

Illinois Department of Financial and Professional Regulation

Division of Professional Regulation

Illinois Optometric Licensing and Disciplinary Board

Board Meeting

Open Meeting

Date: May 13, 2010
Call to Order: 9:30 a.m.
Location: Illinois Division of Professional Regulation
James R. Thompson Center
100 West Randolph, Suite 9-171b
Chicago, Illinois

Adjournment: 12:15 p.m.

Board Members Present: Gary G. Gray Jr., O.D., Chairperson
Michael A. Chaglasian, O.D., Vice-Chairperson
Mary Lou French, O.D., Member
Dennis Rabe, O.D., Member
P. Douglas Becherer, O.D., Member

Board Members Absent: Pamela A. Lowe, O.D., Member

Staff Members Present: Mark Thompson, Deputy General Counsel
Kristine Gleason, Office of Legal Counsel
D. R. Gordon, O.D., Optometric Coordinator
Sal Segreti, Optometric Investigator
Kim Scott, Board Liaison

Guests: Michael Horstman, I.O.A., Executive Director

TOPIC	DISCUSSION	ACTION
Chairman Time	Dr. Gray called the meeting to order and welcomed everyone to the meeting of the Board.	
Renewal Update	Mr. Scott gave the Board an overview of how the renewal had went and stated he would provide the Board some final figures at the next meeting of the Board. Mr. Scott further explained	

	<p>that there had been very few problems encountered by the Division during the cycle.</p> <p>Mr. Horstman discussed that there was an issue of some Optometrists who had forgot to renew their licenses, but that was being taken care of.</p> <p>The Board discussed the renewal process and the manner the Division processes the requests for renewal.</p> <p>Dr. Becherer brought to the Board's attention that there may be a possible problem with the Board scores this year.</p> <p>The Board discussed at length possible cheating on the examinations and how the problem was being addressed by the N.B.E.O.</p> <p>Dr. Gordon explained the process of spotting possible cheating that is utilized by the N.B.E.O.</p>	
Minutes Approval		<p>Dr. Chaglasian made a motion that the proposed minutes of the 01/21/10 and 03/18/10 meeting be approved as presented.</p> <p>Dr. French seconded the motion.</p>
Election of Officers	<p>Dr. Gray reminded the members of the Board that election of officers would take place during the July meeting.</p>	
Meeting Schedule Review	<p>Dr. Gray reviewed the FY11 meeting schedule with the Board and the scheduled meeting times.</p>	
Optometric Investigator	<p>Mr. Segreti stated that this</p>	<p>Dr. Gray on behalf of the</p>

	<p>period began with 24 cases, 13 were opened, 4 were closed, 4 were sent to Legal for review and there were 24 pending cases.</p> <p>Mr. Segreti reviewed with the Board the circumstances of some of the cases that are currently being handled by the Division.</p> <p>Mr. Segreti explained the complaint process in response to questions regarding the process from Dr. Rabe.</p>	<p>Board thanked Mr. Segreti for his report and good work on behalf of Optometry.</p>
A.R.B.O. Meeting	<p>Dr. Gordon discussed with the Board the agenda for the June meeting of A.R.B.O. as Dr. Gordon will be representing Illinois at the meeting.</p> <p>Dr. Gordon stated that the prescription requirements of British Columbia will be discussed at the meeting.</p> <p>Board Certification in Optometry will also be a topic during the meeting according to Dr. Gordon as this is becoming a hot issue within Optometry.</p> <p>Dr. Gray asked why A.R.B.O. seemed to backing away from Board Certification now.</p> <p>Dr. Gordon gave the Board background information on the project and what may or may not take place during the meeting.</p>	<p>Dr. Gray asked Dr. Gordon to gather information for the Board at the A.R.B.O. meeting and report back to the Board.</p>
General Counsel	<p>Dr. Gordon introduced Mark Thompson, Deputy General Counsel for the Division of Professional Regulation to the Board.</p> <p>Dr. Gordon distributed</p>	<p>Dr. Gray thanked Mr. Thompson for coming to the meeting and answering the Board's questions.</p>

