

MINUTES

STATE OF NEW HAMPSHIRE BOARD OF REGISTRATION IN OPTOMETRY

September 6, 2019

The regularly scheduled meeting of the Board of Registration in Optometry was held at 121 South Fruit Street, Concord, New Hampshire on the above date beginning at 9:00 A.M. Unless otherwise indicated, the members present and participating were: Guy R. Lessard, O.D., President; Scott Krauchunas, O.D.; Joel R. Tuite, O.D. and Alan Goode, Public Member. Absent was: Andrea L. Murphy, O.D.

PUBLIC SESSION:

INTERVIEWS/HEARINGS WITH THE BOARD:

N/A

NEW BUSINESS:

1. DRAFT Minutes from the August 2, 2019 Board meeting. Board Action: 9/6/19 – On motion of Dr. Krauchunas, seconded by Mr. Goode, approved. Unanimous.
2. ARBO- the South Dakota Board of Optometry wants to know if any of the other states allow ocular allergy testing. Do you have a law to support it? Do you have anything in your laws that specifically addresses competency due to mental or medical issues? (Dementia, brain cancer, etc.) Board Action: 9/6/19 – On motion of Dr. Tuite, seconded by Dr. Krauchunas, the Board doesn't prohibit ocular allergy testing and there is no law that supports it. The NH Board has nothing in their law addressing competency. Unanimous.
3. Jay Gardiner requesting 1 hour of CEU for licensees that took the course entitled "The Rho-kinase Inhibitors in Glaucoma." Board Action: 9/6/19 – On motion of Dr. Tuite, seconded by Dr. Krauchunas, approved for 1 hour. Unanimous.
4. Julie Le, O.D. requesting approval for Practitioner Diversion Awareness Conference towards her 3 hours of opioid requirements. Board Action: 9/6/19 – On motion of Dr. Tuite, seconded by Dr. Krauchunas, approved. Unanimous.
5. Discussion on how long a prescription for eye glasses is good for? Board Action: 9/6/19 – On motion of Dr. Tuite, seconded by Dr. Krauchunas, Per RSA 327-A:1 Ophthalmic Dispensing Law has that a prescription is good for not more than 2 years. Unanimous.
6. Requesting definition on scope of telemedicine in NH. Board Action: 9/6/19 – On motion of Dr. Tuite, seconded by Dr. Krauchunas, in regards to a picture of your eyes upload to the website and have a prescription issued by a doctor based on that picture falls outside of the scope of telemedicine in NH. Unanimous.

TABLED:

T1. Initial proposal to draft rules regarding alternative CEU's. **Board Action: 1/26/18** - On motion of Dr. Lessard, seconded by Dr. Murphy, vote to approve 8 hours of alternative CEU's. Mr. Lamberti to draft the rules. Unanimous. **Board Action: 3/14/18** – Tabled. **Board Action: 4/20/18** – Tabled. **Board Action: 8/24/18** – Tabled. **Board Action: 10/5/18**- Ms. Canney to see where the draft rules are at this time. **Board Action: 11/16/18** – Ms. Taylor will ask Tom Broderick, attorney for rules, about these draft rules. **Board Action: 12/21/18** – On motion of Dr. Murphy, seconded by Mr. Krauchunas, Board voted to approve the initial proposal and readopt with amendment Opt 402.01(a) with changes. Unanimous. . **Board Action: 2/1/19** – Tabled. **Board Action: 3/15/19** - On motion of Dr. Tuite, seconded by Mr. Goode, approved rules. Unanimous. **Board Action: 5/3/19** – On motion of Dr. Krauchunas, seconded by Dr. Tuite, Board voted to adopt Opt 402.01. Unanimous. **Board Action: 6/14/19** – Tabled. **Board Action: 8/2/19** – Waiting for the Opt 402.01 rules to be certified. Tabled. **Board Action: 9/6/19** – Waiting for the Opt 402.01 rules to be certified.

T2. Readopt with amendment Opt 303.01 rules. **Board Action: 3/15/19** – On motion of Dr. Tuite, seconded by Dr. Krauchunas, Board voted to readopt the rule with the amendment. Unanimous. **Board Action: 5/3/19** –Tabled. **10:00 A.M. – Rules Hearing on Opt 303.01 rules.** **Board Action: 6/14/19** – Board opens the hearing at 10:30 A.M. and closed it at 10:45 A.M. with no public comments. On motion of Dr. Krauchunas, seconded by Dr. Tuite, Board approves initial proposal. Unanimous. **Board Action: 6/14/19** – The Board moved forward and voted on a final proposal. On motion of Dr. Murphy, seconded by Dr. Krauchunas, Board approved the final proposal. **Board Action: 8/2/19** – Tabled. JLCAR has tabled the rules until their August meeting to see about the fee change and revenue for the Board. **Board Action: 9/6/19** – On motion of Dr. Krauchunas, seconded by Dr. Tuite, the Board voted to adopt the rules. Unanimous.

LICENSES: Board Action: 9/6/19 – On motion of Dr. Krauchunas, seconded by Mr. Goode, approved for TPA/g license. Unanimous.

ENGELHART, Karl C., O.D.
JOHNSON, David M., O.D.

Motion to commence non-public session:

On motion of Dr. Krauchunas, seconded by Dr. Tuite, the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and optometry applications and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3, II (e), RSA 91-A:5, IV, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

NON-PUBLIC SESSION:

[Minutes kept separately]

Motion to keep minutes of non-public session confidential:

Upon the motion of Dr. Krauchunas and the second of Dr. Tuite, the Board voted to withhold the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Meeting Adjourned.

Next Board Meeting is October 18, 2019 at 9:00 A.M.