE has extended its temporary rule modification that had been set to expire on December 31, 2020, out to a new expiration date of June 30, 2021. This modification allows for CE activities meeting specific criteria and presented in an interactive online format to receive live COPE credit. Ms. Wallace reminded the Board that the current CE Policy in place through the Department of Health Commissioner provides for the acceptance of online CE with no audit of in-person requirements, through December 31, 2020. This further modification by COPE will allow for any CE that COPE defines as live CE, as reported in the licensee OE tracker as live, to be accepted as live CE for the duration of COPE's modified rules, in the event that the Commissioner's policy is not extended, or if a Commissioner's policy extension expires prior to the COPE modification.

Conference/Event Reports

There were no conference or event reports to review today.

Discuss Old & New Board Business

Old Business - CSMD EHR Integration Notice - Board website post request

Ms. Wallace reminded the Board that in their last meeting, it was brought up that licensees had received an email that appeared to be from the TN Department of Health in regards to electronic health records and the integration with the CSMD. The Board requested that a copy of that email be posted to the Board's website. Upon further research, it was determined that this email had

actually been sent out by a third-party contractor named Appris. The contractor has been notified to change their manner of distribution going forward to prevent any confusion. Because this communication was not sent on behalf of the Department of Health, it is not eligible for posting on the Board's website.

Old Business - Approved Schools List – ISE Requirement

Ms. Parham presented this item as a follow-up to the discussion the Board had at their last meeting, wherein they asked whether or not it was necessary for the Board to maintain a list of "injectable-approved" schools, in light of Rule 1045-02-.07(1) states that "it is the intent of the Board that all applicants for licensure as optometrists attain the highest level of licensure available under the law including diagnostic and therapeutic certification as provided in T.C.A. 63-8-102(12)(E) and 63-8-112(4). Attaining therapeutic certification must include attaining certification to use pharmaceutical agents by injection."

Ms. Parham's research in the Rules, combined with the Board's policy on "Injectable Certification and Licensure," which states that all new applicants must complete the ISE, and the Board's policy that makes way for an ISE Waiver for individuals graduating prior to 2012, has led her to a legal opinion that the current list of injectable approved schools is not required by the statutes and rules for all applicants and out of state licensees prior to 2012.

A motion was made by Dr. Cooper to eradicate the approved schools list for use by the Administrative Office Staff, with a second made by Dr. Steele.

Discussion: None OR As Follows

A roll call vote was conducted:

Dr. Cooper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Reynoldson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Steele	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Tharp	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Young	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN <input checked="" type="checkbox"/> ABSENT

The motion passed. YES NO

Old Business - Any Willing Provider Law

At the last Board meeting, Ms. Parham updated the Board that the Any Willing Provider statute, T.C.A. 56-7-2359, was only applicable to the Pharmacy profession. The Board asked her to do further research if there is any effort the Board can make in this area. The Any Willing Provider law is a statute, and only the legislature has the authority to create statutes. However, there are a few avenues the Board can choose to take if they feel the statute should also be applied to Optometrists.

- Individuals can reach out to their Professional Association
- Individual Board members can reach out to their respective lawmakers as constituents
- The Board can request the Office of General Counsel submit a legislative proposal to the Department of Health Commissioner; however, there is no guarantee that the proposal will be advanced

Dr. Steele asked when the next time would be for the Board to use the Commissioner option. Ms. Parham said late spring/early summer. Dr. Steele believes this is something the Board should consider.

A motion was made by Dr. Steele to table this item for further discussion at a future Board Meeting, with a second made by Dr. Reynoldson.

Discussion: None OR As Follows

A roll call vote was conducted:

Dr. Cooper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Reynoldson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Steele	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Tharp	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Young	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN <input checked="" type="checkbox"/> ABSENT

The motion passed. YES NO

Board Election of Officers

The Board conducted the annual election of Board Officers. The individuals elected will take their roles as of the January 6, 2021, meeting. The offices to be voted on included that of Board Chair, which is currently filled by Dr. Tharp, Board Vice-Chair, which is currently Vacant, and Secretary-Treasurer, which is currently Vacant, as it had previously been filled by Dr. Carlson, who just completed his term on the Board.

Dr. Tharp was nominated for Board Chair by Dr. Reynoldson; Dr. Tharp accepted the nomination.

A second call for further nominations was given, and with none being heard, a motion was made by Dr. Reynoldson to accept the nomination of Dr. Tharp for Board Chair, with a second made by Dr. Cooper.

Discussion: None OR As Follows

A roll call vote was conducted:

Dr. Cooper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
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Dr. Reynoldson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Steele	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Tharp	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Young	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN <input checked="" type="checkbox"/> ABSENT

The motion passed. YES NO

Dr. Cooper was nominated for Board Vice Chair by Dr. Reynoldson; Dr. Cooper accepted the nomination.

A second call for further nomination was given, and with none being heard, a motion was made by Dr. Steele to accept the nomination of Dr. Cooper for Board Vice Chair, with a second made by Dr. Tharp.

Discussion: None OR As Follows

A roll call vote was conducted:

Dr. Cooper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Reynoldson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Steele	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Tharp	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Young	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN <input checked="" type="checkbox"/> ABSENT

The motion passed. YES NO

Dr. Reynoldson was nominated for Board Secretary-Treasurer by Dr. Tharp; Dr. Reynoldson accepted the nomination.

A second call for further nominations was given, and with none being heard, a motion was made by Dr. Cooper to accept the nomination of Dr. Reynoldson for Board Secretary-Treasurer, with a second made by Dr. Tharp.

Discussion: None OR As Follows

A roll call vote was conducted:

Dr. Cooper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Reynoldson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Steele	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Tharp	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Young	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN <input checked="" type="checkbox"/> ABSENT

The motion passed. YES NO

Ms. Wallace offered congratulations to the 2021 officers and thanked them for their willingness to serve in these roles. She also thanked the previous officers for their service in those roles.

Call for Public Comment

Ms. Wallace stated that the meeting would be opened one final time for Public Comments and reminded all participants of the instructions for making a comment via the WebEx virtual meeting platform. She reminded all participants that the Board may only take action on items that were listed on today's agenda.

No Public Comments were made.

Dr. Tharp thanked the Administrative Office staff, Board Members, and Taskforce Members for all the work everyone has done to make Optometry a better place.

Adjournment

A motion was made by Dr. Reynoldson to adjourn, with a second made by Dr. Cooper.

Discussion: None OR As Follows

A roll call vote was conducted:

Dr. Cooper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Reynoldson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Steele	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Tharp	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN
Dr. Young	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN <input checked="" type="checkbox"/> ABSENT

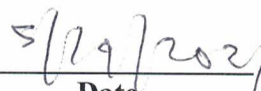
The motion passed. YES NO

The meeting of the Board of Optometry was adjourned at 11:16AM CST.

These Minutes were Ratified by the Board on January 6, 2020.



Board Chair



Date