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Brian Barnett
Executive Director

Meeting Notice

Missouri State Board of Optometry

October 15, 2015 11:00 a.m.

**Kansas City Marriott Downtown
200 West 12th Street
Kansas City, Missouri 64105**

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 be aware that according to Missouri law, the Board can have open discussion and votes only on items included on the open agenda. If there is a topic you would like included on the open agenda, please notify the Board office not less than forty-eight (48) hours prior to the start of the meeting.

Re- Posted: 10/1/2015
11:30 a.m.

Open Agenda

Missouri State Board of Optometry

October 15, 2015 11:00 a.m.

Kansas City Marriott Downtown
200 West 12th Street
Kansas City, Missouri 64105

1. Call to Order Dr. Finklang
2. Roll Call Dr. Vanderfeltz
3. Approval of the Agenda Dr. Finklang
4. Approval of the Minutes Dr. Finklang
 - June 11, 2015 Board Meeting
 - July 24, 2015 Mail Ballot
5. Executive Director Report Mr. Barnett
 - a. Financial Statement
 - b. License Statistics
6. ARBO Annual Meeting Report Dr. Bureman
7. Board Certification Update Dr. Bureman
8. WPS/CMS Restrictions on Scope of Optometric Practice Dr. Vanderfeltz
9. Approval of Continuing Education Courses Mr. Barnett
10. Review of Continuing Education Requirements in 20 CSR 2210-2.030 Dr. Vanderfeltz
11. Discussion Regarding Online Eye Exams Dr. Finklang
12. Future Meeting Schedule Dr. Finklang
13. Election of Officers Dr. Finklang
14. Motion to go into Closed Session Dr. Vanderfeltz

Closed meeting pursuant to Sections 610.021 (1), (3), (5), (7), (13) and (14), RSMo, 324.001.8, RSMo and 324.001.9, RSMo.

15. Adjournment

Open Minutes

Missouri State Board of Optometry

October 15, 2015
Kansas City Marriott Downtown
200 West 12th Street
Kansas City, Missouri 64105

The open meeting of the Missouri State Board of Optometry was called to order by Dr. Finklang, President, at approximately 11:00 a.m. on Thursday, October 15, 2015 at The Kansas City Marriott Downtown, 200 West 12th Street, Kansas City, Missouri.

BOARD MEMBERS PRESENT:

Dr. Kurt W. Finklang, President
Dr. Donald J. Vanderfeltz, Vice President
Dr. James E. Bureman, Board Member
Dr. Kyle E. Brost, Board Member

BOARD MEMBERS ABSENT:

Dr. Carrie Hruza, Secretary

STAFF MEMBERS PRESENT:

Brian Barnett, Executive Director
Sarah Becker, Processing Technician Supervisor

LEGAL COUNSEL PRESENT:

Sarah Ledgerwood, Division Counsel

GUESTS PRESENT:

Dr. LeeAnn Barrett, Executive Director, Missouri Optometric Association

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 Dr. Brost and seconded by Dr. Bureman to approve the open agenda. The motion carried unanimously.

APPROVAL OF THE MINUTES

A motion was made by Dr. Brost and seconded by Dr. Vanderfeltz to approve the open minutes of the June 11, 2015 Board meeting as amended. The motion carried unanimously.

A motion was made by Dr. Vanderfeltz and seconded by Dr. Brost to approve the open minutes of the July 24, 2015 Mail Ballot. The motion carried unanimously.

EXECUTIVE DIRECTOR REPORT
Financial Statement

Mr. Barnett presented the Board with the following FY-15 financial statement as of June 30, 2015:

