

South Dakota Board of Examiners in Optometry

Meeting Minutes

August 11, 2017

Tieszen Law Office Conference Room

Pierre, South Dakota

8:30 AM (CST)

1. Attendance

Meeting called to order at 8:30 a.m. Board members present were Dr. Dockter, Dr. Haiar, Dr. Schirber, Dr. Eisnach, and Nancy Van Camp. Also present were Naomi Cromwell, Tieszen Law Office; Ann Meyer, Attorney General's Office; Deni Amundson, Board Executive Secretary; and Deb Mortenson, SDOS Executive Director.

2. Approval of Agenda

Dr. Eisnach moved to approve the agenda as presented, seconded by Nancy Van Camp. All in favor. Motion passed.

3. Approve Minutes from April 4, 2017, and July 20, 2017.

Scott Schirber moved to approve the minutes from the regular meeting on April 4, 2017, and the public hearing on July 20, 2017, seconded by Dr. Eisnach. All in favor. Motion passed.

4. Treasurer's Report

Deni Amundson presented the FY18 financial report through July 30, 2017, the year-end FY17 report and historical comparison report. Dr. Eisnach moved to accept the treasurer's report, seconded by Dr. Haiar. All in favor. Motion passed.

5. ARBO Annual Meeting

Deni Amundson attended the Association of Regulatory Boards of Optometry meeting in Washington, DC June 18-20, 2017. She gave a summary report regarding regulatory activities on the national level. No action taken.

6. Board Review and Approve CE Courses

Board reviewed and approved continuing education courses by individual signature vote.

Discussion was had regarding CE providers facing emergency situations where a presenter of a live event may need to cancel for unforeseen circumstances. Dr Schirber moved to proceed with amending 20:50:08:02.01 as part of an administrative rules package to allow CE credit for a live-stream presentation as a live presentation in certain situations where a live presentation is cancelled for reasons not within a licensee's control and where good cause is shown. Seconded by Dr. Eisnach, motion passed.

7. Old Business

a. Board Certification: Will continue to closely monitor. Tabled until next meeting.

- b. Injections: Will continue to closely monitor. Tabled until next meeting.
- c. Tele-Medicine: No action taken.
- d. Board Member Terms: The board reviewed the current board members terms and board positions. Dr. Dockter will remain president until he wishes to step down or has served his three terms and is no longer eligible for re-appointment from the Governor. Dr. Eisnach nominated Dr. Haiar for vice-president, Dr. Schirber seconded. Motion passed and Dr. Haiar accepted nomination.

8. New Business

- a. Licensing: Naomi Cromwell reported on a consent agreement recently entered into with Melanie Weiss constituting final disposition of a licensing matter. A copy of this public document will be sent to each board member.

Discussion was had regarding the SD Board of Optometry's Law and Ethics exam. Dr. Schirber moved to allow an open book exam, Dr. Haiar seconded. Motion passed.

The board would also like to review the complete exam at the next meeting to review the current questions and give consideration to adding an additional section. Dr. Schirber indicated he was in favor of finding out more information regarding Wyoming's exam process. Deni Amundson will research their statutes and administrative rules and also see if they would be willing to share their exam requirements. Tabled until next meeting.

- b. Procedural Codes: No action taken.
- c. Board Member Requests for Conflict Waiver: No action taken.
- d. Administrative Rule/Legislative Updates: Discussion was had regarding the South Dakota Board of Pharmacy's Prescription Drug Monitoring Program and its impact on optometry. This issue, and how other boards under the direction of the South Dakota Department of Health, address it will be closely monitored. Tabled until next meeting.

The board reviewed numerous administrative rules. 20:50:02:07 will not be amended; however, the application will be updated to add an additional form for applicants to complete to meet licensure requirements. Other rules, in addition to 20:50:08:02.01 as voted on earlier in the meeting, that will be presented in the package for amendments are 20:50:04:06, 20:50:07:01, 20:50:10:02, and 20:50:10:03. Dr. Schirber moved to proceed with the above referenced administrative rule updates, seconded by Nancy Van Camp. All in favor. Motion passed.

Dr. Eisnach left the meeting at 12:14pm. A quorum of the board members were still in attendance.

- e. Background Checks: Deni Amundson thanked the board and legal counsel for completing the online Criminal Justice Information Services training as required by the State of South Dakota Division of Criminal Investigation. A background check procedural policy was presented to the board for questions or feedback. No action taken.
- f. Record Retention Manual: A revised version of the current manual was presented to the board for questions or feedback. No action taken on this administrative procedural item.
- g. Office Inspection Form: Discussion was had regarding the need to add 36-7-18 to the current office inspection form. 20:50:07:01 is also on the form and has been identified as one of the administrative rules in the package to be amended. An updated form will be presented at the next meeting.
- h. Lasers: Deb Mortenson, Executive Director for the South Dakota Optometric Society, indicated they have had numerous requests from their membership to explore options for expanding the scope of South Dakota optometrists to include laser privileges. They are going to start by sending a survey to optometrists in the state to inquire about interest and need. Tabled until next meeting.
- i. Drug-Eluding Contact Lenses: Discussion that these are not currently on the market in South Dakota, but the board may want to discuss them at a later date to determine if they are within the scope of practice for South Dakota optometrists and possible add a procedural code when one becomes available. No action taken.

9. Time and Place of Next Meeting

Monday, March 26, 2017
Tieszen Law Office Conference Room
Pierre, South Dakota
8:30 AM (CST)

10. Adjournment

Dr. Schirber moved for adjournment, seconded by Dr. Haiar. All in favor, motion passed. Meeting was adjourned at 12:47pm.

Respectfully submitted,
Deni Amundson, Executive Secretary
South Dakota Board of Examiners in Optometry