



South Dakota Board of Examiners in Optometry

Meeting Minutes

August 17, 2018

8:30AM (CST)

Tieszen Law Office Conference Room

Pierre, SD 57501

Board Members		Board Staff Present	
Craig Dockter, OD, President	Present	Deni Amundson, Executive Secretary	
Denette Eisnach, OD	Absent	Naomi Cromwell, Board Attorney	
Allen Haiar, OD, Vice President	Present	Ann Meyer, Assistant Attorney General	
Scott Schirber, OD	Present		
Jamie Farmen, Consumer Member	Present		
		Guests	
		Deb Mortenson, South Dakota Optometric Society	

1. **Attendance:** President Dockter called the meeting to order at 8:30AM on August 17, 2018.

2. Approval of Agenda

Board Action: S Schirber moved to approve the agenda, seconded by A Haiar.

Dockter	YES	Schirber	YES
Eisnach	ABSENT	Farmen	YES
Haiar	YES	4 YES, MOTION CARRIED	

3. Board Minutes

Board Action: A Haiar moved to approve minutes from March 26, 2018, seconded by S Schirber.

Dockter	YES	Schirber	YES
Eisnach	ABSENT	Farmen	YES
Haiar	YES	4 YES, MOTION CARRIED	

4. **Financial Reports:** D Amundson presented the financial report for fiscal year 2018 through June 30, 2018, and the multi-year comparison report on pages 6-7 of the agenda packet.

Board Action: S Schirber moved to accept the financial report as presented, seconded by A Haiar.

Dockter	YES	Schirber	YES
Eisnach	ABSENT	Farmen	YES
Haiar	YES	4 YES, MOTION CARRIED	

5. **Board Review and Approve CE Courses:** Continuing education courses, submitted since the last meeting on March 26, 2018, were reviewed and approved by individual signature vote.

6. **Old Business:** Discussion was had regarding the five agenda items that have been continued to be monitored on state and national levels. The South Dakota Optometric Society

is monitoring national issues regarding contract issues between insurance companies and optometrists. Some states are addressing these issues legislatively. They are also monitoring these national issues. No further discussion. Continue to monitor and table until the next meeting.

7. New Business:

A. Licensing: Discussion was had regarding the current licensure approval process. This board would like to expedite the application process as much as possible for licensees. Since the board only meets twice per year, all license applications will either be approved at those bi-annual, in-person meetings or special telephonic meetings will be scheduled to expedite the process. These telephonic meetings will be in compliance with the State of SD's open meeting laws. Applications will also be assigned a number to be used to as a reference and this number will be the fiscal year that the application was received and the number of applicant for that year. For example: 19-1, 19-2, etc.

Discussion was also had regarding drafting an administrative rule regarding the process for denial of initial licensure. Naomi Cromwell will bring an initial draft of this rule to the next meeting.

If we are possibly going through the administrative rule process next year, it was also noted that further discussion may be taken up at the next meeting regarding the last sentence of 20:50:10:03.

Board Action: J Farmen moved to change the license approval process so that all licenses, whether endorsement or new graduate, will be approved during in-person meetings or, in an effort to expedite, specially scheduled telephonic meetings, seconded by S Schirber.

Dockter	YES	Schirber	YES
Eisnach	ABSENT	Farmen	YES
Haiar	YES	4 YES, MOTION CARRIED	

Board Action: D Amundson presented applications 19-1, 19-2 and 19-3 for review. J Farmen moved to approve endorsement license 19-1, seconded by S Schirber.

Dockter	YES	Schirber	YES
Eisnach	ABSENT	Farmen	YES
Haiar	YES	4 YES, MOTION CARRIED	

Board Action: J Farmen moved to enter into executive session at 9:30am pursuant to SDCL 1-25-2(3) to consult with legal counsel, seconded by A Haiar.