State Board of Optometry
FY-15 Financial Statement
June 30, 2015

Beginning Fund Balance – 7/1/14		\$ 283,609.47	
Revenue (7/1/014 to 6/30/15)		\$ 208,632.35	
Fund Balance Sub Total		\$492,241.82	\$492,241.82
Appropriations to Board:			
Personal Service		\$58,074.18	
Expense & Equipment		<u>\$ 34,726.00</u>	
Total Appropriations		\$92,800.18	
Appropriation Expenditures:			
Personal Service		\$ 51,018.22	
Expense & Equipment		<u>\$ 15,193.19</u>	
Total Appropriation Expenditures		\$66,211.41	
YTD Transfers from Fund:			
Rent		\$ 1,969.77	
Dept. Cost Allocation		\$ 534.42	
OA Cost Allocation		\$ 1,692.00	
PR Transfers		\$31,189.16	
Refunds		\$415.00	
FY 14 Transfers Carried Over		\$ 4,856.35	
New Licensure System Costs		\$ 3,102.69	
Total Transfers from Fund		\$43,759.39	
Total Appropriation Costs and Transfers from Fund:		\$ 109,970.80	- \$109,970.80
Ending Fund Balance as of 6/30/2015			\$382,271.02

Mr. Barnett indicated that attached is the year-end financial report for fiscal year of 2015. Fund balance is exactly where the board wants it to be, the board shouldn't be swept and shouldn't run short. The fund balance is in very good shape.

License Statistics

Mr. Barnett informed the board of the license statistics. The numbers are staying close to what we have seen in the past, so it's staying pretty consistent. The Board had a slight decrease of new applicants, but it wasn't a significant amount. A total of 44 new licenses have been issued during the fiscal year of 2015.

Legislation

Mr. Barnett gave an update on the two (2) legislative proposals that were presented to the department. The Department decided to move forward and they are currently at the governor's office. Mr. Barnett stated that he anticipates that they will move forward and find a sponsor.

Mr. Barnett reminded the board of the two (2) items. The first is a proposal to create an exemption in the licensure requirements for students working in an accredited program. The second item is the contact lens legislation to include dispensing or selling contact lens without a valid prescription from a licensed optometrist or physician as activity that would authorize the board to seek an injunction.

ARBO ANNUAL MEETING REPORT

Dr. Bureman thanked the board on behalf of Dr. Hruza and himself for allowing them to attend the ARBO meeting which he feels is very helpful.

Dr. Bureman stated that there are two basic mindsets within ARBO, regulatory and advocacy. The regulatory part of optometry and the advocacy part for optometry seem to have some differing opinions between them regarding who should sanction continuing education. The regulatory part feels that they should be handling CE through Cope and the advocacy side feels that it would be too restrictive.

Dr. Bureman indicated that discussions of concerns regarding telehealth went on. Telehealth is sweeping the country, not just in Optometry. Telehealth will be a topic of discussion for quite some time.

Dr. Bureman is still on the nomination committee for nominating board officers. This committee is working to get the best qualified as board officers.

Dr. Bureman said that Dr. Hurza mentioned to him that she plans to run for a spot on the board of directors next year. He asked for the board to allow Dr. Hurza and himself to be able to attend next year's meeting that will be held in Boston.
Discussion only, no motions made.

BOARD CERTIFICATION UPDATE

Dr. Bureman spoke regarding board certification and indicated that it is still an ongoing issue. Different competing entities have their own certifications. Dr. Bureman said the thought is that having a board certificate will reflect the competency of the doctors. Discussion only, no motions made.

WPS/CMS RESTRICTIONS ON SCOPE OF PRACTICE

Dr. Vanderfeltz reminded the Board ICD 10 went into effect October 1, 2015. Dr. Barrett asked if there are plans on doing away with the 9200 codes, Dr. Vanderfeltz stated he has not heard anything regarding that. Dr. Vanderfeltz stated that Co- Management has been a topic of discussion, but nothing final has been set. Discussion only, no motions made.

APPROVAL OF CONTINUING EDUCATION COURSES

The board reviewed the attached list of continuing education courses that were approved since June 11, 2015. A motion was made by Dr. Vanderfeltz and seconded by Dr. Brost to approve the following continuing education courses:

Course Sponsor	Course Title	Course Date	Number of Hours
Clarkson Eyecare	Retina Update 2015 R. Joseph Olk, MD	9/16/2015	2
Visionary Eyecare & Surgery Inc.	2015 Visionary Summer Seminar	9/2/2015	2
The Cornea & Laser Vision Institute	Advances in Cataract Surgery	9/2/2015	2
Mercy Clinic Eye Specialists	Evidence-Based Pediatric Eye Care with Experience	9/14/2015	2
Kansas City Eye Clinic	Grand Rounds	10/22/2015	2
Moyes Eye Center	Cataract and Refractive Treatment & Cornea Pathology and Transplantation	9/24/2015	2
Sommers Eye Center	Femto Laser Assisted Cataract Surgery: Where are we with this technology?	11/5/2015	2
Quantum Vision Centers	Latest Trends in Cataract Surgery & Dry Eye, Custom Cataract Surgery, Glaucoma *Corneal Infections in 2015	11/8/2015	4

The motion carried unanimously.

