



Jeremiah W. (Jay) Nixon
Governor
State of Missouri

Kathleen (Katie) Steele Danner, 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 65102-1367
573-751-0814
573-751-8216 FAX
800-735-2966 TTY
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 10, 2016 11:00 a.m.

**Division of Professional Registration
Main Conference Room
3605 Missouri Boulevard
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 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.

Posted: 8/27/2015
4:15 p.m.

Open Agenda

Missouri State Board of Optometry

June 10, 2016 11:00 a.m.

Division of Professional Registration Main Conference Room 3605 Missouri Boulevard Jefferson City, Missouri

1. Call to Order Dr. Brost
2. Roll Call Dr. Hruza
3. Approval of the Agenda Dr. Brost
4. Approval of the Minutes Dr. Brost
 - February 11, 2016 – Board Meeting
5. Executive Director Report Mr. Barnett
6. Legislation Mr. Barnett
7. Intense Pulsed Light Treatment Dr. Brost
8. EyeMed Mobile Lab Service Dr. Brost
9. Approval of Continuing Education Courses Dr. Hruza
10. Board Certification Update Dr. Bureman
11. WPS/CMS Restrictions on Scope of Optometric Practice Dr. Vanderfeltz
12. Review of Continuing Education Requirements in 20 CSR 2210-2.030 Dr. Vanderfeltz
13. ARBO Update Dr. Bureman
14. Future Meeting Schedule Dr. Brost
15. Motion to go into Closed 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.
16. Adjournment

Open Minutes

Missouri State Board of Optometry

June 10, 2016

Division of Professional Registration
Main Conference Room
3605 Missouri Boulevard
Jefferson City, Mo

The open meeting of the Missouri State Board of Optometry was called to order by Dr. Brost, President, at approximately 11:03 a.m. on Thursday, June 10, 2016 at The Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:

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

STAFF MEMBERS PRESENT:

Brian Barnett, Executive Director
Sarah Becker, Processing Technician Supervisor

LEGAL COUNSEL PRESENT:

Thomas Townsend, Division Counsel

GUESTS PRESENT:

None

APPROVAL OF THE AGENDA

A motion was made by Dr. Finklang and seconded by Dr. Hruza to approve the open agenda. The motion carried unanimously.

APPROVAL OF THE MINUTES

A motion was made by Dr. Vanderfeltz and seconded by Dr. Finklang to approve the open minutes of the February 11, 2016 Board meeting as amended. The motion carried unanimously.

EXECUTIVE DIRECTOR REPORT

Financial Statement

Mr. Barnett presented the Board with the following FY-15 financial statement as of April 30, 2016:

**State Board of Optometry
FY-16 Financial Statement
April 30, 2016**

Beginning Fund Balance – 7/1/15		\$ 382,271.02		
Revenue (7/1/015 to 4/30/16)		\$ 10,679.43		
Fund Balance Sub Total		\$392,950.45		\$392,950.45
Appropriations to Board:				
Personal Service		\$58,074.18		
Expense & Equipment		\$ 34,726.00		
Total Appropriations		\$92,800.18		
Appropriation Expenditures:				
Personal Service		\$ 42,051.42		
Expense & Equipment		\$ 7,428.80		
Total Appropriation Expenditures		\$49,480.22		
YTD Transfers from Fund:				
Rent		\$ 1,238.49		
Dept. Cost Allocation		\$ 408.60		
OA Cost Allocation		\$ 135.00		
PR Transfers		\$ 25,079.83		
Refunds		\$0.00		
FY 14 Transfers Carried Over		\$ 9,210.48		
New Licensure System Costs		\$ 0.00		
Total Transfers from Fund		\$ 36,072.40		
Total Appropriation Costs and Transfers from Fund:		\$ 85,552.62		- \$85,552.62
Ending Fund Balance as of 4/30/16				\$307,397.83

Mr. Barnett stated that the financial report is basically at same place as last year at this time. We didn't see any significant change in expenses. Revenue is pretty close to what we anticipated it was going to be; in fact, it is running a little bit over of what we thought it was going to be at around \$3000.00 more.

Renewals are coming up this fall and that will be the big revenue source for the next two years. Mr. Barnett has no reason to believe at this point that there will be a big change. Obviously, if we have a large amount of people that do not renew that could impact us, but at this point all we can do and wait and see what will happen at renewal.

Dr. Vanderfeltz asked if the non-renewal revenue that we have seen is strictly from new doctors coming in. Mr. Barnett said that is the significant non-renewal revenue source.

Mr. Barnett said that the fund balance is in great shape and is exactly at where we want it to be. We function without having to raise fees and have done a good job with that.

Mr. Barnett brought up that the board has had previous discussion on doing some kind of man power survey in order to try and get some information about how many licensees are actively practicing in the state and break it down in the location that they are practicing. Mr. Barnett explained that the only address we currently track is the licensee's contact address. This can be either a work address or home address so it doesn't give us a good idea of where people are practicing optometry. Mr. Barnett suggested that the Board conduct a survey in conjunction with the renewal application that will allow us to obtain better information. We will want to limit the amount of questions on the survey to make it as basic as possible, add a question asking if the licensee is activity engaged in the practice of optometry in Missouri and if so how many hours are they engaged in practice of optometry and what counties do they practice in. Yes or no questions are easy to facilitate with a renewal and we could possibly use a drop down window for some of the question answers. It will limit information to only licensees who practice in Missouri.

