



## August 23, 2022 - Optometry PUBLIC Meeting Minutes

NH Board of Optometry

Aug 23, 2022 at 8:00 AM

7 Eagle Square, Concord, NH

### Attendance

#### Members Present:

Janet Aug, Christine Donahue, Scott Krauchunas (arrived at 8:55AM), Andrea Murphy

#### Guests Present:

Nik Frye, Lauren Warner, Jessica Whelehan, Jenna Wilson

#### I. Call to Order

Andrea Murphy called the meeting to order at 8:08AM

#### Motion:

To enter non-public session at 8:08AM for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c) & (e), RSA 91-A:5, IV, Lodge v. Knowlton, (1978), and the Board's executive and deliberative privileges.

Motion moved by Christine Donahue and motion seconded by Janet Aug. Passed unanimously by rollcall vote.

The Board resumed public session at 8:21AM

#### Motion:

to seal the minutes of the non-public session to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

Motion moved by Andrea Murphy and motion seconded by Christine Donahue. Passed.

#### II. Approval of Public Minutes

#### Motion:

to accept the public minutes of 6/28/2022 as amended.

Motion moved by Christine Donahue and motion seconded by Janet Aug. Passed.

### III. Public Appearances

#### A. Hearings

Andrea Murphy introduced Hearings Examiner Nik Frye who explained the hearings procedures and swore in all parties. Hearings began at 8:28AM.

1. CHERVENKA, Leigh #0817
2. LEWIS, Clarissa #1015
3. POULIN-BELAIR, Debra #0704
4. SHORT, Alaina #1030
5. WERNER, Laura #0911

Dr. Laura Werner did not appear via Zoom or in person.

**Motion:**

To enter non-public session at 8:44AM for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c) & (e), RSA 91-A:5, IV, Lodge v. Knowlton, (1978), and the Board's executive and deliberative privileges.

Motion moved by Andrea Murphy and motion seconded by Christine Donahue. Passed unanimously by rollcall vote.

(Scott Krauchunas arrived at the meeting at 8:55AM)

The Board resumed public session at 10:17AM.

**Motion:**

to seal the minutes of the non-public session to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

Motion moved by Andrea Murphy and motion seconded by Janet Aug. Passed.

#### IV. OPLC and/or Board Administration Updates

#### V. Old Business

#### VI. New Business

- A. Request for Declaratory Ruling - Related to Opt 402.04 and the delivery format of Continuing Education.

**Motion:**

to rescind the prior standing order related to live/non-live CE, and delegate authority to Board Counsel, Lauren Warner, to write a new standing order clarifying that the Board's rules already provide that "formal CE" is live CE regardless of in-person or online format, and that alternative CE is "non-live" CE. Andrea Murphy to review and approve, and sign standing order on behalf of the Board.

Motion moved by Andrea Murphy and motion seconded by Christine Donahue. Passed.

VII. Licensure

- A. BANERJEE, Sheilly - Initial Application for Licensure

**Motion:**

to accept Dr. Banerjee's application and approve for TPA-g licensure.

Motion moved by Andrea Murphy and motion seconded by Janet Aug. Passed.

- B. WAIBLE, Stephen - Initial Application for Licensure

**Motion:**

to accept Dr. Waible's application and approve for TPA-g licensure.

Motion moved by Andrea Murphy and motion seconded by Janet Aug. Passed.

- C. LATE ADDITION - BUKHARI, Fatima - Application

**Motion:**

to accept Dr. Bukhari's application and approve for TPA-g licensure.

Motion moved by Andrea Murphy and motion seconded by Christine Donahue. Passed.

VIII. Administrative Rules & Legislative Topics

The Board discussed the previously proposed change to the Chapter 400 CE rules requiring 3 hours of opioid use/pain management/addiction disorders credit as it related to the reasons for hearings conducted today.

IX. Board Leadership

**Motion:**

to nominate Andrea Murphy to serve as the Board's chairperson.

Motion moved by Christine Donahue and motion seconded by Janet Aug. Passed.

**Motion:**

To enter non-public session at 11:04AM for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c) & (e), RSA 91-A:5, IV, Lodge v. Knowlton, (1978), and the Board's executive and deliberative privileges.

Motion moved by Andrea Murphy and motion seconded by Christine Donahue. Passed unanimously by rollcall vote.

X. Resume Public Session

The Board resumed public session at 11:30AM

XI. Seal the Minutes of the Non-Public Session

**Motion:**

to seal the minutes of the non-public session to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

Motion moved by Andrea Murphy and motion seconded by Christine Donahue. Passed.

XII. Adjournment

Andrea Murphy closed the meeting at 11:31AM.

Next Meeting: 9:00AM on Tuesday, October 4, 2022