

The Connecticut Board of Examiners for Opticians held a meeting on February 24, 2010, at the Department of Public Health, Capitol Avenue, Second Floor, Conference Room E, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Linda Conlin, LO, Chairperson
Loray Courchaine, Public Member
Skip Rivard, LO

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Gary Griffin, Practitioner Investigation Unit, DPH
Jeffrey Kardys, Board Liaison
Maritsa Morales, Licensing and Examination Analyst, DPH
Stacy Owens, Staff Attorney, Legal Office, DPH
Leslie, Scoville, Staff Attorney, Legal Office, DPH
Deborah Brown, Health Program Assistant, DPH
Steve Carragher, Health Program Supervisor, DPH

Chairperson Linda Conlin called the meeting to order at 10:10 a.m.

MINUTES – December 2, 2009

The minutes of the December 2, 2009 meeting were reviewed. Skip Rivard moved and Loray Courchaine seconded that these minutes be approved. The motion passed.

DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Investigations Update

Gary Griffin, Practitioner Investigation Unit, DPH, reported that there is one case under investigation, and one case referred to the legal office.

Two new optical shops have opened, one in Meriden, the other in Fairfield.

More instances were discovered of convenience stores selling cosmetic contact lenses over the counter. The owners agreed to remove the contacts claiming ignorance that these sales were illegal. Skip proposed having some kind of public service announcement to spread the word on this matter.

B. Examination Update

Maritsa Morales, Licensing and Examination Analyst, DPH, announced she will be out on maternity leave soon and introduced Deb Brown who will serve in her stead.

PRACTICAL EXAMINATION

Skip Rivard reported that the contact lens practical exam is still in development. He is working with Ray Dennis to develop a problem solving lens exam using case scenarios. Steve Carragher suggested a meeting with DPH to assist with the test development.

LEGAL OFFICE BUSINESS

Richard L. Kennedy, Jr., Optician – Petition No. 2009-0513-038-002

Leslie Scoville, Staff Attorney, Legal Office, DPH presented a Consent Order against Richard L. Kennedy, Jr. imposing a reprimand and a \$1,250.00 fine against his personal license. Skip Rivard made a motion to endorse the consent order as written, Loray Courchaine seconded, the motion passed. Chairperson Linda Conlin signed the order.

Skip Rivard requested that Leslie Scoville find out if Mr. Kennedy's continuing education credits have been properly documented.

EXAMINATION APPEALS

Maritsa Morales, Licensing and Examination Analyst, DPH

Maritsa reported that two candidates are appealing the results of the November examinations. Following a motion made by Skip Rivard and seconded by Loray Courchaine, the Board went into executive session at 10:52 A.M. to review the examination results. After careful review and discussion by the Board, it was determined that the results would remain the same.

ADDITIONAL AGENDA ITEMS

A. Dates for the June 2010 exams were set:

Contact Lenses –Tuesday, June 8,2010

Eyeware – Tuesday, June 22, 2010

B. License Reinstatement Request – Jeffrey Panella, #001196

Skip requested an update on this case for the next meeting.

ADJOURNMENT

Linda Conlin made a motion and Skip Rivard seconded to adjourn the meeting at 11:30 a.m. The motion passed unanimously.

Respectfully Submitted,

Loray Courchaine

Public Member

Connecticut Board of Examiners for Opticians

The Connecticut Board of Examiners for Opticians held a meeting on May 12, 2010, at the Department of Public Health, Capitol Avenue, Second Floor, Conference Room E, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Linda Conlin, LO, Chairperson
Loray Courchaine, Public Member
Skip Rivard, LO

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Gary Griffin, Practitioner Investigation Unit, DPH
Jeffrey Kardys, Board Liaison
Kathleen Boulware, RN, Practitioner Investigation Unit
Maureen Dinnan, HAVEN
Alfreda Gaither, Staff Attorney, Legal Office, DPH
Deborah Brown, Health Program Assistant, DPH
Steve Carragher, Health Program Supervisor, DPH

Chairperson Linda Conlin called the meeting to order at 10:10 a.m.

