

KANSAS BOARD OF EXAMINERS IN OPTOMETRY
Minutes of the April 17, 2023 Meeting

- I. 9:18 am called to order by Gerard Lozada, OD. Members of the Board present were Drs. Dawn Bircher, Lora Durst, and Sheena Nagaraja. Also in attendance were Tim Resner, Board Counsel and Jan Murray, Executive Officer. Members of the public in attendance were Todd Fleischer, KOA representative. Members of the public attending virtually were: Drs. Sara Stockwell, Taylor Renz, and Tony Brown.
- II. There were no modifications to the agenda.
- III. Dr Bircher motioned and Dr Nagaraja seconded a motion to approve the January 4, 2023 and February 22, 2023 minutes. Motion carried 4-0.
- IV. Applications:
 - A. Dr Lozada motioned and Dr Nagaraja seconded a motion to approve the reciprocity application for Taylor Renz, pending completion of 48 hours of continuing education. Motion carried 4-0.
 - B. Dr Bircher motioned and Dr Nagaraja seconded a motion to approve the reciprocity application of Sara Stockwell, OD pending submission of employment contract. Motion carried 4-0.
- V. Trade Names:
 - A. Dr Lozada motioned to reject the trade name of *Herriott Optometric, P.A.* 2720 S 4th St, Leavenworth, KS for Douglas Herriott, OD due to address being identical to another trade name. Dr Durst seconded the motion. Motion carried 4-0.
 - B. Dr Bircher motioned and Dr Nagaraja seconded a motion to approve the trade name of *Clarity EyeCare*, 440 Lincoln Ave, Clay Center, KS and 318 C St, Washington, KS for Tony Brown. Motion carried 4-0.
- VI. Report of the President:
 - A. Election of Board Officers: Dr Durst motioned and Dr Bircher seconded a motion for the following Board officers:
 - President: Dr Dawn Bircher
 - Vice-President: Dr Sheena Nagaraja
 - Secretary / Treasurer: Dr Lora Durst
 - B. Dr Lozada gave an update on the Board of Healing Arts investigations. He also stated that the reciprocity and trade name applications had been updated and posted on the Board's website.
 - C. Dr Lozada discussed the succession of some of his duties to other Board members.
 - D. Dr Dust motioned and Dr Lozada seconded a motion to approve new source control guidance. Motion carried 4-0.
- VII. Report of the Vice-President
 - A. The Board discussed telemedicine.
 - B. The Board discussed expiration date of new licenses. It was decided If the license is issued within 90 of the current year's expiration date (May 31st) the expiration date would be the following May 31st.

C. Dr Lozada motioned and Dr Durst seconded a motion to create three advisory work groups:

- a. Legislation and regulations
- b. Exams and CE Review
- c. Community Outreach and Protection.

Motion carried 4-0

VIII. Report of the Secretary-Treasurer

- A. Dr Durst motioned and Dr Nagaraja seconded a motion to approve the practice location of Sunshine Meadows Retirement Community, 400 S Buhler Rd, Buhler, KS 67522 for Boucher Eye Care. Motion carried 4-0
- B. The Board discussed synchronous – virtual. Further discussion was tabled until the July Board meeting.

IX. Report of the Member at Large

- A. No Report

X. Report of the Public Member

- A. No Report

XI. Report of the Legal Counsel

- A. Mr Resner discussed the expedited licensure process.

XII. Report of the Executive Officer

- A. Ms Murray gave an update on the 2023 renewals.
- B. Ms Murray inquired which of the Board members would be attending the ARBO conference June 18-20, 2023 in Alexandria, VA. Dr Lozada said he would be attending. Dr Durst and Dr Bircher both told her they would let her know.

XIII. Comments from the Public

- A. Mr Fleischer told the board about a task form that had been formed to assist with regulation updates.

XIV. Regulation Review

- A. KAR 65-4-1 Definitions – tabled,
- B. KAR 65-4-5 Professional Judgement – tabled.
- C. KAR 65-5-1 Qualifications for Licensure by Examination – tabled.
- D. KAR 65-5-6 Continuing Education – tabled
- E. (New) Active Practice Regulation: Dr Bircher motioned and Dr Durst seconded a motion to accept the final draft. Motion carried 4-0.

XV. Next Meeting

- A. July 21-22, 2023 Board Meeting / Annual Exam

XVI. Executive Sessions

Dr Lozada moved to go into executive session at 1:03 pm, to return to open session at 3:03 pm. The justification was to engage in discussions protected by the attorney-client privilege and the topic being potential litigation. The motion was seconded by Dr. Durst. Motion carried 4-0.

The Board adjourned into executive session at 1:03 pm.

The Board reconvened at 3:03 pm.

Dr Lozada moved to go into executive session at 3:15 pm, to return to open session at 4:14 pm. The justification was to engage in discussions protected by the attorney-client privilege and the topic being potential litigation. The motion was seconded by Dr. Nagaraja. Motion carried 4-0.

The Board adjourned into executive session at 3:15 pm.

The Board reconvened at 4:15 pm.

XVII. Adjournment:

Dr Lozada motioned and Dr Nagaraja seconded a motion to adjourn. Motion carried 4-0.

The Board adjourned at 4:15 pm.