



Jeremiah W. (Jay) Nixon
Governor
State of Missouri

Jane A. Rackers, Division Director
DIVISION OF PROFESSIONAL REGISTRATION

Department of Insurance
Financial Institutions
and Professional Registration
John M. Huff, Director

MISSOURI STATE BOARD OF OPTOMETRY
3605 Missouri Boulevard
P.O. Box 1335
Jefferson City, MO 65102-1335
573-751-0814
573-751-8216 FAX
800-735-2966 TTY Relay Missouri
800-735-2466 Voice Relay Missouri
optometry@pr.mo.gov
<http://www.pr.mo.gov>

Brian Barnett
Executive Director

Meeting Notice

Missouri State Board of Optometry

June 4, 2010

8:00 a.m.

**Best Western Capital Inn
1937 Christy Drive
Jefferson City, Missouri**

Notification of special needs as addressed by the Americans with Disabilities Act should be forwarded to the Missouri State Board of Optometry, 3605 Missouri Boulevard, Jefferson City, Missouri 65109 or by calling 573-751-0814 to ensure available accommodations. The text telephone for the hearing impaired is (800) 735-2966.

Except to the extent disclosure is otherwise required by law, the Missouri State Board of Optometry is authorized to close meetings, records and votes, to the extent they relate to the following: Chapter 610.021, subsections (1), (3), (5), (7), (13), and (14), and Chapter 324.001.8 and 324.001.9 RSMo.

When the meeting is closed, the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

Please see attached tentative agenda for this meeting.

cc: Members, Missouri State Board of Optometry
Office of Administration
LeeAnn Barrett, O.D., Executive Director, Missouri Optometric Association
Jane A. Rackers, Director, Division of Professional Registration

Open Agenda

Missouri State Board of Optometry

June 4, 2010 8:00 a.m.

Best Western Capital Inn
1937 Christy Drive
Jefferson City, Missouri

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|-----|---|-------------|
| 1. | Call to Order | Dr. Bureman |
| 2. | Roll Call | Ms. Stock |
| 3. | Approval of the Agenda | Dr. Bureman |
| 4. | Approval of the Minutes <ul style="list-style-type: none">February 26, 2010 – Board Meeting | Dr. Bureman |
| 5. | Executive Director Report <ul style="list-style-type: none">a. Financial Statementb. Legislationc. Rulemaking | Mr. Barnett |
| 6. | WPS/CMS Restrictions on Scope of Optometric Practice | Dr. Nichols |
| 7. | Approval of Continuing Education Courses | Dr. Bureman |
| 8. | Future Meeting Schedule <ul style="list-style-type: none">October 14, 2010 – St. Louis | Dr. Bureman |
| 9. | Election of Officers | Dr. Bureman |
| 10. | Other Agenda Items | Dr. Bureman |
| 11. | Motion to go into Closed Session | Dr. Nichols |
| 12. | Adjournment | |

Open Minutes

Missouri State Board of Optometry

June 4, 2010
Best Western Capital Inn
1937 Christy Drive
Jefferson City, Missouri

The open meeting of the Missouri State Board of Optometry was called to order by Dr. James Bureman, President, at approximately 8:14 a.m. on Friday, June 4, 2010, at the Best Western Capital Inn, 1937 Christy Drive, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:

Dr. James E. Bureman, President
Dr. Michael L. Nichols, Member
Ms. Dayna M. Stock, Public Member

BOARD MEMBERS ABSENT:

Dr. Cathy Frier, Vice President
Dr. Christy M. Fowler, Secretary
Dr. Danny Nestleroad, Member

STAFF MEMBERS PRESENT:

Brian Barnett, Executive Director
Bonnie Mengwasser, Executive I

LEGAL COUNSEL PRESENT:

Sarah Ledgerwood, Division Counsel

To better track the order in which items were taken up on the agenda, each item in the minutes will be listed in the order it was discussed in the meeting.

APPROVAL OF THE AGENDA

A motion was made by Ms. Stock and seconded by Dr. Nichols to approve the open agenda as written. The motion carried unanimously.

APPROVAL OF THE MINUTES

A motion was made by Dr. Nichols and seconded by Ms. Stock to approve the open session minutes of the February 26, 2010 Board meeting as written. The motion carried unanimously.