MINUTES – February 24, 2010

The minutes of the February 24, 2010 meeting were reviewed. Skip Rivard moved and Loray Courchaine seconded that these minutes be approved. The motion passed.

NEW BUSINESS

A. Annual Update

Maureen Dinnan provided the annual update on the Health Assistance interVention Education Network for Connecticut Health Professionals (HAVEN) program. The program is growing; 210 professionals were served in 2009. None were opticians. HAVEN plans to reach out through professional organizations to try to reach more clients.

B. Is an optical shop permit needed for a licensed optician employed by a physician?

After review of and discussion about the applicable state statutes it was determined that the best way to clarify the legality of this was to ask for an opinion from the Attorney General's office. Motion for the Board to draw up the specific question for the Attorney General's office proposed by Loray Courchaine and seconded by Linda Conlin. Skip Rivard abstained from the vote.

C. Can a convicted felon obtain an Optician's License?

A student in the Optician's program is inquiring if there would be any bar to his obtaining an opticians license because he has a felony conviction in his past. After discussion, Steve Carragher provided a "possible, but no promises" letter to be delivered to the student.

OLD BUSINESS

A. Richard L. Kennedy, Jr., Optician – Petition No. 2009-0513-038-002

Gary Griffin, Practitioner Investigation Unit, DPH, produced 20 Continuing Education credits from Mr. Kennedy. Motion was made by Loray Courchaine to accept these credits, seconded by Linda Conlin and approved by the Board. Skip Rivard abstained from the vote.

- B. Ethics Course – Paul Beckert
Question was asked as to whether Paul Beckert had completed the required ethics course and if his license had been reinstated. Kathleen Boulware reported that she believed that the license was reinstated, and that she would verify that he had completed the ethics course and report back to the Board.
- C. Update – Contact Lens Exam
No changes for the upcoming exams. It is expected that changes will be implemented for this fall's exams.
- D. Examination update – Deborah Brown, Health Program Assistant, DPH reported that the admit letters for the June exams were mailed, and that the start time is 8:30 A.M.

DEPARTMENT OF PUBLIC HEALTH UPDATES

- A. Investigations Update
Gary Griffin, Practitioner Investigation Unit, DPH, reported that there are four cases under investigation, two optical shops and two licensed opticians.
- B. Cosmetic Contact Lenses
Skip Rivard submitted allegations of illegally sold contact lenses to the Attorney General's Office. In response, Kathleen Boulware, RN, Practitioner Investigation Unit, DPH reported that Consumer Protection and the Attorney General's office are investigating these illegal sales supplied by Theg, Inc. Theg, Inc. claims on their website that these lenses are FDA approved – they are not. Cease and Desist orders were issued to retailers selling these lenses. Most pled ignorance and were cooperative in removing the lenses from their shelves.

ADDITIONAL AGENDA ITEMS

- A. Optical Shop Selling Permit Renewals
Skip stressed the need for permit renewals to be signed by the licensed optician and not the owner of the shop. A letter reinforcing this will go out via the Connecticut Opticians Association website.
- B. License Reinstatement Request – Jeffrey Panella, #001196
Kathleen Boulware, RN, Practitioner Investigation Unit, DPH reported that she believes his license was reinstated, but will email the definitive answer to the Board.

ADJOURNMENT

Loray Courchaine made a motion and Skip Rivard seconded to adjourn the meeting at 11:15 a.m.
The motion passed unanimously.