Dr. Vanderfeltz asked if there is a way to ask the questions regarding clinical practice, as there are many who involved in the practice of optometry that may not see patients. Mr. Barnett said we will change the question to, Are you actively engaged in providing optometric care to patients in the state of Missouri and then split the hours of working as an optometrist to 0-12 hours, 13-28 hours and 28-above hours.

Dr. Brost asked later down the road if we could legally and or possibly recruit a student for a senior project and to assist in obtaining statistical information. Mr. Barnett said that after August 28, 2016 that that is something that could be looked into as the work force data collection bill passed. Mr. Barnett believes the Board will have the ability to work with another entity such as a school to do some data collection.

Mr. Barnett informed the board that he will work with the IT staff to verify what can be done regarding the drop down window. Mr. Barnett asked regarding the question of

what counties the licensee work in; sometime a licensee could have multiple answers, but the renewal system is unable to allow multiple answers on drop down windows. Mr. Barnett asked the board if they want to ask for geographical areas if individual counties are not feasible.

Dr. Brost and Dr. Vanderfeltz both said counties would be better but if we can't, then they would rather go by the area designations for the local optometric societies. The breakdown would be Northeast Missouri, Northwest Missouri, Kansas City, St Louis, Central Missouri, Southwest Missouri, Greater Springfield Area and South Central Missouri. Dr. Brost said that this will be a good start to find out information.

Mr. Barnett said that now that we have a plan on what kind of data we will be attempting to retrieve, the next step is to know what we are going to do with the data, so that will be a discussion we will have in October.

LEGISLATION

Mr. Barnett informed the Board that the student exemptions proposal did pass and is currently ready to be signed by the Governor. It was attached to HB1816.

Mr. Barnett stated that the Governor's office decided to not allow the proposal regarding the contact lens prescriptions to go forward. A motion was made by Dr. Vanderfeltz and seconded by Dr. Bureman to re-file the contact lens bill with the same language as previously. The motion carried unanimously.

INTENSE PULSED LIGHT TREATMENT

Dr. Brost wanted to bring information received by Dr. Larry Davis to the board and have a discussion of Intense Pulsed Light Treatment. Dr. Davis had requested that the Board review and offer their opinion regarding this treatment and if it falls in the scope of practice for optometrists. Dr. Brost said that this is not surgery; it is the use of light to improve the quality of a person's eye lids, which falls in the definition of the practice of optometry. Dr. Brost asked the Board Members of their thoughts. Dr. Bureman thinks this treatment is in his opinion is ok. Dr. Brost believes that as a board we can send a letter to Dr. Davis stating that in accordance to 336.010 the practice of optometry in Missouri includes the diagnosis, treatment, and preventative care of the eye, adnexa and vision.

EYEMED MOBILE LAB SERVICE

Dr. Brost said that EyeMed is a vertically integrated company that wants to do eye exams, sell vision insurance and sell the eye glass frames. EyeMed is a company that has a mobile lab that enables them to show up at a business and anyone that wants an eye exam can have one by a licensed optometrist who is working for EyeMed. EyeMed has frame selections and also have instruments that can grind down lenses and place in frames for same day service. Mr. Barnett stated it is is being marketed as an employee benefit. The Missouri Optometric Association brought the question to the board if there

is any reason that this would be illegal in Missouri. Dr. Brost stated that according to statute as long as the optometrist has an active Missouri license, they can provide this service. There is nothing in rule or statute to prevent this kind of service.

APPROVAL OF CONTINUING EDUCATION COURSES

The board reviewed the attached list of continuing education courses that were approved since February 11, 2016. A motion was made by Dr. Hruza and seconded by

Course Sponsor	Course Title	Course Date	Number of Hours
The Cornea & Laser Vision Center	Dry Eye Disease: New Testing and Treatment Options	3/16/2016	2
Mercy Eye Specialists	Cataract Surgery and ARMD: Should we Worry? Thyroid Eye Disease	4/7/2016	2
Moyes Eye Center	1) 2026: Retina Practice in 10 Years 2) Haiti Eye care: The Lessons I've Learned in the Last 10 Years	4/7/2016	2
Ophthalmology Consultants	21 st Century Glaucoma Management	4/6/2016	2
Cokingtin Eye Center	1)Changing Perspective in Glaucoma Management 2)Update on Intraocular Lens Implants and Post Opa	4/26/2016	2
Mercy Eye Specialists	1)Posterior Segment Management of Complications of Anterior Segment Surgery	5/23/2016	1
Mercy Eye Specialists	2)Vitreous-Retinal Interface Disease	5/23/2016	1

Dr. Bureman to approve the following courses:

The motion carried unanimously.

