

## The Colorado Board of Optometric Examiners Meeting Minutes

August 13, 2008

### CONVENED

The Colorado Board of Optometric Examiners convened at 9:08 AM

### ATTENDANCE

Present were Julia Kimball, OD, President; Michelle Sancho Marlatt, OD, Secretary; Parker Call, OD; Alison House, OD; Richard Lontine Chavez, Public Member; Fred Glogiewicz, Public Member. Helen Wilson, OD, Vice President and Fred Glogiewicz, Public Member were absent.

Also in attendance were Cindy Klyn, Program Director; Debbi Strauss, Administrative Assistant; Jack Wesoky, Assistant Attorney General; Richard Morales, Section Director; Lisa Jackson from the Office of Expedited Settlement, Susan Miller, Health Care Section Director; Jeff Kramer, Licensing and Support; Jeremiah Slade, Diligent Boardbooks.

### REPORTS

1. Susan Miller spoke regarding the name change of Allied Services Section to Health Services Section. Susan also introduced Richard Morales as the new Section Director for Health Services.
2. **Policies:** Cindy Klyn, Program Director and Jack Wesoky, AAG presented the Letter Of Concern policy language which was unanimously approved as amended. CPT Codes as a policy was discussed but the codes are changing and this issue has been tabled.
3. **Greg Ferland, Executive Director – Office of Policy Review** spoke regarding continued competency. He also explained DORA's position regarding continuing education requirements.

**Diligent Boardbooks** conducted on-site training.

**2009 Board of Optometric Examiners** schedule was unanimously approved, noting that Dr. Alison House will not be able to attend the meeting scheduled for November 4, 2009.

### MINUTES OF PREVIOUS MEETING

1. Minutes from the May 7, 2008 meeting were approved as submitted.

## LICENSING

1. Applications Administratively Approved (4/18/08 – 08/01/2008)
2. Applications for licensure requiring Board guidance:
  - a. **Robert Pinkert, OD** – The Board reviewed all the information before them and a motion was made, seconded and carried to approve Dr. Pinkert's application.
  - b. **John Bannwarth, OD** – "YES" application. The Board reviewed all the information before them and a motion was made, seconded and carried to table his license for a Colorado Optometric license.
  - c. **Kelsey Ford, OD** – The Board reviewed all the information before them and a motion was made, seconded and carried to grant Dr. Ford her license.
  - d. **Brent Gibson, OD** – "YES" application. The Board reviewed all the information before them and a motion was made, seconded and carried to withdraw the letter of June 25, 2008 and send another letter referring him to Section 12-40-108 C. R. S.

## NEW BUSINESS

1. Complaints with Responses:
  - a. **Paul Heersink, OD – Case #: 2008-002367** - After review of the complaint filed a motion was made, seconded, and carried to dismiss for lack of violations.
  - b. **Robert Prouty, OD – Case #: 2008-002357** - After review of the complaint a motion was made, seconded, and carried to dismiss for lack of violations.
  - c. **Harry Riegle, OD – Case #: 2008-002359** - After review of the complaint, a motion was made, seconded, and carried to dismiss this case. A letter of dismissal was sent to the Respondent alerting him of the Policies and Procedures regarding record retention and release.

## COMPLIANCE MONITORING

1. **Stephen Shapiro – Unlicensed – Stipulation and Final Agency Order** - The Board reviewed Dr. Browder's practice monitor report submitted on behalf of Mr. Shapiro and a motion was made, seconded, and carried to accept.

**OFFICE OF THE ATTORNEY GENERAL**

1. **Richard Anderson, OD – Case #: 2006-004242** – Jack Wesoky, AAG presented a letter from Dr. Anderson's attorney. No further action was taken by the Board. The Board expressed that they would like the AAG to proceed with original instructions.

**OFFICE OF EXPEDITED SETTLEMENT**

1. **Larry Williams, OD – Case #: 2008-000633** – After review of all the materials submitted, a motion was made, seconded, and carried to enter into Executive Session. The Board instructed Expedited Settlement to proceed with the case.


**EXECUTIVE SESSION**

As permitted by CRS 24-6-402(3)(a)(II), AND (III), a motion was made, seconded and carried by at least the required 2/3 majority that the Board enter into EXECUTIVE SESSION for the sole purpose of discussing matters of pending or imminent court action, other matters of attorney client privilege regarding Larry Williams, OD. It was announced that no more motions had been offered or passed during Executive Session.

The Executive Session adjourned at 12:30 PM.

**ADJOURNMENT**

Meeting adjourned at 12:33 PM

  
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President, Julia D. Kimball, OD

11-05-08  
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Date

**NEXT MEETING DATE**

February 4, 2009 – 9:00 AM – Suite 1380