

# MINNESOTA BOARD OF OPTOMETRY

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## April 2, 2014 Board Meeting

The Minnesota Board of Optometry met on Wednesday, April 2, 2014 in the Conference Room of Suite 403, University Park Plaza Building, 2829 University Avenue SE, Minneapolis, MN for the purpose of conducting such business as would normally come before the Board.

Roger Pabst, O.D., President called the meeting to order at 10:02 AM.

Roll call of board members:

**Present were:**

Roger Pabst, O.D.  
Kari Slotten, Public Member  
John Muellerleile, O.D.  
Patrick O'Neill, O.D.  
Michelle Falk, O.D.

**Also present were:**

Sara Boeshans, Office of the Attorney General  
Anna Hartsel, Office & Administrative Specialist  
Randy Snyder, Executive Director

**Members Absent:** Don Sipola, O.D

The roll call was completed and a quorum declared present. Introductions and welcome to new board member, Kari Slotten took place. A motion to approve the agenda was made by Muellerleile, and seconded by O'Neill. Motion passed.

Minutes of the January 9, 2014 board meeting were approved as presented; motion by O'Neill, seconded by Muellerleile, and the minutes were approved.

The following listed applicants/new licensees requesting a Minnesota Optometry license was presented to the Board. Each applicant has provided documentation meeting the requirements for licensure by examination in the state of Minnesota as a licensed optometrist. The board approved a delegation of authority for board staff to initially license candidates that provide an application with all requirements clearly met. The motion to approve the licenses as granted to practice optometry in the state of Minnesota as listed was made by O'Neill, second by Muellerleile. The motion passed with all voting aye.

Angela Marie Appleman  
Amy Louise Garbo  
Jaclyn Marie McKenzie

Robyn Kaye Watson

Significant discussion took place on the TPA notification website posting of each Minnesota Optometrist given that the 2014 proposed statutory changes did not take place. The board directed that the TPA notification be removed as level licensure is enacted as law and the board 'should document what we practice'. As of May 1, 2014, the Minnesota Optometrist is licensed at the highest level and the TPA, DPA designation should be removed as it not currently reflective of the practice standard. Direction from the board, with motion by O'Neill and Muellerleile is to continue to issue a TPA certificate (until the statute changes) while the website designation of the TPA will be removed to reflect the highest level of licensure. All members voted aye.

The 2013 year end renewal report was provided listing total renewals, online renewals, 11 terminated for non-renewal without any contact. Four individuals paid their renewal prior to December 31 but have not provided evidence of their completed CE for the past renewal cycle. It was recommended that we identify this type of status with an 'Active-holding for Continuing Education' designation on the public website. If on July 1<sup>st</sup>, the licensee has not successfully completed their CE, the license is considered expired. It was further directed to have the Statute and Rules Committee review this language to avoid the rolling expiration date issue when the committee seeks to modify current language. O'Neill and Muellerleile motioned and seconded this directive. Motion carried.

Mr. Snyder reported on the most recent financials, February, 2014. Revenue and expenses are nearly equal at this point. Both spending authority and a fee increase will be a part of the 2016-2017. Fees have not increased since 1987. A report on the Professional Firms Registration was completed and a list of firms that haven't renewed was presented to the board. The Minnesota Board of Optometry is also in the midst of a receipt and expenditure audit by the Office of the Legislative Auditor. A motion to approve the budget/finance report was made by Falk, seconded by O'Neill. Motion carried

The Continuing Education Committee report was presented with recommendations. The detailed summary is provided on the website or by request of the board. Delegated authority is directed for staff to complete the routine administrative procedures:

- Category One AMA approved CE is recognized by the MBO.
- Other state board approvals and other state associations approved by that jurisdiction are recognized as approved CE by the MBO.
- Definition will be advanced to the Rules Committee on 'live' events given webinars with a working definition provided as follow:
- Volunteer Clock Hour guidelines were reviewed with requested language for the Rules Committee.
- CPR issues were reviewed and discussed within the report.
- Grand Rounds/Mini-Fellowships guidelines were reviewed and approved.
- A review of current CE Rules for statewide meeting presentations and publications was also held.

