

LOUISIANA STATE BOARD OF OPTOMETRY EXAMINERS

Theus Law Office, Alexandria, LA

MINUTES SEPTEMBER 10, 2021

I. Roll Call/Call to Order

The roll was called at 9:20Am with present: Drs. Avallone, Anastasio, Gerdes, Wroten, & Sandefur, Mr. Dale Benoit, and Mr. Graves Theus, Board attorney. Declaring a quorum was present, Dr. Anastasio called the meeting to order.

II. Adoption of Agenda

The agenda was adopted upon motion Gerdes/Wroten. Unanimous.

III. Approval of Minutes from July 10, 2021 Meeting

The minutes of the Jul 9-10 meeting were adopted with no changes upon motion by Sandefur/Benoit. Unanimous.

IV. License renewal/CE Verification update

Dr. Avallone reported that License renewal/Verification is scheduled to begin on November 1, 2021 with two reports to be produced by ARBO/OE Tracker (November & February) to verify CE hours obtained by Louisiana licensees.

V. Finance & Budget Report

Dr. Avallone presented a financial report including a P&L statement, Balance Sheet and a Budget report point out that some items in the report have not been verified and are likely inaccurate due to previous entries made by LSBOE staff untrained in proper accounting procedure. Dr. Avallone is working with new accounting firm to correct all inaccurate entries.

VI. ABC Complaint/Secret Shopper

Gravel Investigations sent a secret shopper to the ABC store in Shreveport but was unable to obtain any relevant information for the Board due to the age of the secrete shopper. A discussion was held and the board decided to send a younger secret shopper to retry. Graves will consult with Mark Gravel to check on

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availability of a suitable shopper, if not available, the board will ask Dr. Steve Lewis for a recommended shopper.

VII. Barthelemy's Optical

No action as of meeting time. Dr. Sandefur will contact Dr. Bui to discover any known office hours for Barthelemy's Optical and a secrete shopper will be dispatched.

VIII. Formal Hearing Dr. Arthur Franz

Called to order at 10:15am adjourned at 12:21pm

(See Graves Theus's attachments)

Motion by Sandefur/Benoit to enter Executive Session at 12:22. Unanimous.

Adjourned Executive Session at 12:30pm

Following the Executive session, the board decided to offer Dr. Franz a consent decree in which he would agree to permanently give up his prescriptive authority by permanently surrendering his CDS and DEA licenses. The board also compelled Dr. Franz to submit to a drug evaluation by a vote of 5 to 1 (Sandefur voting nay).

IX. Secretary's Report

a. Update on first 60 days

Transition underway.

b. CPA Update

New CPA firm hired. Wade & Perry, based in Ruston

c. LSBOE Office update

Due to Changes in staffing, all office operations moving to Ruston

d. LSBOE Administrative assistant update

Administrative assistant quit as of August 27, 2021

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No new hire as of meeting date

X. Telehealth Rules Promulgation Update

Mr. Theus stated Telehealth rules promulgation process complete. Will be published within 30 days.

XI. Board of Ethics Discussion

Dr. Anastasio related a discussion he had regarding board election of officers and possible recusement of board members. No action taken.

XII. License Retirement and Inactivation Requests

Motion by Wroten/Sandefur to approved the license retirement of Dr. Lawrence Adererhold effective March 1, 2021

Motion by Wroten/Gerdes to approved the license inactivation of Dr. James Sandefur effective August 23, 2021

XIII. Medication Delivery Review

No discussion recorded

XIV. Update on LSBOE's Authority to Restrict Practice

No answer yet. Graves to research and revisit next board meeting.

XV. Envolve Comprehensive Eye Exam Definition

Dr. Gerdes reported on definition of comprehensive eye exam by Envolve and restrictions of availability to every 5 yrs.

Further discussion led to dropping any further consideration of this matter due to relevance to the LSBOE mission.

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XVI. Policy Manual Update

Dr. Avallone noted the policy manual was digitally distributed during the July board meeting. Further updates are needed but will be delayed until adequate time is available. The Board Calendar will be updated throughout the next year.

XVII. State Medicaid Plan redefining exam

No discussion. Continued until next meeting

XVIII. Next Meeting

Scheduled for October 29, 2021, Downtown Holiday Inn, Alexandria, LA

Adjourn – 2:13pm



Gary Avallone, O.D., Secretary



Jeffrey Anastasio, O.D., President