

**The Colorado Board of Optometric Examiners  
Meeting Minutes**

**November 14, 2007  
9:00 AM**

The Colorado State Board of Optometric Examiners met Wednesday November 14, 2007, in the offices of the Board of Optometric Examiners, 1560 Broadway, Suite 9<sup>th</sup> Floor Common, Denver, Colorado at 9:00 a.m. The meeting was noticed in accordance with the Division Policy.

Present were Dr. Larry Kinnick, Dr. Julia Kimball, Dr. Helen Wilson, Fred Glogiewicz, RPh, Andrew Nowak, PhD, and Dr. Michelle Sancho. Dr Joanne Hendrick was not present.

Dr. Kinnick, President, conducted the meeting.

Also in attendance for all or part of the meeting were Cindy Klyn, Program Director, Maulid Miskell, Program Director, Julie Norcross, Administrative Assistant, Mary Risko, Assistant Attorney General, Shelley Hitt, Section Director, David Sexton Investigator, and Kennetha Rhodes Director of Expedited Settlement.

MINUTES

The minutes from the August 8, 2007 were approved as amended.

PROGRAM REPORTS

The Program Directors, Cindy Klyn and Mo Miskell, Section Director, Shelley Hitt and Assistant Attorney General, Mary Risko gave brief informational reports to the Board. Ms. Kimball presented a brief Board report.

OLD BUSNISS

**Mark VanderHorck, OD** After Board review of an October email concerning the activities of Dr. VanderHorck and America's Best. A motion was made, seconded, and carried to open a case, and issue a 30-day letter.

NEW BUSINESS

The proposed meeting dates for the 2008 calendar were approved as presented.

The upcoming annual ARBO meeting and SWCO meeting was discussed. The Board suggested Ms. Wilson to attend.

Memorandum regarding Independent Vision Therapist was discussed.

LICENSING

**\*\*Consent Items**

The Board was presented "yes" application guidelines. A motion was made, seconded, and carried to adopt the "yes" application guidelines, allowing the Program Director to administratively approve applicants that meet the established criteria.

A motion was made, seconded, and carried to ratify the Optometrist applicants listed below for licensure:

A. Licensees – Administratively Approved \*\*

Licensee Name	Number	Issue Date	Method
Hildebrand, Kimberly A	2619	8/17/2007	Endorsement
Marcus-Freeman, Susannah Britt	2627	10/22/2007	Endorsement
Marquez, Angela Yvette	2625	9/27/2007	Examination
Meadows, Jennifer Nicole	2622	9/5/2007	Examination
Pacheco, Sharon Sunny	2626	10/16/2007	Examination
Perez, Larry Ciprian	2623	9/11/2007	Examination
Sharma, Anjana Shah	2624	9/11/2007	Examination
Thomas, Peter M	2620	8/17/2007	Examination
Zwelling, Jennifer Ryan	2621	8/30/2007	Examination

B. Applications for licensure- requiring Board guidance

**Ryan Holdorf** After review of the application and additional information, a motion was made, seconded, and carried to **grant licensure**.

C. Reinstatement Applications - Requiring Board Review

**Thomas Myslik OD**, Dr. Helen Wilson recused herself from participation in this case and departed from the meeting room. After review of the application and additional information, a motion was made, seconded, and carried to **table this reinstatement request pending additional information**.

**John Bardash OD**, After review of the application and other information submitted a **motion was made, seconded, and carried to enter into Executive Session**.

At 10:55 a.m. the Colorado Board of Optometric Examiners 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 and matters required to be kept confidential pursuant to law. Specifically, The Board considered matters regarding Mr. Bardash. The Executive session was adjourned at 10:57 a.m. The Board returned to open session where a **motion was made, seconded, and carried to table this reinstatement request pending additional information**.

MALPRACTICE REPORTS

**Larry Williams, OD** After review of the additional information supplied by Dr. Williams, a motion was made, seconded, and carried **to refer this matter to the Office of Investigations.**

#### COMPLAINTS WITH RESPONSES

**Gerald Hollenbaugh, OD Case #2008-000899** After review of the complaint and additional information, a motion was made, seconded, and carried **to dismiss for lack of violations.**

**Henry Rosenthal, OD Case #2008-001077** After review of the complaint and additional information, a motion was made, seconded, and carried **to dismiss for lack of violations.**

**Anita Holley, OD Case #2007-003434** Dr. Kimball recused herself from participation in this case and departed the meeting room. After review of the complaint and additional information, a motion was made, seconded, and carried **to dismiss for lack of violations.**

#### COMPLAINTS WITH NO RESPONSES

**Jamie Killscrow, Case # 2007-003433** Dr. Kimball recused herself from participation in this case and departed the meeting room. After review of the complaint a motion was made, seconded, and carried to table pending response.

**Kristin Burns, OD Case # 2007-003434** Dr. Kimball recused herself from participation in this case and departed the meeting room. After review of the complaint a motion was made, seconded, and carried to dismiss for lack of violation.

**Jason Jost, OD Case # 2007-003431** After review of the complaint a motion was made, seconded, and carried to dismiss.

**Alan Tomoeda, OD Case # 2007-003429** After review of the complaint a motion was made, seconded, and carried to dismiss.

**Brent Burch, OD Case # 2007-002378 and # 2007-001623** After review of the complaint a motion was made, seconded, and carried to refer these cases to the Office of Investigations for additional investigation.

#### COMPLIANCE MANAGEMENT

**Craig Nelson, OD Case #2006-002138** After review of the Practice Monitor report a motion was made, seconded, and carried to reject the practice monitor reports.

**Scott Dobson, OD Case # 2005-004697** After review of the complaint a motion was made, seconded, and carried with a majority and one nay to accept the practice monitor report.

#### MISCELLANEOUS

**Marcus Meyer, OD Case # 2004-002032** After review of the Stipulation file and the February 9, 2007 audit report, a motion was made, seconded, and carried to approve the termination of Dr. Meyer's Stipulation and Final Agency Order.

OFFICE OF INVESTIGATIONS

**No items were discussed.**

OFFICE OF EXPEDITED SETTLEMENT

**No items were discussed.**

OFFICE OF THE ATTORNEY GENERAL

**The Case status report was submitted.**

**Steven Shapiro Unlicensed, Case # 2007003535** The Board reviewed the memorandum from AAG, Jeannine Miller dated November 1, 2007. No further action, proceed with previous guidance.

ADJOURNMENT

Meeting adjourned at 12:42 p.m.

A handwritten signature in black ink, appearing to be "A. Miller", with a long horizontal line extending to the right.