

MINUTES
COLORADO BOARD OF OPTOMETRIC EXAMINERS
FEBRUARY 7, 2007
1560 BROADWAY, CONFERENCE ROOM 1380
DENVER, CO 80202

CONVENE

A regular meeting of the Colorado State Board of Optometric Examiners was held on Wednesday, February 7, 2007 in Suite 1380, 1560 Broadway, Denver, Colorado.

The meeting was called to order by the Vice President, Amy Cecil, OD at 9:10 a.m.

Members Present: Helen Wilson, OD, Andrew Nowak, Larry Kinnick, OD, Fred Glogiewicz, RPh., and Julia Kimball, OD.

Staff Present: Susan Miller, Section Director, Maulid "Mo" Miskell, Program Director Susana Vasquez, Administrative Assistant, Linda Esquibel, Program Assistant and Pamela Jackson, Assistant Attorney General.

APPROVAL OF MINUTES

A motion was made, seconded and carried to approve the minutes of the August 23, 2006 and November 14, 2007 meeting as amended.

President's Report

None

Program Director's Report

Memorandum dated December 26, 2006 from Susan Miller, Director, Healthcare Section, Subject: Colorado Revised Statutes 24-34-1007 – Issuance/Renewal of Licenses If Lawfully Present in the United States.

Ms. Miller gave the Board a written and oral report regarding HB 06S-1009, Colorado Revised Statute 24-34-1007. This bill is about immigration and how it will impact the business processes of the Division.

APPEARANCES

D. Rico Munn, Executive Director

Mr. Munn introduced himself and conveyed his goals for DORA. He gave a brief biography of himself, and answered questions from Board members.

ADDITIONS TO THE AGENDA

The Board engaged in election of officers. Larry Kinnick was elected as President. Julia Kimball was elected Vice President. Helen Wilson was re-elected as Secretary. Terms of the new officers began immediately.

Email from Gwenne Hume, Ed.D. Executive Director, Colorado Optometric Association requesting the Board to address an e-mail from Jason Witters, OD. Can an Optometrist bill an insurance company for a foreign body removal from the eyelid. The code he billed was 67938. After careful consideration of the information provided, a motion was made, seconded and carried to inform Dr. Witters that the code was an approved code. However, the Board stated that Dr. Witters would need to be very careful how he uses the code. It could only be used if he is removing foreign body and not a pyogenic granuloma.

OFFICE OF INVESTIGATIONS

None

OLD BUSINESS

Correspondence

None

Tabled

None

Licensing

Larry Caminita, OD

A motion was made, seconded and carried to approve Dr. Caminita for licensure by Endorsement. Helen Wilson opposed.

Stipulations/Final Agency Orders

Scott Dodson, OD #1995

After careful consideration of the information provided, a motion was made, seconded and carried to accept Dr. Dodson's practice monitor report dated January 8, 2007.

Craig Nelson, OD #1409

After careful consideration of the information provided, a motion was made, seconded and carried to accept Dr. Nelson's practice monitor report dated from October 6, 2006 through November 21, 2006.

After careful consideration, a motion was made, seconded and carried to adopt the following policy as a Board Policy.

Review of Continuing Education Required for Licensees on Probation.

A Board Member shall be appointed to review and give approval of continuing education that is submitted to the Board prior to Board meetings.

Craig Nelson, OD #1409

A motion was made, seconded and carried to accept two hours of postoperative cataract continuing education completed through the American Academy of Optometry to satisfy the requirement of Dr. Nelson's stipulation. The Board also voted to grant an extension on the required continuing education hours. The remaining two hours in pain management pharmacology and two hours in post operative cataract must be completed by August 1, 2007. The Board stated Dr. Nelson would need to complete the additional hours or provide to the Board an explanation of how the courses taken cover the requirement in his stipulation.

Steven Shapiro

The Board requested an updated on Steve Shapiro's disciplinary action. Steven Shapiro received a Stipulated Motion and Order for Injunction and Final Judgment by Consent of the Parties on October 16, 2006.

The Board voted to contact Dr. Shapiro regarding his practice monitor. The Board requested to have a practice monitor report to include as stated on the Stipulated injunction advertising materials, evaluation, Rx treatment plan, and follow up.

NEW BUSINESS

Discipline in Other State

None

New Complaints

C.J Roffis, OD #10277

(2007-001621)

The Board reviewed a complaint against and response from Dr. Roffis.

A motion was made, seconded, and carried to **DISMISS** the complaint due to a lack of violation.

Heinz Ebner, Unlicensed

(2007-001625)

Julia Kimball recused from discussion and voting and left the room. The Board reviewed a complaint against and a response from Mr. Ebner.

A motion was made, seconded, and carried to **DISMISS** the complaint due to a lack of jurisdiction.

Richard Anderson, OD #1249

(2007-001845)

The Board reviewed a complaint against and response from Dr. Anderson.

A motion was made, seconded, and carried to **DISMISS** the complaint due to a lack of violation. Helen Wilson opposed.

LICENSING

License Ratifications

(See Attached List)

The Board noted that all the applicants had met all of the requirements for licensure under the provisions of §12-40-109 and §12-40-108, C.R.S.

A motion was made, seconded, and carried to ratify the applicants for licensure by examination and endorsement.

Other Licensing Issues

Jeffrey Oakland, Application for licensure by endorsement.

A motion was made, seconded and carried to **APPROVE** Dr. Oakland for Licensure.

Philip Wren, OD #1938, Reinstatement Application

A motion was made, seconded and carried to **REINSTATE** Dr. Wren's license.

MISCELLANEOUS

Letter dated October 28, 2006 from John A. Thomas, MS, OD, FCOVD, DABDA

Neuro Optometric Rehabilitation Association, International (NORA).

The Board reviewed Dr. Thomas' request for recognition and acceptance of continuing education hours provided by NORA at The Annual Multi-Disciplinary Conference to include the skills development curriculum. After careful consideration of the information provided the Board voted to approve the 2007 NORA Multi-Disciplinary Meeting

EXECUTIVE SESSION

As permitted by Section 24-6-402 (3) (a) (II), CRS (1999) the Open Meetings Law, a motion was made, seconded, and carried that the Board hold an executive session for the sole purpose of consulting with legal counsel concerning matters involving the Board which are the subject of imminent or pending litigation.

Open Session

Following the executive session, the Board returned to open session and Dr. Kinnick announced that no motions had been offered or passed during the session.

ADJOURN

A motion was made, seconded, and carried to adjourn the meeting at 12:50 p.m.