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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF OPTOMETRY

TIME: 9:03 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room B
2601 North Third Street
Harrisburg, Pennsylvania 17110

November 2, 2017

State Board of Optometry
November 2, 2017

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BOARD MEMBERS:

- Carl J. Urbanski, O.D., Chairperson
- Ian J. Harlow, Commissioner of Professional and Occupational Affairs
- Pamela Barnhart, Consumer Protection Member
- Jeffrey Becker, O.D.
- Luanne Chubb, O.D., F.A.A.O.
- Gerald Olson, O.D.
- Marla J. Wasson, Public Member

BUREAU PERSONNEL:

- Jacqueline Wolfgang, Esquire, Board Counsel
- Elizabeth Wecker, Board Administrator
- Katelin Lambert, Director of Operations, Commissioner's Office

ALSO PRESENT:

- Joseph A. Ricci, Executive Director, POA
- Ted Mowatt, Wanner Associates, POA

1 ***

2 State Board of Optometry

3 November 2, 2017

4 ***

5 The regularly scheduled meeting of the State Board
6 of Optometry was held on Thursday, November 2, 2017.

7 ***

8 Official Call to Order

9 [Carl J. Urbanski, O.D., Chairperson, officially
10 called the meeting to order at 9:03 a.m.]

11 ***

12 Evacuation Announcement

13 [Elizabeth Wecker, Board Administrator, reviewed the
14 emergency evacuation procedures for One Penn Center.]

15 ***

16 Audience Introduction

17 [Chairperson Urbanski requested the introduction of
18 the audience members in attendance.]

19 ***

20 Approval of Minutes

21 CHAIRPERSON URBANSKI:

22 Are there any changes or discussion on
23 the Minutes from the August 10, 2017
24 Optometry meeting? Hearing none. Is
25 there a motion to accept?

1 DR. BECKER:

2 I make a motion to accept the Minutes.

3 CHAIRPERSON URBANSKI:

4 Thank you, Dr. Becker. Is there a
5 second?

6 DR. CHUBB:

7 Second.

8 CHAIRPERSON URBANSKI:

9 Dr. Chubb, thank you. Any further
10 discussion? Hearing none, all those in
11 favor of approving the Minutes signify by
12 saying aye? Opposed? Abstentions?

13 MS. WASSON:

14 I'll abstain.

15 [The motion carried. Marla J. Wasson, Public Member,
16 abstained from voting on the motion.]

17 ***

18 Report of Prosecutorial Division - No Report

19 ***

20 Report of Commissioner

21 [Ian J. Harlow, Commissioner of Professional and
22 Occupational Affairs, discussed Executive Order 2017-
23 03 in relation to finding additional Board members for
24 this Board as well as other Boards.

25 Commissioner Harlow indicated that 77,000 nurses

1 had recently completed renewals, a majority through
2 the PALS system, although 201 paper renewals were
3 noted. He voiced confidence that the system was
4 working well. He indicated user interface and text
5 changes will be forthcoming.

6 Commissioner Harlow stated an Advisory Committee
7 including himself, representatives from the Governor's
8 Office, elected members of Boards, and the oversight
9 committee will comprehensively review the practices of
10 each Board, as well as compare laws and regulations to
11 the other 49 states. He offered to review written
12 questions and comments from the Board members.]

13 ***

14 Appointments

15 [Katelin Lambert, Director of Operations, provided a
16 video demonstration of the PALS system. She noted the
17 website for the system as www.pals.pa.gov.]

18 ***

19 [The Board recessed from 10:02 a.m. to 10:13 a.m.]

20 ***

21 [Ian J. Harlow, Commissioner of Professional and
22 Occupational Affairs, exited the meeting at 10:12
23 a.m.]

24 ***

25 Report of Board Counsel

1 [Jacqueline Wolfgang, Esquire, noted applications for
2 discussion during Executive Session. She also
3 referred Board members to the Case Status Report and
4 DOH Drug Request for further review.]

5 ***

6 Report of Board Chair

7 Carl J. Urbanski, O.D., Board Chairperson, referred
8 members to the DOH Prescribing Guidelines and COPE
9 Substantial Equivalency for further review. Dr.
10 Urbanski indicated the goal was to make available the
11 guidelines for appropriate prescribing patterns to
12 licensed optometrists through the Board's website. He
13 recommended the Board also consider placing the
14 Emergency Department Pain Guidelines and Obstetrics
15 and Gynecology Guidelines on the website.]

