

AGENDA

CONNECTICUT BOARD OF EXAMINERS FOR OPTICIANS

Wednesday, August 10, 2011, at 9:00 AM
Department of Public Health
410 Capitol Avenue, Hartford CT
Third Floor Conference Room C

CALL TO ORDER

I. Minutes

Review and approval of the minutes from June 1, 2010.

II. Old Business

- Update on the addition of slides to the problem solving portion of the contact lens exam
- Update – Paul Beckert

III. Department of Public Health Updates

Investigations Update

Gary Griffin, Practitioner Investigation Unit, DPH

IV. Legal Office Business

Seven Eleven, Vernon, CT – Petition No. 2011-598

Presentation of Cease and Desist Consent Order Joelle Newton, Staff Attorney DPH

V. New Business

- November Licensing Examination
- Add progressive addition lenses to the neutralizing and fitting section of the eyewear exam.
- Revise instructions to examination candidates.

VI. ADDITIONAL AGENDA ITEMS

ADJOURN

The following minutes are draft minutes which are subject to revision and have not yet been adopted by the board.

The Connecticut Board of Examiners for Opticians held a meeting on June 1, 2011, at the Department of Public Health, Capitol Avenue, Third Floor Conference Room, Hartford, CT.

BOARD MEMBERS PRESENT: Linda Conlin, LO, Chairperson
René"Skip" Rivard, LO

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Steve Carragher, Health Program Supervisor, DPH;
Jeffrey Kardys, Administrative Hearings Specialist/Board Liaison, DPH;
Gary Griffin, Practitioner Investigation Unit, DPH;
Maritsa Morales, Licensing and Examination Analyst, DPH;
Alfreda Gaither, Esq., Staff Attorney, Legal Office, DPH;
Rosemary M. McGovern, Esq., Assistant Attorney General, State of CT;
Maureen Dinnan, representing HAVEN (Health Assistance interVention Education Network)

Chairperson Linda Conlin called the meeting to order at 9:15 a.m.

I. MINUTES – March 2, 2011

- A. The minutes from the regularly scheduled meeting of the Board of Examiners were read by Chairperson Conlin. A motion made by Mr. Rivard and seconded by Ms. Conlin was passed to accept the minutes.

II. OLD BUSINESS

- A. **Request for Advice from the Assistant Attorney General Concerning Optical Shop Permits:** Assistant Attorney General McGovern addressed the Board in response to its inquiry in a letter dated September 26, 2010. Specifically, the Board asked that should an optician who only fits and dispenses contact lenses as an employee of an ophthalmology practice, be required to hold an optical selling (shop) permit? AAG McGovern responded that it was not necessary to obtain a permit if the optician did not dispense eyewear or other optical goods. AAG McGovern further stated that the optician must be an employee³⁴ of the ophthalmology practice and not be an independent provider nor employed by an independent firm or company which provides service on the premises of the ophthalmology practice.

In addition, all payment for goods and services must be made directly to the practice. She explained that should the optician dispense eyewear or if payments were made to the name of the optician or a provider independent of the medical practice, an Optical Selling Permit would be necessary.

- B. **Practical Examination – Images for Problem Solving:** Mr. Rivard again reported that images for the proposed Contact Lens Problem Solving section for the State licensing exam is still under development. He is hopeful, for their completion in time for the fall licensing exam.

- C. **Jeffrey Panella, #001196-Apprentice Training status:** The still has been no response from Mr. Panella regarding a proposed plan for reinstatement of his license. The Board approved the plan at its meeting on December 8, 2010. A previous request for reinstatement from August 2009 had previously expired. It was further noted that an earlier request for license reinstatement approved in August 1999, also went unanswered.
- D. **Paul Beckert – Petition No. 2010-5674** Attorney Gaither reported that Mr. Beckert has still not complied with his Consent Order. [Petition No. 2010-5674] He has not completed a required course in Ethics.

At its meeting of January 28, 2011, Attorney Gaither informed the Board that Mr. Beckert reported that he is not working in the capacity of an optician. The Board requested that the information be confirmed as reliable.

Discussion was held regarding Mr. Beckert's work status. He is apparently in the employ of an optometric practice. That status and compliance with the Consent Order is still under investigation.

III. NEW BUSINESS

- A. **Reinstatement Application - Debra Thelen, Lic. № 00119** Deb Brown presented a request for reinstatement Ms. Thalen. Having moved out-of-state, she last practiced in CT in 2003. Her Connecticut license expired in 2007. She had obtained 7 continuing education credits in October 2010.

Upon advice of the Department a motion was made and seconded to require refresher training in the form of three months full-time (30 hours per week) or six month part-time (15 hours per week) employment supervised by an optician in an establishment which has had issued to it an Optical Selling Permit. The training plan must be based on the full scope of opticians apprentice training and be accepted in writing by the optician employer. Upon proof of completion, her license will be reinstated. Motion passed.

IV. DEPARTMENT OF PUBLIC HEALTH UPDATES:

- A. Mr. Griffin reported that four cases are under investigation. In addition, one case has been referred to the legal office for review and one case has been dismissed. At the request of Mr. Rivard, Mr. Griffin will provide information pertaining to the dismissed case at the next meeting of the Board.

A Cease and Desist Order pertaining to Plano contact lens dispensing at a 7-11 will also be presented at the next Board meeting.

- B. Ms. Morales reported that eighteen candidates had applied for the upcoming licensing examinations. Sufficient supplies were available and reminder notifications will be sent to all proctors.

V. ADDITIONAL AGENDA ITEMS

- A. Ms. Maureen Dinnan presented an updated update from HAVEN, a confidential assistance program for health care professionals suffering from physical or mental illness, emotional disorder or chemical dependency. HAVEN is a resource for the health care professionals to seek help before patient harm occurs without fear of public disclosure or public regulatory action. Following a comprehensive report, the Board commended Ms. Dinnan on the significant benefits this program has created for both professionals and the public.

ADJOURNMENT

Mr. Rivard made a motion, seconded by Ms. Conlin to adjourn the meeting at 10:15 a.m. The motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "René R. Rivard", written in a cursive style.

René R. Rivard
Connecticut Board of Examiners for Opticians