

KANSAS BOARD OF EXAMINERS IN OPTOMETRY
Minutes of the October 4, 2021 Meeting

- I. 9:12 called to order by Gerard Lozada, OD. Members of the Board present were Drs Dawn Bircher, Rebecca Sparks, and Lora Durst. Also in attendance were Tim Resner, Board Counsel and Jan Murray, Executive Officer. Attending virtually were, Todd Fleischer, KOA representative, Drs Aaron Van Hooser and Jamie Buckingham.
- II. The agenda was approved by consensus with one modification.
- III. Dr Sparks motioned and Dr Durst seconded a motion to approve the minutes from the July 9-10, 2021 meeting with one correction and the August 25, 2021 meeting as presented. Motion carried 4-0.
- IV. *Report of the President*
 - A. Dr Lozada gave an update on the investigations that have been filed with Kansas Board of Healing Arts.
 - B. Dr Lozada discussed new complaints that had been filed with Kansas Board of Healing Arts concerning unregistered contact lens sellers
 - C. Dr Lozada discussed items from previous meetings: documenting anonymous complaints, telemedicine and advertisement requirements.
 - D. Dr Lozada discussed academic dishonesty and potential challenges to the Kansas licensing examination, and the possibility of establishing a standard for the maximum number of retakes of the Kansas licensing examination that should be allowed. Dr. Lozada discussed sending out letters of concern when there were minor violations of optometry rules and regulations. Dr Lozada also discussed defining Board Member roles.
- V. *Report of the Vice-President*
 - A. Dr Bircher discussed posting disciplinary actions taken against licensees to the Board website. The Board directed Ms Murray to post disciplinary actions on the Board's website for anyone currently in the Board's licensing database.
- VI. *Report of the Secretary Treasurer*
 - A. Dr Sparks discussed the current continuing education requirements.
 - B. The Board tabled discussion on ASCO's request to require Cultural Competence continuing education until the January 2022 meeting.
- VII. *Report of the Member-At-Large*
 - A. Dr Durst discussed if medicated contact lenses could be dispensed by optometrists. The Board instructed Ms Murray to inquire with the Kansas Board of Pharmacy. Further discussion was tabled until January 2022 meeting.
- VIII. *Report of the Legal Counsel*
 - A. Mr. Resner discussed the Stipulation and Consent Order against Aaron Van Hooser, OD. The order consisted of public censure and a fine. Dr Durst moved and Dr Bircher seconded a motion to approve the order. Motion carried 3-0 with Dr Sparks abstaining.
 - B. Mr Resner also discussed letters he had sent to 20/20 Now.

- IX. *Report of the Executive Officer*
- A. Ms Murray shared with the Board the updated Trade Name Application with recommendations from Mr Resner. The Board instructed Ms Murray to post the updated version online.
 - B. Dr Sparks motioned and Dr Bircher seconded the motion to approve the reciprocity of Jamie Buckingham, OD. Motion carried 4-0.
 - C. Ms Murray discussed the Board needing a policy for applicants to appeal their criminal background check. The Board requested Ms Murray contact other Kansas Boards to see their policies.
 - D. Ms Murray discussed the recent upgrade of the Board's website.

The Board recessed for lunch at 11:45 am

The Board reconvened at 1:00 pm

- X. *Regulation Update*
- A. The Board began reviewing the optometry rules and regulations.
- XI. *Comments from the Public*
- A. Mr Fleischer provided public comments throughout the meeting on the various topics.
- XII. *Next Meeting*
- The next meeting of the Board will be January 5, 2022 at 9:00 in Committee Room 218-N in the Kansas State Capitol.
- XIII. *Adjournment*
- Dr Durst motioned and Dr Sparks seconded a motion to adjourn. The motion passed 4-0.

The Board adjourned at 4:51 pm