16 CHAIRPERSON URBANSKI:

17 I will make a motion to accept the
18 Emergency Department Pain Treatment
19 Guidelines as the most appropriate link
20 to the optometry website.

21 DR. CHUBB:

22 Second.

23 CHAIRPERSON URBANSKI:

24 Thank you, Dr. Chubb. Discussion?

25 DR. CHUBB:

1 I would like to include the Obstetrics
2 and Gynecology Guidelines. Because even
3 though it's a small section of it, they
4 do cover even just the use of ibuprofen
5 if someone has a foreign body removed. I
6 think it's better to have the information
7 more readily available, even though it's
8 a small section. I motion to include
9 that as well.

10 CHAIRPERSON URBANSKI:

11 So the ER Guidelines and the OB/GYN
12 Guidelines.

13 [There was further discussion regarding the Geriatric
14 Guidelines.]

15 CHAIRPERSON URBANSKI:

16 So we have a motion on the table to
17 accept the two guidelines, Emergency Room
18 and OB/GYN. Any further discussion on
19 that motion? Hearing none, we'll call
20 for a vote. All those in favor of adding
21 those two guidelines to our website
22 signify by saying aye? Opposed? Any
23 abstentions?

24 [The motion passed unanimously.]

25 ***

1 [Chairperson Urbanski discussed the Board possibly
2 undertaking the development of its own guidelines for
3 prescribing opioids.

4 Dr. Urbanski agreed to reach out to the AOA to see
5 whether such development had commenced before the
6 Board takes any action. Attorney Wolfgang clarified
7 that the guidelines are not regulations and not law,
8 just guidelines.]

9 ***

10 [There was discussion relating to a press release from
11 ARBO with regard to COPE achieving substantial
12 equivalency with the Accreditation Council for
13 Continuing Medical Education (ACCME). Chairperson
14 Urbanski noted that going forward COPE-approved CE
15 will be held to the same highest standards as in other
16 medical professions.]

17 ***

18 Report of Regulatory Counsel

19 [Jacqueline Wolfgang, Esquire, Board Counsel, referred
20 Board members to her correspondence concerning a pre-
21 draft solicitation letter and the Proposed Annex with
22 regard to the increase in renewal fees and application
23 fees for further discussion.

24 Chairperson Urbanski stated the fee regulation
25 preamble would be tabled. The Bureau of Finance and

1 Operations (BFO) will be invited back for further
2 discussion on the increases.

3 Ms. Wolfgang referred members to the list of
4 current stakeholders for verification of the
5 information. The Regulatory Status Report was also
6 noted for further review by Board members.]

7 ***

8 Report of Board Administrator - No Report

9 ***

10 Old Business - None

11 ***

12 New Business

13 [Board member concerns relating to their State Board
14 emails were discussed.]

15 ***

16 Other

17 Election of Officers

18 [CHAIRPERSON URBANSKI:

19 I'd like to make a motion to nominate Dr.
20 Chubb as Vice Chair. Is there a second?

21 DR. BECKER:

22 Second.

23 CHAIRPERSON URBANSKI:

24 Thank you, Dr. Becker. Any discussion?

25 Dr. Chubb do you accept the nomination?

1 DR. CHUBB:

2 I do accept.

3 CHAIRPERSON URBANSKI:

4 We will take a vote. All those in favor
5 of Dr. Chubb being elected as Vice Chair
6 signify by saying aye? Opposed? Any
7 abstentions?

8 [The motion carried unanimously. Dr. Chubb stepped
9 down as Secretary of the Board. There was discussion
10 regarding the role of a Board Secretary.]

11 ***

12 DR. CHUBB:

13 I motion to nominate Dr. Becker as
14 Secretary to the Optometry Board.

15 CHAIRPERSON URBANSKI:

16 Is there a second?

17 MS. WASSON:

18 I'll second that motion.

19 CHAIRPERSON URBANSKI:

20 Thank you. Any discussion? All those in
21 favor signify by saying aye? Opposed?
22 Any abstentions?

23 [The motion carried unanimously.]

24 ***

25 Miscellaneous

1 Board Meeting Dates

2 [Chairperson Urbanski referred Board members to the
3 listing of 2018 Board Meeting dates for further
4 review. Board members were asked to review the
5 Proposed 2019 Board Meeting dates and to inform the
6 Board Administrator of any conflicts.]

