



South Dakota Board of Examiners in Optometry

Meeting Minutes

March 26, 2018

8:30AM (CST)

Tieszen Law Office Conference Room

Pierre, SD 57501

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

1. **Attendance:** President Dockter called the meeting to order at 8:30AM on March 26, 2018.

2. Approval of Agenda

Board Action: D Eismach moved to approve the agenda, seconded by S Schirber.

Dockter	YES	Schirber	YES
Eismach	YES	Van Camp	ABSENT
Haiar	YES	4 YES, MOTION CARRIED	

3. Board Minutes

Board Action: D Eismach moved to approve minutes from August 11, 2017, with the edit of the attendance to indicate Dr. Schirber and Dr. Haiar were both in attendance as opposed to Dr. Schirber being listed twice, seconded by A Haiar.

Dockter	YES	Schirber	YES
Eismach	YES	Van Camp	ABSENT
Haiar	YES	4 YES, MOTION CARRIED	

Board Action: D Eismach moved to approve the minutes from October 20, 2017, as presented, seconded by S Schirber.

Dockter	YES	Schirber	YES
Eismach	YES	Van Camp	ABSENT
Haiar	YES	4 YES, MOTION CARRIED	

4. **Financial Reports:** D Amundson presented the financial report for fiscal year 2018 through March 3, 2018, and the multi-year comparison report. Discussion was also had regarding D Amundson attending the Association of Regulatory Boards of Optometry annual conference in Denver, CO from June 16-19, 2018.

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

Dockter	YES	Schirber	YES
Eismach	YES	Van Camp	ABSENT
Haiar	YES	4 YES, MOTION CARRIED	

5. Board Review and Approve CE Courses: Continuing education courses submitted since the last meeting on August 11, 2017, were reviewed and approved by individual signature vote.

6. Old Business: Discussion was had regarding the four agenda items that have been continued to be monitored on state and national levels. Since these topics will continue to be monitored, they will be combined in future agendas and listed as “National and State Issues Monitored”.

A. Board Certification: No discussion. Will continue to monitor.

B. Injections: This has been a topic of discussion by the South Dakota Optometric Society board. Will continue to monitor.

C. Tele-Medicine: D Mortenson reported on a bill presented during the 2018 Legislative Session that was not successful that would have applied to tele-medicine in South Dakota. Will continue to monitor.

D. Lasers: This has been a topic of discussion by the South Dakota Optometric Society board. Will continue to monitor.

7. New Business:

A. Licensing: D Amundson presented a consent agreement regarding Jason Hafner as an informational item. No action taken.

B. Procedural Codes: No discussion or action taken.

C. Board Member Requests for Conflict Waiver: N Cromwell reported that the South Dakota Bureau of Human Resources is working on a code of conduct for state boards. This will continue to be monitored. There were no requests for conflict waivers or action taken.

D. Administrative Rule/Legislative Updates: D Amundson, N Cromwell and D Mortenson all reported on bills regarding a licensure reciprocity compact, tele-medicine and Medicaid reimbursement. No action taken.

E. PDMP- Guidance for Licensees: D Amundson presented information submitted by the South Dakota Pharmacy Board regarding South Dakota’s Pharmacy Drug Monitoring Program. Discussion was had regarding SDCL 36-7-25(13). This law gives this board the authority to take disciplinary action if someone is improperly prescribing controlled substances. No action taken, but will continue to closely monitor.

F. Law and Ethics Exam: D Amundson presented the current law and ethics exam for the board to review.

Board Action: D Eisnach moved that, since there was a recent amendment to ARSD 20:50:07:01, #22 of the exam should be changed to “Minimum Comprehensive Eye Exam” and that a 45 minute time limit should be set for the open-book exam, seconded by A Haiar.

Dockter	YES	Schirber	YES
Eisnach	YES	Van Camp	ABSENT
Haiar	YES	4 YES, MOTION CARRIED	

G. Application: D Amundson presented a revised application with the addition of, appendix D, the verification of practice location documentation as requested at the last meeting.

