

**KANSAS BOARD OF EXAMINERS IN OPTOMETRY**  
**Minutes of the July 22-23, 2022 Meeting**

- I. 8:34 am called to order by Gerard Lozada, OD, Board President. Members of the Board present were Drs Rebecca Sparks, Secretary Treasurer, and Carisa De Anda, Public Member. Also, in attendance were Tim Resner, Board Counsel and Jan Murray, Executive Officer. Members of the public in attendance were Todd Fleischer, KOA Representative, Pearl Shin, OD, Sheena Ward, DOB, and Lisa Parrish and Molly Bickel, KBI. Members of the public attending virtually were Drs Charles Vanaki, Brett Wise, Jason Pingel, and Cole Smart, and Cara Myers. Board Member Dr Lora Durst joined the meeting on Saturday, July 23, 2022.
- II. The Agenda was approved by Consensus.
- III. Dr De Anda motioned and Dr Lozada seconded a motion to approve the April 11, 2022 minutes. Motion carried 3-0. Dr Sparks motioned and Dr De Anda seconded a motion to approve the May 25, 2022 minutes. Motion carried 3-0. Dr De Anda motion and Dr Sparks seconded a motion to approve the June 21, 2022 minutes. Motion carried 3-0.
- IV. *Report of the President*
  - A. Dr Lozada discussed Redaction of Applications. Ms Murray stated that she has had only one request for an application in 10 years. She also stated that she worked with the Attorney General's office on the application to ensure everything was properly redacted.
  - B. Dr Lozada tabled his ARBO report
  - C. Dr Lozada gave an update on investigations.
  - D. Dr Lozada discussed the Conduct and Security Agreement that had been added to the exam application. Ms Murray informed the Board that she had emailed the agreement to all the exam applicants since it was added after some had already submitted their application.
  - E. Dr Lozada tabled New Business discussions until the October 2022 meeting.
  - F. The Board discussed the Mask Guidance Policy. The current policy will remain in place and complaints will be handled by a case by case basis.

Dr Lozada moved to go into executive session at 9:09 am, to return to open session at 9:30 am. 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. Sparks. Motion carried 3-0.

*The Board adjourned into executive session at 9:00 am*

*The Board reconvened at 9:30 am*

- V. *Report of the Vice President*
  - A. ARBO Report – tabled

VI. *Report of the Secretary-Treasurer*

- A. Dr Sparks motioned and Dr Lozada seconded a motion to continue to accept COPE's Interactive Online CE as Live until 12/31/2022. Motion carried 3-0.
- B. Later in the meeting: Dr Sparks motioned to rescind this motion of accepting Interactive online CE as live effective 07/22/2022. Motion carried 3-0.

VII. *Report of the Member at Large:*

- A. Light Adjustable Treatment – Tabled

VIII. *Report of the Public Member*

- A. No Report

IX. *Report of the Legal Counsel*

A. Stipulations

1. Dr Lozada motioned to accept the stipulation for Thang Bui, OD, Case No., 2022-06. The motion was seconded by Dr De Anda. Motion carried 2-0 with Dr Sparks abstaining.
2. Dr Lozada motioned to accept the stipulation for Cole Smart, OD, Case No., 2022-07. The motion was seconded by Dr De Anda. Motion carried 2-0 with Dr Sparks abstaining.
3. Dr Lozada motioned to accept the stipulation for Thomas McCarthy, OD, Jason Eubank, OD, and Bret D Wise, OD Case No., 2022-08. The motion was seconded by Dr De Anda. Motion carried 2-0 with Dr Sparks abstaining.
4. Dr Lozada motioned to accept the stipulation for Michael Hattan, OD, Case No., 2022-09. The motion was seconded by Dr De Anda. Motion carried 2-0 with Dr Sparks abstaining.

X. *Report of the Executive Officer:*

A. Trade Names:

1. Dr Sparks motioned and Dr De Anda seconded a motion to approve the trade name of *Seesmart Vision Clinic* for Aaron L. Schwindt, OD at these locations: 3300 Iowa St, Lawrence, KS, 5701 Silverheel St, Shawnee, KS, and 12801 Kansas Ave, Bonner Springs, KS. Motion carried 3-0.
2. Dr Sparks motioned and Dr De Anda seconded a motion to approve the trade name of *Smart Family Vision*, 1501 SW Wanamaker Rd, Topeka, KS. Motion carried 3-0.
3. Dr Sparks motioned and Dr De Anda seconded a motion to approve the trade name of *Hattan and Mondero Family Eye Care*, 1517 E 27<sup>th</sup> St, Hays, KS. Motion carried 3-0.
4. Dr Sparks motioned and Dr De Anda seconded a motion to approve the trade name of *Bui Eye Care*, 4116 N Rock Rd, Wichita and *Bui Eye Care West*, 10231 W 21<sup>st</sup> St N, suite 107A, Wichita for Thang Bui, OD. Motion carried 3-0.
5. Dr Sparks motioned and Dr De Anda seconded a motion to approve the trade name of *Eye Care Associates of Wichita*, 3911 Maize Rd, Wichita, KS for Bret D Wise, OD and Thomas E McCarthy, OD. Motion carried 3-0.

B. Reciprocity:

1. Dr Sparks motioned and Dr Lozada seconded to approve the reciprocity of Pearl Shin, OD contingent upon review of the employment contract. Motion carried 3-0

Dr Lozada moved to go into executive session at 11:03 am to return to open session at 11:13 am. The justification was to engage in discussions protected by the attorney-client privilege and the topic being reciprocity licensure. The motion was seconded by Dr. De Anda. Motion carried 3-0. No consensus was reached during executive session.

*The Board adjourned into executive session at 11:03 am*

*The Board reconvened at 11:10 am*

2. Dr Lozada motioned and Dr Sparks seconded a motion to reject the reciprocity application of Charles Vanaki, OD as being incomplete as submitted. Motion carried 3-0.

- C. Ms Murray discussed the FY2024-25 budgets that she would be submitting in September.

XI. *Comments From the Public:*

- A. The Board heard comments from Todd Fleischer, KOA and Cara Myers.

Dr Lozada moved to go into executive session at 11:44 am, to return to open session at 12:00 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. De Anda. Motion carried 3-0.

*The Board adjourned into executive session at 11:44 am*

*The Board reconvened at 11:59 am*

Dr Sparks motioned to rescind her earlier motion of the acceptance of Interactive CE as live CE until 12/31/2022. The motion was seconded by Dr De Anda. Motion carried 3-0.

Dr Lozada motioned and Dr Sparks seconded a motion to recess until after the completion of the annual exam on Saturday, July 23, 2022. Motion carried 3-0.

*The Board recessed at 12:00 pm.*

*The Board reconvened on Saturday, July 23, 2022 at 1:24 pm.*

XII. *Exam Scores:*

- A. Dr Sparks motioned to accept 14 applicants for licensure and one provided conditional acceptance. Dr Durst seconded the motion. Motion carried 4-0

XIII. *Adjournment:*

- A. Dr Sparks motioned and Dr De Anda seconded a motion to adjourn the meeting. Motion carried 4-0.

*The Board adjourned at 1:30 PM*