EXECUTIVE DIRECTOR REPORT

Financial Statement

Mr. Barnett presented the Board with the following financial statement as of April 30, 2010:

Beginning Fund Balance – 7/1/09		\$337,111.39		
Revenue (7/1/09 to 4/30/10)		\$10,890.50		
Fund Balance Sub Total		\$348,001.89		\$348,001.89
Appropriations to Board:				
Personal Service		\$55,363.08		
Expense & Equipment		<u>\$42,043.00</u>		
Total Appropriations		\$97,406.08		
Appropriation Expenditures:				
Personal Service		\$41,113.17		
Expense & Equipment		<u>\$10,895.07</u>		
Total Appropriation Expenditures		\$52,008.24		
YTD Transfers from Fund:				
Rent		\$1,716.00		
Dept. Cost Allocation		\$498.24		
OA Cost Allocation		\$992.00		
PR Transfers		\$29,787.39		
Refunds		\$159.25		
FY 09 Transfers Carried Over		\$7,600.01		
Total Transfers from Fund		\$40,752.89		
Total Appropriation Costs and		\$92,761.13		- \$92,761.13

Transfers from Fund:				
Ending Fund Balance as of 7/31/09				\$288,240.76
Remaining Appropriation for FY10:				
Personal Service		\$14,249.91		
Expense & Equipment		\$31,147.93		

Mr. Barnett informed the Board that it did an outstanding job this past fiscal year at cutting expenses. At the end of April, seventy-four percent (74%) of the Board's Expense and Equipment appropriation was still unspent. Because of this, there will no longer be a need for the Board to raise license fees.

Mr. Barnett also informed the Board that a bill was introduced in the Senate this year that could appropriate a specific amount of money from various boards and commissions throughout the State. The Missouri State Board of Optometry wasn't included in the original draft of the bill, but after further discussions, the Senate has considered appropriating \$76,000 from the Board.

Legislation

Mr. Barnett reported that this wasn't a very productive year in terms of legislation that could affect the Board.

Rulemaking

Mr. Barnett informed the Board that the proposed changes to the License Renewal rule have been submitted, but haven't been published yet.

WPS/CMS RESTRICTIONS ON SCOPE OF OPTOMETRIC PRACTICE

Dr. Nichols informed the Board that the Medicare carrier for Iowa, Kansas, Missouri and Nebraska, WPS/CMS, has decided to challenge the optometric scope on a few issues. Dr. Nichols reported that Donald Vanderfeltz, O.D. is representing Missouri with regard to this matter. Dr. Nichols believes there are some ophthalmologists trying to reduce the optometrists' abilities, and that it is a matter of "economic turf guarding." Dr. Nichols asked that this item be included on the October agenda for further updates.

APPROVAL OF CONTINUING EDUCATION COURSES

The Board reviewed the list of continuing education courses that were approved since the date of the last meeting. A motion was made by Ms. Stock and seconded by Dr.

Nichols that the Board ratify Dr. Fowler's approval of the continuing education programs since the date of the last meeting. The motion carried unanimously.

FUTURE MEETING SCHEDULE

Mr. Barnett informed the Board that a conference call will need to be scheduled in the near future. Ms. Stock informed the Board that she would need to schedule the call prior to June 17, 2010 if she is needed for a quorum. Ms. Stock said she could be available June 29, 2010 if needed. The Board members present at the meeting requested that the call be scheduled around 7:00 p.m.

Dr. Nichols requested that a discussion regarding Board Certification be included on the October agenda.

Ms. Stock requested that Mr. Barnett review potential language for a retired license status and bring it before the Board during its October meeting.

ELECTION OF OFFICERS

It was the decision of the Board to table this discussion until the October meeting.

CLOSED SESSION

A motion was made by Dr. Nichols and seconded by Ms. Stock to move into closed session pursuant to Chapter 610.021, Sections (1), (3), (5), (7), (13) and (14), and Chapter 324.001.8 and 324.001.9, RSMo, for the purpose of discussing complaints, investigative reports, applicants for licensure, general legal actions, causes of action or litigation and any confidential or privileged communications between the Board and its attorney. Those voting yes: Dr. Bureman, Dr. Nichols and Ms. Stock. The motion carried 3 to 0.

ADJOURNMENT

The Board reconvened in open session at approximately 10:11 a.m. There being no further business to be brought before the Board at this time, a motion was made by Dr. Nichols and seconded by Ms. Stock that this meeting adjourn. The motion carried unanimously. The meeting adjourned at approximately 10:12 a.m.

Respectfully submitted,

Bonnie Mengwasser, Executive I



Brian Barnett, Executive Director

Approved by the Board on: October 14, 2010