Dockter	YES	Schirber	YES
Eisnach	ABSENT	Farmen	YES
Haiar	YES	4 YES, MOTION CARRIED	

Board Action: At 10:11am executive session was declared as over. S Shirber moved to approve licenses 19-2 and 19-3, seconded by A Haiar.

Dockter	YES	Schirber	YES
Eisnach	ABSENT	Farmen	YES
Haiar	YES	4 YES, MOTION CARRIED	

B. Procedural Codes: No discussion or action taken.

C. Board Member Requests for Conflict Waiver: There were no requests for conflict waivers or action taken.

D. Code of Conduct: D Amundson presented the code of conduct drafted by the State of South Dakota as an informational item and requested that board members closely read the document so they are familiar with it. No action taken.

E. Administrative Rule/Legislative Updates: No discussion or action taken. Will continue to closely monitor.

F. ARBO Annual Meeting Update: D Amundson reported on her attendance at the Association of Regulatory Boards of Optometry’s annual meeting that took place in Denver, Co, on June 16-19. The following were action items as a result of this report and discussion:

- 1) Since the board moved to make the SD Optometry Law and Ethics Exam open book, D Amundson, S Schirber and A Haiar will work together to review the exam for any recommended revisions. This revised draft will be presented at the next meeting.
- 2) The board may want to consider adding an opioid CE requirement. Continuing education rules will be reviewed at the next meeting.
- 3) D Amundson will working on drafting a new renewal document with criminal background questions that mirror the application. This draft will also be presented at the next meeting.

G. Spectacle Prescription: Discussion was had regarding whether or not the pupillary distance (PD) is part of a spectacle prescription that should be released to a patient. ARSD 20:50:04:06 will be reviewed at the next meeting. D Amundson will also find out how other states are handling this issue and report back at the next meeting. Tabled until next meeting.

H. Live Streaming/Recording Meetings: D Amundson reported that the Governor and Department of Health are strongly recommending that all boards make recordings of meetings available to the public. The board has two options for doing that. The first is moving the location of the meetings to rooms available in Pierre that have the equipment available through South Dakota Public Broadcasting. This board can use these rooms at no cost to them and a list of these locations was presented. The second option is for the board to record their own meetings and upload the digital file into the board portal managed by the State of SD. The board reached a general consensus that they would like to purchase their own recording device and continue to hold meetings in the Tieszen Law Office conference room. The equipment will be purchased and we will work through the process with the goal being to begin uploading these recordings by the summer meeting.

I. Online Renewal/Credit Card Payments: D Amundson reported that several of the other boards under the South Dakota Department of Health were updating their database systems to allow for online renewals and credit card payments. Even the most basic systems would be about \$20,000. Due to the limited funds available to this board, the consensus of the board was to not pursue this option at this time. No action taken.

J. PEPL Fund: D Amundson provided information shared by the State of SD regarding Public Entity Pool for Liability. No action taken.

K. Investigator Training: D Amundson reported on the Council on Licensure, Enforcement and Regulation (CLEAR) investigator training program that has been recommended by other state optometry boards. It would cost approximately \$2,000 to send our primary investigator and she indicated an interest in attending.

Board Action: A Haiar moved that, if Lisa Kollis-Young was interested in attending, the board should approve the funding for her to attend and cover travel expenses aligning with state rates for reimbursement. This would not include a stipend or hourly pay, seconded by J Farmen.

Dockter	YES	Schirber	YES
Eisnach	ABSENT	Farmen	YES
Haiar	YES	4 YES, MOTION CARRIED	

8. Public Comment: No public comment.

9. Time and Place of Next Meeting:

Next Meeting: Monday, March 25, 2019, 8:30AM (CST), Tieszen Law Office Conference Room, 306 East Capitol, Pierre, SD 57501

9. Adjournment:

Board Action: At 12:25pm, J Farmen moved to adjourn meeting, seconded by A Haiar.

Dockter	YES	Schirber	YES
Eisnach	ABSENT	Farmen	YES
Haiar	YES	4 YES, MOTION CARRIED	