Respectfully Submitted,

Loray Courchaine
Public Member
Connecticut Board of Examiners for Opticians

The Connecticut Board of Examiners for Opticians held a meeting on August 11, 2010, at the Department of Public Health, Capitol Avenue, Conference Room 470-A/B, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Linda Conlin, LO, Chairperson
Loray Courchaine, Public Member
Skip Rivard, LO

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Gary Griffin, Practitioner Investigation Unit, DPH
Jeffrey Kardys, Board Liaison
Kathleen Boulware, RN, Practitioner Investigation Unit
Maritsa Morales, Licensing and Examination Analyst, DPH
Alfreda Gaither, Staff Attorney, Legal Office, DPH
Deborah Brown, Health Program Assistant, DPH
Steve Carragher, Health Program Supervisor, DPH

Chairperson Linda Conlin called the meeting to order at 9:00 a.m.

MINUTES –May 12, 2010

Loray Courchaine moved and Skip Rivard seconded a motion to waive the reading of the Minutes and accept them. The motion passed.

OLD BUSINESS

- A. Status of Letter explaining whether or not a convicted felon can obtain an Optician's License.
Skip Rivard showed the DPH letter to the affected student in the ODD program at Middlesex Community College.
- B. Optical Shop Renewals
Concern by the Board that the state renewal form does not require the name/signature of the L.O. in charge. Steve Carragher assured the Board that the information was included in the online permit but conceded that the next time the renewals go out that the L.O. information would be included.
- C. Cosmetic Contact Lenses
Kathleen Boulware reported that 7 offending shops were visited and presented cease and desist orders. 6 out of the 7 signed and returned the orders, the 7th will be followed up with and charges pressed if necessary.
- D. Reinstatement Updates
Paul Beckert – Kathleen Boulware found no proof that Beckert has completed the ethics course that was ordered. Whether or not he is working as an optician was also questioned. Kathleen will check into these matters.

Jeffery Panella – Deborah Brown reported to the Board that Panella's application for reinstatement has expired.

DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Investigations Update

Gary Griffin reported that there are 2 cases involving L.O.s and 4 cases involving Optical Shops under investigation.

B. Exam Updates

Deborah Brown reported the results of the June exams. 14 candidates out of 15 passed the Contact Lens exam and 12 out of 12 passed the Eyewear exam.

Dates for the fall 2010 exams will be determined after the fall semester begins at Middlesex Community College.

OLD BUSINESS Continued

E. Is an optical shop permit needed for a licensed optician employed by a physician?

Skip Rivard presented a draft letter to the Board for review. Revisions were made. Linda Conlin will sign the final letter and Jeffrey Kardys will send it to A.A.G. Henry Salton.

ADJOURNMENT

Skip Rivard made a motion and Loray Courchaine seconded to adjourn the meeting at 10:10a.m. The motion passed unanimously.

Respectfully Submitted,

Loray Courchaine
Public Member
Connecticut Board of Examiners for Opticians

The Connecticut Board of Examiners for Opticians held a meeting on December 8, 2010, 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: Gary Griffin, Practitioner Investigation Unit, DPH
Kathleen Boulware, RN, Practitioner Investigation Unit
Maritsa Morales, Licensing and Examination Analyst, DPH
Alfreda Gaither, Staff Attorney, Legal Office, DPH
Deborah Brown, Heath Program Assistant, DPH
Steve Carragher, Health Program Supervisor, DPH
Ohan Karagozian, Optical Student, guest

Chairperson Linda Conlin called the meeting to order at 9:30 a.m.

Chairperson Conlin recognized the dedication and contributions of Ms. Loray Courchaine who recently resigned as the Public Member of the Board of Examiners for Opticians. Mr. Rivard echoed her recognition and both members of the Board agreed that her participation will be missed.

MINUTES – August 11, 2010

A motion made by Mr. Rivard and seconded by Ms. Conlin to waive the reading of the Minutes and accept them passed.

OLD BUSINESS

A. Optical Shop Renewals: Relative to the online DPH database for the optical Selling permit as reflected in the meeting minutes of May 12 and August 11, 2010, Mr. Rivard again noted that current Optical Shop renewals permits do not require the signature of the licensed optician under whose personal and direct supervision has been granted permission to sell, dispense, or supply to the ultimate wearer, optical aids to vision, etc., as described in C.G.S., Chpt. 381, § 20-153. After discussion, Mr. Carragher agreed to require the signature of the responsible licensed optician supervisor to be included in all optical shop renewal applications.