BOARD CERTIFICATION UPDATE

Dr. Bureman stated that from ARBO's point of view, board certification at this point in optometry is more of a marketing process. From a regulatory view the board would need something in our law to say that optometrists are required to have board certification. Dr. Bureman said for the most part, ARBO isn't going to worry about that until there is some need to do that.

Dr. Bureman added that the regulatory system as a whole may need to come up with something that assures the public that being in private practice and attending continuing education is or isn't enough. Dr. Bureman reports that he doesn't see a lot of activity at this time regarding board certification.

Discussion only, not motions made.

WPS/CMS RESTRICTIONS ON SCOPE OF PRACTICE

Dr. Vanderfeltz wanted to report that WPS is discussing corneal cross linking. Corneal cross linking is not an invasive procedure Dr. Vanderfeltz stated that Medicaid is formulating their plans on how to address and handle corneal cross linking. Dr. Vanderfeltz stated from his knowledge, it doesn't appear to be anything that optometrist shouldn't be able to do.

Dr. Vanderfeltz also brought to the Boards attention a previous conversation that optometry is being moved away from the post-operative care. Dr. Vanderfeltz stated that he has not heard anything more about that as there haven't been any new implementations.

Discussion only, no motions made.

REVIEW OF CONTINUING EDUCATION REQUIREMENTS IN 20 CSR 2210-2.030

Dr. Vanderfeltz stated that paragraph E was the only thing the board needs to review for approval. Of the thirty-two (32) hours of board-approved continuing education required for license renewal, no more than 16 hours may be obtained through distance learning methods such as correspondence courses, online only courses, magazine articles or other methods where the licensee is not physically present with the course speaker or presenter.

A motion was made by Dr. Vanderfeltz and seconded by Dr. Bureman to approve the changes in 20 CSR 2210-2.030. Those voting yes: Dr. Vanderfeltz, Dr. Bureman and Dr. Brost. Those voting no: Dr. Hruza and Dr. Finklang. The motion passed 3-2.

ARBO UPDATE

Dr. Bureman reported to the Board that he is on the nominating committee. They are doing something different this year as they will be nominating a slate of candidates to present to the membership. Part of the reason why it will be done this way is to try and encourage more people to run and to include more diversity. Dr. Bureman the hope is to get a lot of new people involved.

Dr. Bureman also stated that he is on the International Affairs committee and they are in the process of reaching out to the World Council of Optometry and some other countries individually regarding any dialogue and information we can trade back and forth.

Dr. Bureman stated that during the meeting one of the big issues that everyone will be addressing will be the Contemporary Issues Committee. Dr. Bureman went on to say that technology usually runs a head of regulations in the health care fields, so there will be a lot of discussion and believes that all sides of the thought process will be well represented during the detailed discussions.

Mr. Barnett stated that every year ARBO asks the Board to put together a report regarding State Board activities and general information that includes information of

how many complaints received, number of disciplinary actions, information about CE audits, total number of new licenses, what our fees are and things of that nature. In addition, there are three topics in particular that they are asking about. Mr. Barnett said one of the topics is telehealth.

Mr. Barnett said the second topic in particular is licensure mobility/licensure endorsement. This is a big topic for all of the healthcare Boards right now. As an example, legislation was introduced this year creating the physical therapist compact and the nursing compact that was legislated a couple of years ago was expanded. Mr. Barnett said in the next couple of years we may see similar things in optometry as it seems to be the direction that a lot of health care professions are moving.

Dr. Bureman asked Mr. Barnett to clarify what a compact is. Mr. Barnett said that there are different ways that it can be set up, and it almost goes back to the old reciprocity systems. A group of states may enter into a compact which in some cases could mean if someone has a license in Missouri that would mean that they could also practice in the states that Missouri has a compact with. That person wouldn't have to apply for individual license in those states set up in a compact. Mr. Barnett said that how it will work is by making the licensure requirement the same in each state the compact is with.

Mr. Barnett said the third topic is the question if there are any statues or regulations regulating the use of social media. Currently, there aren't any rules or statutes specifically regulating to the use of social media in Missouri.

Discussion only, no motions made.

FUTURE MEETING SCHEDULE

The Board set the meeting for February 09, 2017, in Kansas City, Missouri in conjunction with the Heart of America Contact Lens Society, meeting to begin at 11:00 a.m.

The Board set the meeting for June 9, 2017, in Jefferson City, Missouri, meeting to begin at 11:00 a.m.

CLOSED SESSION

At approximately 12:52 p.m., a motion was made by Dr. Vanderfeltz and seconded by Dr. Bureman 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, Dr. Hruza and Dr. Bureman. The motion carried 5 to 0.

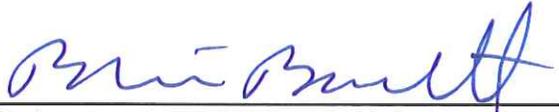
RECONVENE

The Board reconvened in open session at approximately 3:01 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. Hruza that this meeting adjourn. The motion carried unanimously. The meeting adjourned at approximately 3:02 p.m.

Respectfully submitted,

Sarah Becker, Processing Technician Supervisor



Brian Barnett, Executive Director

Approved by the Board on:

October 13, 2016