	<p>some informational packets to the Board regarding the different Board Certifications that are currently in progress.</p> <p>Mr. Thompson stated that there two points of legality regarding Board Certification. Mr. Thompson stated that there was no restraint of using the term Board Certification under the current Act, but there are issues regarding C.E. as related to the renewal of the certifications. Mr. Thompson stated that he felt it was a little early to think about right now.</p> <p>If an Optometrist was advertising that they were Board Certified and was not, they would be called before the Board as violation of the Act.</p> <p>Mr. Thompson stated that this is a policy decision and as such is the Director's decision as to whether to allow Board Certification or not.</p> <p>Dr. Gray inquired on which of the Board Certifications would be utilized in Illinois if allowed and would the Board have any input on the matter.</p> <p>Mr. Thompson explained to the Board that if Rules were considered that the Board would have input on what the standards would be.</p> <p>Dr. Gray asked if there was a national body which was approving Board</p>	
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	<p>Certification Programs.</p> <p>Dr. Gordon stated there were none at this time.</p> <p>Dr. French asked what other states were going to do.</p> <p>Dr. Gordon stated that North Carolina has said no to Board Certification and reviewed with the Board what some of the other states had said.</p>	
Application Review	<p>Mr. Scott explained that there occasions where there are applications that he would like to seek Board input on, but does not want the applicant to have to wait until the next meeting. Mr. Scott stated that in the past the Board had a motion whereby the Chairperson would review on behalf of the Board and the Board can affirm the decision at the next meeting or via signatures affixed to the decision.</p>	<p>Dr. Rabe made a motion that the Chairperson or Vice-Chairperson review applications when requested between meetings.</p> <p>Dr. Chaglasian seconded the motion.</p> <p>Motion carried.</p>
Applications	<p>The Board reviewed and discussed the Oregon Physicians, Pacific University Orals Course. Action Sheet #101150</p>	<p>Dr. Becherer made a motion to approve the course for use in satisfying Illinois Oral Certification requirements.</p> <p>Dr. Rabe seconded the motion.</p> <p>Motion carried.</p>
Optometric Coordinator	<p>Dr. Gordon reported to the Board that he had recently received a phone inquiry from an Optometrist who was educated in Nigeria asking on what they had to do to become licensed in Illinois.</p> <p>Dr. Gordon gave the Board some background information on foreign</p>	<p>The Board thanked Dr. Gordon for his work on behalf of the Board and the profession.</p>

	<p>applicants. Dr. Gordon explained that most foreign schools do not meet the requirements of the Illinois Optometric Practice Act and are not approved by C.O.E. Another problem is that Illinois requires the applicants to apply directly to N.B.E.O. for the Board and will not sponsor an applicant due to liability issues.</p> <p>The Board discussed the issue at length and what problems may be encountered in the future.</p> <p>Dr. Gordon informed the Board that he was still receiving inquiries regarding Ancillary licenses as well as Mr. Scott.</p> <p>Dr. Gordon reviewed for the benefit of the new members the Hearing process and how it worked. The Board asked several questions regarding the process, which Dr. Gordon answered for the Board.</p>	
<p>Illinois Open Meetings Act</p>	<p>Ms. Gleason reviewed with the Board the current Illinois Open Meetings Act and how not to be in violation. Ms. Gleason explained that a violation would be if a quorum of a quorum was to discuss Board business and this included email discussions. Ms. Gleason stated that if a member had something they wished to share with the other members that it should be sent to Mr. Scott who could forward it to the</p>	<p>Dr. Gray thanked Ms. Gleason keeping the Board update on the current requirements.</p>

	<p>other members and any replies should be directed to Mr. Scott only who can relay on to the other members.</p> <p>Ms. Gleason answered several questions from the Board regarding the Open Meetings Act and its requirements, which Ms. Gleason addressed.</p>	
<p>Legislative Update</p>	<p>Mr. Horstman informed the Board that the Bill that would allow an Optometrist to expunge certain types of discipline is currently on-hold. It appears that the Bill will be amended and sent back to committee this fall.</p> <p>Mr. Horstman also stated that it appeared the Illinois Optometric Fund would again be swept this year.</p> <p>Mr. Horstman discussed an audit being conducted by the Inspector General and distributed copies of the letter that went to a number of patients. Mr. Horstman further stated the I.O.A. was concerned about the issue as the letter stated a secondary examination would be conducted, but it did not appear that it would be by a licensed O.D. or if a the required minimum examination would be given. Mr. Horstman stated that he has been in contact with them and distributed copies of a letter that had been sent to HFS addressing the I.O.A. concern with the audit. A meeting has been</p>	

	<p>requested to discuss the issue and possible misunderstandings that may be a part of the problem. The Board discussed the issue with Mr. Horstman at length.</p> <p>Mr. Horstman stated that the Medical Association had passed a fee-splitting Bill, but it did not impact Optometry</p>	
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