Further clarification on all of the issues will be included in the FAQ's section on the website.

A motion to approve the report was made by Muellerleile, seconded by O'Neill. Motion carried.

A review of the 2014 legislative bill, SF 1904 was completed. The MBO bill was not heard in the House and will need greater advocacy with more Representatives to sign on the bill in 2015. The question posed to the board was if the same language/bill be forwarded to the 2015 session. The

last amended version will be reviewed again in July when the Committee Chair is in attendance... Thank you to Dr. Sipola for outstanding leadership on the legislative initiatives.

Other bills reviewed were HF 2657 (Tax Revocation) HF 2365 (Expedited Military Licensure) and HF 1898 (HPSP-Conviction of Felony-Level Sexual Conduct) and Senate File #1877 "exception to eyeglass prescription".

The Board reviewed the update on SF 1877. Following discussion, the board directed the Executive Director to send a letter to both Chairs of the respective health committees with the desired outcome to have this removed during their conference committee.

The Executive Director reviewed the Foreign Educated Equivalency process. The current options for candidates were presented. Based on the discussion, the board will not recommend any modifications to the MBO Legislative Committee.

The issue of Fee Splitting using "Groupon" or other online vendors using a fee splitting methodology and if this model represents unprofessional conduct within the current Minnesota Board of Optometry Statutes and Rules was discussed in depth. Further discussion occurred on professional fees, glasses, and other professional licensee board approaches. Action taken was to direct the AAG to review the Dentistry and Chiropractic practice acts, with actions taken by any of those boards or others and report back to the July, 2014 MBO meeting.

The ARBO national meeting delegates were named with Patrick O'Neill, O.D. as the voting state delegate, John Muellerleile, O.D. delegate and Randy Snyder, E.D. named to attend the June 22-24, 2014 Philadelphia, PA annual meeting. Motion by Slotten, second by Falk, motion carried.

Discussion on the Minnesota state report to ARBO occurred; the MBO has not formally addressed the issues requested by ARBO related to telemedicine or remote physical assessment and has not formally documented a position relative to board certification; as it doesn't relate to the board's core responsibility of public safety.

Discussion was held on 'online eye exams' initiated in some states wherein an eye exam is performed remotely. The Board of Medical Practice currently has a telemedicine policy which will be presented at the July MBO meeting for discussion.

2015 Board member expiring include Slotten, O'Neill, and Muellerleile. The Open Appointments process begins in November by completing the application with the Secretary of State. The applications are then forwarded to the Governor's Appointment Secretary for a decision generally completed by June of the following year.

Election of Officers was held; Nominated for Chair was Roger Pabst by Muellerleile, second by O'Neill, all board members voted aye.

Vice President Nomination was Patrick O'Neill; Motion by Muellerleile, seconded by Slotten; Motion carried.

Secretary nomination was Don Sipola; Motion by Muellerleile, seconded by Falk; motion carried.

All committee memberships remained the same with the exception:

Committee appointments: Legislative: Don Sipola, was asked to continue as Chair of the Committee. O'Neill was appointed to be on the legislative committee. Kari Slotten was named as the representative for the Council of Health Boards.

The board will conduct the next scheduled business meeting on July 9, September 24, January 21, and March 25, 2015.

Meetings are open to the public and normally held at University Park Plaza, 2829 University Avenue SE, Minneapolis, MN.

Motion was made by Dr. Muellerleile, to adjourn the meeting. Motion was seconded by Kari Slotten. Motion passed.

The meeting adjourned at 12:23 PM.

Respectfully submitted,



Randy Snyder  
Executive Director

Approved by



Don Sipola, O.D.  
Secretary