

**State of New Hampshire**  
**OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION**  
**DIVISION OF LICENSING AND BOARD ADMINISTRATION**

**Board of Optometry**

7 Eagle Square, Concord, NH 03301-4980

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LINDSEY B. COURTNEY  
Executive Director

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Director



**PUBLIC MEETING MINUTES**

**May 24, 2022**

On May 24, 2022, the Board of Optometry met at the Office of Professional Licensure and Certification, 7 Eagle Square, Concord New Hampshire, 03301.

**Present:**

Guy Lessard, O.D., Board Chair (GL)  
Andrea Murphy, O.D. (AM)  
Scott Krauchunas, O.D. (SK)  
Christine Donahue, O.D. (CD)

Absent:

None

Others present:

Jessica Whelehan, Board Administrator III (JMW)  
Jenna Wilson, Board Administrator II (JW)  
Tina Kelley, OPLC Rules Staff (TK)

**CALL TO ORDER**

Guy Lessard, O.D., President of the Board, called the meeting to order at 9:05AM.

**NON-PUBLIC SESSION:**

Upon motion of SK and second by CD, the Board voted unanimously\* by rollcall vote to enter non-public session at 9:06AM for the purpose of discussing investigations of alleged licensee misconduct and as authorized by RSA 91-A:3, II (c) & (e), and Lodge v. Knowlton (1978).

**RESUME PUBLIC SESSION:** At 9:18AM, GL announced that the Board was back in public session.

**SEAL NON-PUBLIC MINUTES:** On motion of AM and CD seconded, the Board voted unanimously by roll call vote to seal the non-public minutes 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.

**1. NEW BUSINESS:**

- a. Curtis Barry, on behalf of NHOA, asked the Board how the **online license renewal process** was going and if there were any widespread issues. JW reported that the renewals are going well, and any problems have been isolated and addressed on a case-by-case basis. Most of the calls JW receives relate to TPA-g status not showing on physical licenses so she must manually correct the licenses and send individually to licensees.

- b. **Glaucoma certification:** There have been questions this year from licensees about whether they must continue to complete glaucoma CEs to keep their TPA-g certification when they do not wish to continue using it – such as optometrists now working only with pediatric patients or optometrists scaling back their practices. The Board reviewed RSA 327 and Opt 100-600 but determined that additional research was needed. The statute was changed to allow all applicants who graduated in 2002 or later to receive a TPA-g certification due to changes in the curriculum. The Board recalled that the intent of that statutory change was to eventually make all optometrists glaucoma certified as a product of attrition.

The current license application does not ask that the applicant request a type of certification (Non-TPA, TPA, or TPA-g); but rather, the Board has been making the decision about which type of certification the licensee is eligible for based on the applicant's education. The language of RSA 327:6-c I(a) references "optometrists *seeking authorization to treat glaucoma* shall ..." which may indicate there is a choice at initial licensure. However, RSA 327:33-a, II, related continuing education, provides that "an optometrist *certified to treat glaucoma shall complete* a minimum of 10 of the required hours in glaucoma specific education." This may indicate that once a licensee is TPA-g certified, they must maintain the certification. The Board asked JW to work with Board council to review the law and rules to ensure the Board is complying with both.

- c. **SB 284** was signed into law on May 20<sup>th</sup> and will take effect 6/19/2022. This new law changes restrictions of optometrists treating glaucoma to decrease the amount of consultation with ophthalmologists they are required to do when treating patients. The statutory change does not impact the Board's administrative rules.

## 2. **REGULAR BUSINESS:**

- a. **Review of public minutes** from the March 8, 2022, Board meeting: On motion of AM and second by SK, the Board voted to accept the Public Minutes of March 8, 2022, as presented.

## 3. **LICENSURE:**

- a. **Kelsey Palmer:** On motion of SK and second by AM, the Board voted to accept Dr. Palmer's application for licensure.
- b. **Mitchell Styczynski:** On motion of CD and second by AM, the Board voted to accept Dr. Styczynski's application for licensure.
- c. **Jamy Borbidge:** On motion of AM and second by CD, the Board voted to accept Dr. Borbidge's application for license reinstatement.

## 4. **OLD BUSINESS:** None.

## 5. **NEW BUSINESS & CORRESPONDENCE:**

- a. **Janet Rand:** On motion of GL and second by CD, the Board voted to grant the request for the Board to accept Dr. Rand's opioid CEs which were obtained in 2022 rather than 2021. The request is granted with the condition that the opioid courses taken in 2022 cannot be submitted or applied to the CE reporting period in 2024.

- b. **Donna Martin:** On motion of GL and second by AM, the Board voted to grant the request for an extension to complete the required opioid continuation education. Dr. Martin has 30 days to provide proof of completion. The extension is granted with the condition that these opioid courses taken in 2022 cannot be submitted or applied to the next CE reporting period.
- c. The Board completed the **ARBO Member Board Report** for submission.
- d. The Board discussed the **fundoscopy inquiry from Holly Hughes** and determined that there is nothing in the statute to direct Ms. Hughes to, and that the Board cannot provide legal advice or interpretation of statutes or rules.
- e. The Board discussed inquiry from the **VA Health Administration** about delegating medication administration and determined that there is no law or rule related to this inquiry and that the Board cannot provide legal advice or interpretation.

**6. ADMINISTRATIVE RULES:**

- a. **Opt 402.01 (a) Initial Proposal – Opioid CE requirement:** Tina Kelley joined the meeting and asked if the Board had reviewed her changes to the IP draft of Opt 402.01(a). TK indicated that she would proceed with formal rulemaking and that no vote was required after the vote from the last meeting.
- b. The Board asked TK to draft a rule which would **waive all CE requirements for a licensees' first renewal** after initial licensure. TK will draft this rule for the Board's review.

**NON-PUBLIC SESSION:**

Upon motion of CD and seconded by AM, the Board voted unanimously by rollcall vote to enter into non-public session at 9:06AM for the purpose of discussing investigations of alleged licensee misconduct and as authorized by RSA 91-A:3, II (c) & (e), and Lodge v. Knowlton (1978).

**RESUME PUBLIC SESSION:** At 10:57AM, GL announced that the Board was back in public session.

**SEAL NON-PUBLIC MINUTES:** On motion of AM and CD seconded, the Board voted unanimously by roll call vote to seal the non-public minutes 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.

**ADJOURNMENT:**

Upon motion by AM seconded by CD, the Board voted to end the public meeting. Dr. Lessard adjourned the meeting at 10:58AM.