

MEETING MINUTES

COLORADO BOARD OF OPTOMETRIC EXAMINERS

May 13, 2009

9:00 A.M. - CONFERENCE ROOM 1550

1560 BROADWAY
DENVER, CO

Convened: The Colorado State Board of Optometric Examiners meeting convened at 9:27 a.m. on May 13, 2009, in Conference Room 1550.

Board Members Present:

Julia D. Kimball, OD
Michelle Sancho Marlatt, OD
Alison House, OD
Parker Call, OD
Richard Lontine Chavez, Public Board Member
Fred Glogiewicz, Public Board Member

Staff Members:

Cindy Klyn, Program Director
Debbi Strauss, Administrative Assistant
Kennetha Julian, Program Director for the Office of Expedited Settlements

Assistant Attorney General:

Joe Lico, Assistant Attorney General

Approval of February 4, 2009 Meeting Minutes:

Minutes from the February 4, 2009, Board Meeting approved as amended.

Miscellaneous:

Kaiser Permanente Colorado REsolve Program Letter – The letter was reviewed and approved.

Review of Policies:

1. New Policies:

- a. **30-4 – Continuing Education Requirements During Renewal (every two years) - Adopted April 2009**
- b. **40-2 Delegated Authority** - After review of all the information submitted, a motion was made, seconded and carried to adopt this policy.

2. Current Policies – No action necessary.

3. Newly Formatted Policies For Review – No action necessary.

4. Additions to the CPT Codes – After review of all the information submitted, a motion was made, seconded and carried to add the following CPT Codes to the list of approved procedural codes:

- 92025
- *83037
- *82520
- *87809

* Requires CLIA waiver.

Licensing:

1. Ivan J. Grupe, OD - Case #: 2009-003024

After review of all the information submitted, a motion was made, seconded and carried to table Dr. Grupe's application until the next Board Meeting to obtain additional information.

2. Richard Bond, OD - Pending Application

After review of all the information submitted, a motion was made, seconded and carried to table Dr. Bond's application until the next meeting to obtain additional information.

3. Albert Harrell, OD - "YES" Application

After review of all the information submitted, a motion was made, seconded and carried to license Dr. Harrell as Inactive.

4. Applications Newly Licensed by Method:

Report for 1/16/09 – 4/24/09. After review of all the information submitted, a motion was made, seconded and carried to ratify the licenses administratively approved.

Office of Investigations:

No reports to review.

Office of Expedited Settlement:

No reports to review.

- Kennetha Julien, Program Director gave a presentation on the Office of Expedited Settlement's process.

New Business:

1. Complaints With Responses:

- a) **Deanna Alexander, OD - Case #: 2009-003126** – Entered into Executive Session, a motion was made, seconded and carried to dismiss.

Old Business – FYI Only:

1. Optometrists advertising without using OD after their name – Letter from Look Optical was supplied for the Board's review – no action necessary.

Office of the Attorney General:

1. Case Status Report was presented.
2. Richard Anderson, OD – The Board entered into Executive Session to discuss the current litigation matter and receive advice from counsel. The Board returned to Open Session and a motion was made, seconded and carried to proceed with original guidance.

Executive Session:

During the Executive Session, Julia Kimball, OD and Michelle Sancho Marlatt, OD recused themselves and left the room during review of case number 2009-003126.

As permitted by Sections 24-6-402(3)(a)(II), and (III) C. R. S., a motion was made, seconded and carried by at least the required 2/3 majority that the Board enter into EXECUTIVE SESSION to discuss matters of pending or imminent court action and, other matters of attorney client privilege regarding Deanna Alexander, OD and Richard Anderson OD. It was announced that no more motions had been offered or passed during Executive Session.

Executive Session adjourned at: - Time: 12:08 p.m.

Compliance Monitoring:

1. Craig Nelson, OD - Stipulation and Final Agency Order – After review of all the information submitted, a motion was made, seconded and carried to accept Dr. Nelson's practice monitor report. The Board denied his request to approve the old continuing education hours.
2. John Bardash, OD - Stipulation and Final Agency Order – After review of all the information submitted, a motion was made, seconded and carried to accept Dr. Bardash's practice monitor report.
3. Steven Shapiro – Injunction – Mr. Shapiro is in full compliance.

Election of Officers:

A motion was made, seconded and carried that the following Board members were voted into office:

Michelle Sancho Marlatt, OD - President

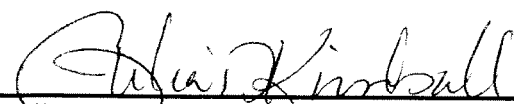
Alison House, OD - Vice President

Parker Call, OD – Secretary

Meeting Adjournment:

Date: May 13, 2009

Time: 12:10 p.m.



Julia Kimball, OD, President

11/04/09

Date