

# MINUTES

## STATE OF NEW HAMPSHIRE BOARD OF REGISTRATION IN OPTOMETRY

August 18, 2020

The regularly scheduled meeting of the New Hampshire Board of Optometry was held electronically via Zoom 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.; Joel R. Tuite, O.D.; Scott Krauchunas, O.D. and Alan Goode, Public Member. Absent was: N/A

### **PUBLIC SESSION:**

Dr. Lessard called the meeting to order at 9:03 A.M. (Please see attached script read prior to the start of the meeting.)

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

N/A

### **NEW BUSINESS:**

1. DRAFT minutes from the July 7, 2020 Board meeting. Board Action: 8/18/20 – On motion of Dr. Tuite, seconded by Dr. Murphy, approved. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Lessard	Yes	Dr. Murphy	Yes
Dr. Tuite	Yes	Dr. Krauchunas	Yes
Mr. Goode	Yes		
2. ARBO – NBEO stating concerns, due to COVID-19, for student having to travel to Charlotte, NC to take the part III exam. Board Action: 8/18/20 – File.
3. NBEO offers its online State Law Exam for those wishing to provide its law exam through the simple, easy to use method. Board Action: 8/18/20 – File.
4. NBEO has taken this opportunity to respond to such concerns and describe the organizational measures that have been taken during this epidemic. Board Action: 8/18/20 – File.
5. Email from Arizona State Board of Optometry. Does NH allow primary source documents submitted electronically? Board Action: 8/18/20 – On motion of Dr. Murphy, seconded by Dr. Tuite, yes, directly from jurisdiction or university. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Lessard	Yes	Dr. Murphy	Yes
Dr. Tuite	Yes	Dr. Krauchunas	Yes
Mr. Goode	Yes		
6. Caitlyn Ozier has question on the topical pharmaceutical agent’s formulary published on the Board’s website. Board Action: 8/18/20 - On motion of Dr. Krauchunas, seconded by Dr. Murphy, Upneeq is permitted. Each member

recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Lessard	Yes	Dr. Murphy	Yes
Dr. Tuite	Yes	Dr. Krauchunas	Yes
Mr. Goode	Abstained		

7. Brendan Bohl has a question on whether it is legal for optometrists to require retinal photos for a routine comprehensive eye exam. On motion of Dr. Lessard, seconded by Dr. Tuite, yes it's legal. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Lessard	Yes	Dr. Murphy	Yes
Dr. Tuite	Yes	Dr. Krauchunas	Yes
Mr. Goode	Abstained		

**O.D. LICENSES:** Board Action: 8/18/20 – On motion of Dr. Krauchunas, seconded by Dr. Tuite, approve for TPA/g license. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Lessard	Yes	Dr. Murphy	Yes
Dr. Tuite	Yes	Dr. Krauchunas	Yes
Mr. Goode	Yes		

KLUG, Kyle S., O.D.  
SAVARD, Andrew D., O.D.  
WATARI, Ryan K., O.D.

**O.D. 30 DAY REINSTATEMENT**

**LICENSES:** Board Action: 8/18/20 – On motion of Dr. Krauchunas, seconded by Dr. Tuite, waive the 30-day reinstatement application and approve for renewal of licensure. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Lessard	Yes	Dr. Murphy	Yes
Dr. Tuite	Yes	Dr. Krauchunas	Yes
Mr. Goode	Yes		

STEADMAN, Mark, O.D.

**O.D. 30 DAY REINSTATEMENT**

**LICENSES:** Board Action: 8/18/20 – On motion of Dr. Murphy, seconded by Dr. Tuite, approve for reinstatement of license. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Lessard	Yes	Dr. Murphy	Yes
Dr. Tuite	Yes	Dr. Krauchunas	Yes
Mr. Goode	Yes		

TROENDLE, Robert, O.D.

**O.D. REINSTATEMENT**

**LICENSES:** Board Action: 8/18/20 – On motion of Dr. Lessard, seconded by Dr. Tuite, approve for TPA reinstatement license. Inform Dr. Maria that the CEU's obtained in 2020 cannot be used for the next renewal cycle. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Lessard	Yes	Dr. Murphy	Yes
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Dr. Tuite	Yes	Dr. Krauchunas	Yes
Mr. Goode	Yes		

MARIA, Aileen, O.D.

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

On motion of Dr. Tuite, seconded by Dr. Murphy, at 9:50 A.M. the Board voted to conduct a non-public session for the purpose of discussing 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.

Dr. Lessard	Yes	Dr. Murphy	Yes
Dr. Tuite	Yes	Dr. Krauchunas	Yes
Mr. Goode	Yes		

On motion of Dr. Tuite, seconded by Dr. Murphy, the Board voted to go into public session at 10:19 A.M. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Lessard	Yes	Dr. Murphy	Yes
Dr. Tuite	Yes	Dr. Krauchunas	Yes
Mr. Goode	Yes		

**NON-PUBLIC SESSION:**

[Minutes kept separately]

**Motion to keep minutes of non-public session confidential:**

Upon the motion of Dr. Murphy and the second of Mr. Goode, at 10:19 A.M. 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.

Dr. Lessard	Yes	Dr. Murphy	Yes
Dr. Tuite	Yes	Dr. Krauchunas	Yes
Mr. Goode	Yes		

On motion of Dr. Tuite, seconded by Dr. Krauchunas, adjourn meeting at 10:20 A.M. Each member recorded his or her vote on the motion, which passed by the unanimous poll vote of all members present.

Dr. Lessard	Yes	Dr. Murphy	Yes
Dr. Tuite	Yes	Dr. Krauchunas	Yes
Mr. Goode	Yes		

**Next Board Meeting is September 29, 2020 at 9:00 A.M.**

**A Checklist To Ensure Meetings Are Compliant With The  
Right-to-Know Law During The State Of Emergency  
(Read at the August 18, 2020 Meeting of the Board of Optometry)**

As President of the Board of Optometry, I, Guy Lessard, O.D., find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with his Emergency Order, I am confirming that we are:

*a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:*

We are utilizing Zoom for this electronic meeting.<sup>1</sup> All members of the NH Board of Optometry have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following: Meeting ID: 959 9719 3655; Password: 992337, or by clicking on the following website address:  
<https://zoom.us/j/95997193655?pwd=SFY2WUgwZksvWGpyQ0JqVy9oQm9ZUT09>

*b) Providing public notice of the necessary information for accessing the meeting:*

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the NH Board of Optometry (<https://www.oplc.nh.gov/optometry/about.htm>).

*c) Providing a mechanism for the public to alert the NH Board of Optometry during the meeting if there are problems with access:*

If anybody has a problem, please email Sharon Canney at [Sharon.Canney@oplc.nh.gov](mailto:Sharon.Canney@oplc.nh.gov).

*d) Adjourning the meeting if the public is unable to access the meeting:*

In the event the public is unable to access the meeting, the meeting will be adjourned and either the problem corrected or the meeting will be rescheduled.

Please note that **all votes** that are taken during this meeting shall be done by **roll call vote**. We will start the meeting by taking a roll call of attendees. When each member states their name, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law, also known as 91-A. Sharon, please do the roll call vote.

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<sup>1</sup> Many public bodies are utilizing video teleconferencing technology, such as Zoom, to ensure the electronic meeting comply with the Right-to-Know law and any applicable due process requirements. In certain circumstances, a regular business meeting of a public body may be conducted utilizing audio-only technology. If you have any questions about the appropriateness of the technology utilized to conduct your meeting, please consult your agency counsel or the Attorney General's Office.