7 ***

8 Other (Continued)

9 Committee Assignments

10 [Chairperson Urbanski indicated the Probable Cause
11 Committee consisted of himself, Dr. Chubb and Dr.
12 Olson. The Regulations Committee was Dr. Haire, who
13 is no longer with the Board, so an appointment will
14 need to be made to that committee. Chairperson
15 Urbanski noted the Continuing Education Committee
16 consisted of himself and Dr. Becker.

17 Ms. Wolfgang provided reasons for Board members to
18 use their State Board email and not a private email
19 account.

20 It was noted a brief Regulatory Committee meeting
21 would be held after the Board meeting. Board members
22 interested in serving on the committee were asked to
23 attend. It was noted that Dr. Chubb would be stepping
24 down from the Probable Cause Committee and will be
25 appointed to the Regulations Committee.]

1 ***

2 Public Comment Period

3 [The Board was informed that HB 1288 was approved and
4 signed by the Governor, which defines optometrists as
5 among the professionals able to certify a condition
6 that justifies the issuance of a handicapped license
7 plate or placard.]

8 ***

9 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
10 11:03 a.m. the Board entered into Executive Session
11 with Jacqueline Wolfgang, Esquire, Board Counsel, for
12 the purpose of conducting quasi-judicial deliberations
13 and to receive advice of Counsel on the matters of
14 which the Board is going to vote. The Board returned
15 to open session at 11:35 a.m.]

16 ***

17 MOTIONS:

18 MS. WOLFGANG:

19 Pursuant to Section 708(a)(5) of the
20 Sunshine Act, the Board entered into
21 Executive Session with Board Counsel to
22 receive advice of Counsel and to conduct
23 quasi-judicial deliberations in the
24 Applications of Howard Fried and Cari
25 Solomon.

1 I believe the Board would entertain
2 motions at this time.

3 CHAIRPERSON URBANSKI:

4 Is there a motion on the Application for
5 Dr. Howard Fried?

6 MS. WASSON:

7 I'll make the motion that we table that
8 application for Board Counsel to do
9 further investigation.

10 CHAIRPERSON URBANSKI:

11 Is there a second?

12 DR. BECKER:

13 Second.

14 CHAIRPERSON URBANSKI:

15 Thank you, Dr. Becker. Any discussion?
16 Hearing none, we'll vote on this first
17 motion. All those in favor signify by
18 saying aye? Opposed? Any abstentions?

19 [The motion carried unanimously.]

20 ***

21 CHAIRPERSON URBANSKI:

22 Is there a motion on the second
23 Application for Dr. Cari Solomon?

24 MS. WASSON:

25 I make a motion that the application for

1 Cari Solomon be tabled until Board
2 Counsel has time to review.

3 CHAIRPERSON URBANSKI:

4 Thank you. Is there a second?

5 DR. CHUBB:

6 Dr. Chubb. Any discussion? All those in
7 favor signify by saying aye? Opposed?
8 Any abstentions?

9 [The motion carried unanimously.]

10 ***

11 Adjournment

12 CHAIRPERSON URBANSKI:

13 Is there a motion to adjourn?

14 DR. BECKER:

15 Motion to adjourn.

16 CHAIRPERSON URBANSKI:

17 Dr. Becker. Second?

18 DR. OLSON:

19 Second.

20 CHAIRPERSON URBANSKI:

21 All those in favor?

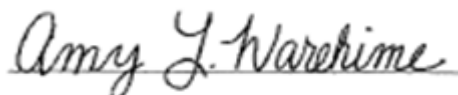
22 [All respond aye. The motion carried unanimously.]

23 ***

24 [There being no further business, the State Board of
25 Optometry meeting adjourned at 11:37 a.m.]

CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Optometry meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Optometry meeting.



Amy Warehime

Minute Clerk

Sargent's Court Reporting Service, Inc.

STATE BOARD OF OPTOMETRY
REFERENCE INDEX
November 2, 2017

	TIME	AGENDA
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6		
7	9:03	Official Call to Order
8		
9	9:03	Evacuation Announcement
10		
11	9:04	Introduction of Audience Members
12		
13	9:04	Approval of Minutes
14		
15	9:05	Report of Commissioner
16		
17	9:27	Appointment - Katelin Lambert
18		
19	10:02	Recess
20	10:13	Return to Open Session
21		
22	10:13	Report of Board Counsel
23		
24	10:14	Report of Board Chairperson
25		
26	10:31	Report of Regulatory Counsel
27		
28	10:50	New Business
29		
30	10:53	Miscellaneous
31		
32	11:00	Public Comment
33		
34	11:03	Executive Session
35	11:35	Return to Open Session
36		
37	11:37	Adjournment
38		
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