REVIEW OF CONTINUING EDUCATION REQUIREMENTS IN 20 CSR 2210-2.030

Dr. Brost wanted clarification how the CE hours work regarding regulation 20 CSR 2210-2.030, paragraph 5 (A) that if a person does not renew, an applicant has 5 years

to complete the reactivation application form, pay the fee and has a minimum of 48 hours of CE approved by the board. Mr. Barnett indicated that was correct, as it reads in the statute 336.080.

Dr. Vanderfeltz would like to add language to limit the number of hours of CE obtained online to 16 hours and then the additional 16 hours must be completed in a classroom setting. Mr. Barnett will draft the language for the February meeting, and then at that time the Board can come up with exact amounts of hours accepted for online.

A motion was made by Dr. Vanderfeltz and seconded by Dr. Brost to table this until the February meeting so that Dr. Hurza can share information and background on what COPE plans to do or change in their process and to review language that will be drafted by Mr. Barnett. The motion carried unanimously.

DISCUSSION REGARDING ONLINE EYE EXAMS

Dr. Finklang for information purposes wanted to bring information to the Board. Dr. Finklang stated that many boards are looking into this, so at this time it's for informational purposes. Telemedicine is very popular right now. On a regulatory side this could be a challenge in trying to figure out what state the practice of optometry is taking place in. Is it where the doctor is, the technician or the phone /computer location. This is new technology, so our laws don't address it very well. Dr. Finklang stated that as far as he is aware, Missouri hasn't had a complaint from a patient yet and we are not aware of the level on line exams are at currently in Missouri. Dr. Finklang also brought up advertising. Are these being advertised as eye exam when really they are refractions?

Dr. Barrett notified the Board, that the Atlanta VA currently are outsourcing routine eye exams, at several community based outpatient clinics around their state as part of a technology based eye care services clinical study. The ophthalmology department at the Atlanta VA states the need for the program is due to lack of access and distance barriers to care for veterans. The VA's plan is to have licensed practical nurses on hand to perform tasks including taking diagnostic data and then the data from the initial exam will be forwarded to a remote ophthalmologist to determine the next steps for the patient.

FUTURE MEETING SCHEDULE

The Board set a meeting for October 13, 2016, in Branson, Missouri in conjunction with the MOA meeting, at the Chateau on the Lake in Branson, Missouri to begin at 11:00 a.m.

ELECTIONS OF OFFICERS

A motion was made by Dr. Vanderfeltz and seconded by Dr. Bureman to nominate Dr. Brost as President. Those voting yes: Dr. Vanderfeltz, Dr. Finklang, Dr. Brost, and Dr. Bureman. The motion carried 4 to 0.

A motion was made by Dr. Brost and seconded by Dr. Bureman that Dr. Vanderfeltz remains as Vice- President and Dr. Hruza remain as secretary. Those voting yes: Dr. Vanderfeltz, Dr. Finklang, Dr. Brost, and Dr. Bureman. The motion carried 4 to 0.

CLOSED SESSION

At approximately 12:44 p.m., a motion was made by Dr. Vanderfeltz and seconded by Dr. Brost 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. Vanderfeltz, Dr. Finklang, Dr. Brost and Dr. Bureman. The motion carried 4 to 0.

RECONVENE

The Board reconvened in open session at approximately 2:04 p.m.

There being no further business to be brought before the Board at this time, a motion was made by Dr. Brost and seconded by Dr. Bureman that this meeting adjourn. The motion carried unanimously. The meeting adjourned at approximately 2:05 p.m.

Respectfully submitted,

Sarah Becker, Processing Technician Supervisor



Brian Barnett, Executive Director

Approved by the Board on:

February 11, 2016