

## MINUTES

### STATE OF NEW HAMPSHIRE BOARD OF REGISTRATION IN OPTOMETRY

December 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; Andrea L. Murphy, O.D.; Scott Krauchunas, O.D.; Joel R. Tuite, O.D. and Alan Goode, Public Member. Absent was: N/A

#### **PUBLIC SESSION:**

#### **INTERVIEWS/HEARINGS WITH THE BOARD:**

N/A

#### **NEW BUSINESS:**

1. DRAFT Minutes from the October 18, 2019 Board meeting. Board Action: 12/6/19 – On motion of Dr. Tuite, seconded by Mr. Goode, approved. Unanimous.
2. ARBO – Oregon Board of Optometry has questions for the other state Boards about vision therapy. Board Action: 12/6/19 – On motion of Mr. Goode, seconded by Dr. Tuite, answer questions as follows. Unanimous.
  - What state are you in? NH
  - Is vision therapy in the scope of practice of OD's in the state? Yes
  - Is vision therapy allowed by other professions? If so, who are they (if you know)? Yes
  - How many complaints regarding vision therapy have been brought before the board? None
  - If vision therapy complaints have been filed, are they usually of a clinical or fee dispute nature? N/A
3. PDMP FY19 Annual Report. Board Action: 12/6/19 – File.
4. Nominate and vote on President for the Board for 2020. Board Action: 12/6/19 – On motion of Dr. Tuite, seconded by Mr. Goode, nominate Dr. Lessard and vote for him for President for 2020. Unanimous.

#### **TABLED:**

**T1.** 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. **Board Action: 10/18/19** - Waiting for the Opt 303.01 rules to be certified. **Board Action: 12/6/19** – On motion of Dr. Krauchunas, seconded by Dr. Tuite, certify rules. Unanimous.

**T2.** Letter from Sarah Jagatic, O.D. notifying the Board that there is a company providing telehealth CL checks in case they are violating any parts of the new NH state law regarding telehealth. **Board Action: 10/18/19** – Tabled. **Board Action: 12/6/19** – Tabled.

**O.D. LICENSES:** Board Action: 10/18/19 – On motion of Dr. Krauchunas, seconded by Mr. Goode, Ms. Canney to invite Dr. Desai to the next available exam. Unanimous. Board Action: 12/6/19 – On motion of Dr. Tuite, seconded by Mr. Goode, approve for TPA/g license. Unanimous.

DESAI, Roma M., O.D.

**O.D. LICENSES:** Board Action: 12/6/19 – On motion of Dr. Krauchunas, seconded by Mr. Goode, approve for TPA/g license. Unanimous.

SUTHERLAND, Lyudmila, O.D.  
VISHTON, Catherine, O.D.

**Motion to commence non-public session:**

On motion of Dr. Tuite, seconded by Mr. Goode, the Board voted to conduct a non-public session for the purpose of discussing optometry applications and investigations of alleged licensee misconduct 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. Tuite and the second of Mr. Goode, 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 January 28, 2020 at 9:00 A.M.**