Board Action: A Haiar moved to approve this document as presented, seconded by D Eismach.

Dockter	YES	Schirber	YES
Eismach	YES	Van Camp	ABSENT
Haiar	YES	4 YES, MOTION CARRIED	

H. Office Inspection Form: Discussion was had regarding the current office inspection form.

Board Action: D Eismach moved to remove the section referencing ARSD 20:50:07:01, Minimum Comprehensive Eye Exam, and add SDCL 36-7-18, Display of Certificate in Office, seconded by S Schirber.

Dockter	YES	Schirber	YES
Eismach	YES	Van Camp	ABSENT
Haiar	YES	4 YES, MOTION CARRIED	

I. TrueTear: Nasal Lacrimal Stimulation Device: Discussion was had regarding this product not being a procedure as it is a device prescribed for purchasing by the patient. As such, it would not have a corresponding procedural code. This product has been FDA approved. There was general consensus that the prescribing of this product would be allowed under the scope of practice for South Dakota optometrist as presented. No formal action taken.

J. Complaint and Investigation Process:

Board Action: A Haiar moved to authorize board president, C Dockter, to act on behalf of the board on consent agreement matters until June 30, 2019, D Eismach seconded.

Dockter	YES	Schirber	YES
Eismach	YES	Van Camp	ABSENT
Haiar	YES	4 YES, MOTION CARRIED	

K. Contracts:

Board Action: D Eismach moved to approve the FY19 contract for Tieszen Law Office using the same terms as FY18, seconded by A Haiar.

Dockter	YES	Schirber	YES
Eismach	YES	Van Camp	ABSENT
Haiar	YES	4 YES, MOTION CARRIED	

Board Action: S Schirber moved to approve the FY19 contract for the South Dakota Optometric Society using the same terms as FY18, seconded by A Haiar.

Dockter	YES	Schirber	YES
Eismach	YES	Van Camp	ABSENT
Haiar	YES	4 YES, MOTION CARRIED	

Board Action: D Eisnach moved to approve the FY19 contract for BPro using the same terms as FY18, seconded by S Schirber.

Dockter	YES	Schirber	YES
Eisnach	YES	Van Camp	ABSENT
Haiair	YES	4 YES, MOTION CARRIED	

Board Action: D Eisnach moved to approve the FY19 contract for Scott Kennedy using the same terms as FY18, seconded by A Haiair.

Dockter	YES	Schirber	YES
Eisnach	YES	Van Camp	ABSENT
Haiair	YES	4 YES, MOTION CARRIED	

Board Action: A Haiair moved to approve the FY19 contract for Lisa Kollis-Young using the same terms as FY18, seconded by S Schirber.

Dockter	YES	Schirber	YES
Eisnach	YES	Van Camp	ABSENT
Haiair	YES	4 YES, MOTION CARRIED	

Board Action: D Eisnach moved to approve the FY19 contract for Deni Amundson with a 1.2% increase in the salary from the FY18 contract, all other terms remain the same, seconded by A Haiair.

Dockter	YES	Schirber	YES
Eisnach	YES	Van Camp	ABSENT
Haiair	YES	4 YES, MOTION CARRIED	

- 8. Time and Place of Next Meeting:** Discussion was had regarding moving the location of the meetings to the Capitol Building to use their technology to live-stream meetings or to begin recording them with technology purchased by the board and uploading the meeting recordings on the state open government website. D Amundson will research options for location, technology and expense and report back at the next meeting.

Next Meeting: Friday, August 17, 2018, 8:30AM (CST), Tieszen Law Office Conference Room, 306 East Capitol, Pierre, SD 57501

9. Adjournment:

Board Action: D Eisnach moved to adjourn the meeting at 10:57AM, seconded by S Schirber.

Dockter	YES	Schirber	YES
Eisnach	YES	Van Camp	ABSENT
Haiair	YES	4 YES, MOTION CARRIED	