B. Practical Examination – Contact Lens Problem Solving: Mr. Rivard reported that this proposed portion of the exam is still under development. He conceptualized that when completed, the exam and its graphic components will be computer generated at the testing location. Mr. Carragher expressed his concern regarding the security of the finished exam. Mr. Rivard affirmed that the final copy of the exam will be turned over to the DPH and that no components of the exam will be maintained outside of the Department.

DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Investigation Update: Gary Griffin reported that there are five cases under investigation. One additional case has been referred to the Department of Public Health Legal Office for further review.

He also reported one new application for an Optical Selling Permit was issued to BJ's Optical under the supervision of Francis LaChapelle, LO. In addition an OSP for "Visual Perceptions" was amended to reflect a change of address.

There is also a current investigation regarding the sale of non-prescription contact lenses by unlicensed vendors.

B. Exam Updates: Maritsa Morales reported that because the DPH had only received one application, the practical licensing exam scheduled for November 2010 had been cancelled.

NEW BUSINESS

A. Licensed Reinstatement Review – Jeffrey Panella, #001196

Deborah Brown, Health Program Assistant, Department of Public Health presented for review a license reinstatement application for Jeffrey Panella. An original request for reinstatement from August 2009 had expired. After discussion, a Plan for Reinstatement was determined. Motion by Rivard, seconded by Conlin to require three months of supervised training under the direct supervision of an optician which will include all items required during apprentice optician training. Before such plan is approved, the optician supervisor must submit it to the DPH who may, with the advice of the Board, accept it a partial requisite for reinstatement. Mr. Panella will also be required to substantiate seven CECs in the year preceding reinstatement.

B. Schedule Meeting Dates for 2011:

Following are the dates for Board Meetings scheduled for 2011.

Wednesday, February 23, 2011

(Snow Date) Wednesday, March 2, 2011

Wednesday, May 11, 2011

Wednesday, August 3, 2011

Wednesday, December 7, 2011

All meetings will be scheduled for 9:00 a.m., at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut.

LEGAL OFFICE BUSINESS

A. Chucky's – Norwich, CT – Petition No. 2010-5438

Joelle Newton, Staff Attorney, Legal Office, DPH, presented a Consent Order in this matter.

Rivard made a motion, seconded by Conlin, to approve the Cease and Desist Order. The motion passed and Chairperson Conlin signed the order.

B. Seven-Eleven – East Hartford, CT – Petition No. 2010-5439

Joelle Newton, Staff Attorney, Legal Office, DPH, presented a Consent Order in this matter.

Rivard made a motion, seconded by Conlin, to approve the Cease and Desist Order. The motion passed and Chairperson Conlin signed the order.

C. Sunoco –New Britain, CT – Petition No. 2010-5440

Joelle Newton, Staff Attorney, Legal Office, DPH, presented a Consent Order in this matter.

Rivard made a motion, seconded by Conlin, to approve the Cease and Desist Order. The motion passed and Chairperson Conlin signed the order.

D. Sunoco Middletown, CT – Petition No. 2010-5441

Joelle Newton, Staff Attorney, Legal Office, DPH, presented a Consent Order in this matter.

Rivard made a motion, seconded by Conlin, to approve the Cease and Desist Order. The motion passed and Chairperson Conlin signed the order.

E. Way Low Discount - Hartford, CT – Petition No. 2010-5442

Joelle Newton, Staff Attorney, Legal Office, DPH, presented a Consent Order in this matter.

Rivard made a motion, seconded by Conlin, to approve the Cease and Desist Order. The motion passed and Chairperson Conlin signed the order.

ADJOURNMENT

Mr. Rivard made a motion, seconded by Ms. Conlin to adjourn the meeting at 10:20 a.m. The motion passed unanimously.

Respectfully submitted,

René R. Rivard
Connecticut Board of Examiners for Opticians