



LOUISIANA STATE BOARD OF OPTOMETRY EXAMINERS

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Meeting Agenda for December 10, 2021
Baton Rouge Marriott
9:00am-12:00pm

- I. Roll Call/Call to Order
- II. Adoption of Agenda
- III. Approval of Minutes from October 29, 2021 Meeting
- IV. Secretary's Report
 - a. Finance and Budget Report
 - b. License Activity
 - i. Renewals
 - ii. Retirement requests
 - iii. Inactive requests
 - iv. Hardship requests

OLD BUSINESS

- V. State Audit Update
 - a. Possible sharing of funds discussion
 - b. Possible past bonus discussion
 - c. Ethics training discussion
 - d. Sexual harassment policy and training
 - e. Other findings
- VI. ABC Complaint/Secret Shopper
- VII. Barthelemy's Optical
- VIII. Procedure manual update
- IX. Telehealth Rules Promulgation Status

NEW BUSINESS

- X. Board Vacancy
- XI. Website update
- XII. Next Meeting
- XIII. Adjourn

Jeff M. Anastasio, O.D.
Covington, LA
President

Gary Avallone, O.D.
Ruston, LA
Secretary

Christopher W. Wroten, O.D.
Denham Springs, LA
Member

Dale Benoit
Belle Chasse, LA
Member

Gerald Gerdes, O.D.
Lafayette, LA
Member

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I. Roll Call/Call to Order

The roll was called at 9:03am with present: Drs. Avallone, Anastasio, Gerdes, Wroten, and Mr. Dale Benoit. Declaring a quorum was present, Dr. Anastasio called the meeting to order.

II. Adoption of Agenda

The agenda was adopted upon motion by Wroten/Gerdes. Passed unanimously.

III. Approval of Minutes from September 10, 2021 Meeting

The minutes of the October 29, 2021 meeting were adopted upon motion by Benoit/Gerdes. Passed unanimously.

IV. Secretary's Report

a. Finance & Budget Report

Dr. Avallone presented a financial report including a P&L statement, Balance Sheet and a Budget report for current year 2021

A draft budget for 2022 was presented and discussed

A Shared Facilities Agreement was suggested by Dr. Wroten and discussed by the board and will be sent to the board attorney for consultation.

b. License Activity

Renewals have begun for 2022, ARBO provided the first continuing education (CE) verification report on November 15, 2021. Some CE Providers have not reported the sponsorship of education to include the co-sponsoring optometry school. ARBO will issue a new report to include the proper TPS credit for those attendees

The license retirement of James D. Sandefur was officially accepted by the board

Dr. Gary Golden requested his license status change to Inactive - Unanimously approved by the board

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License by Endorsement-Dr. Selvin Gnanakkan, submitted required proof of CE, paid fee and now needs to pass law test for license approval. Dr. Avallone to contact Dr. Lewis for testing coordination and scheduling.

Hardship cases – Following discussion it was decided by the board on a motion by Gerdes/Avallone which passed by 4 -1 (Benoit voting Nay) to grant Hardship CE waivers for 2021 to all who have applied conditionally, provided they have made a good faith effort to obtain their hours , have obtained and submitted at least 2 hours of online education, and have provided medical evidence of illness if citing health as a reason for lack of required CE for 2021.

V. State Audit Update

Dr. Anastasio reported that the audit has concluded. Final report to be distributed very soon. Legislative Auditor (LA)recommended the board seek legal counsel regarding two issues:

1. Inappropriate use of funds – Dr. Avallone presented an estimate of expenses paid by the board which may be presented for reimbursement after consultation with the board CPA and attorney. Questions asked include: How far back should the board look? What expense categories should be included?
2. Prohibited payment to employee
Questions asked include: Who is the best source to seek reimbursement?

Other issues found during the audit included the lack of Ethics training by the board as well as the lack of Sexual Harassment Prevention training by the board. The board is actively seeking training for the 2021 year.

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VI. ABC Complaint/Secret Shopper

Dr. Anastasio reports the investigator usually used by the board does not have an appropriate investigator to secretly shop this business. Dr. Avallone will consult Dr. Stephen Lewis regarding an appropriate shopper.

VII. Barthelemy's Optical

Dr. Anastasio reports no action taken due to irregular business hours of Barthelemy's Optical. Mr. Dale Benoit suggested a local investigator firm to handle service of fine or subpoena.

Dr. Avallone reported a recent license verification request for Anastasia Barthelemy Brown, OD. This request has been forwarded to the board attorney for investigation.

VIII. Procedure Manual Update

Dr. Anastasio reported that an audit finding was no written procedure policy for various tasks of day to day board activity. Dr. Avallone pointed out that the Policy & Procedure Manual does exist but is outdated and is currently being updated.

IX. Telehealth Rules Promulgation Update

Dr. Anastasio reports the Telehealth rule is stalled and waiting for the board to address a comment raised during the comment period. The board will instruct the board attorney to respond appropriately in order to publish the rule without change.

X. Board Position Vacancy

Discussion was held, multiple candidates were considered. On motion by Benoit/Wroten Dr. David Heitmeier was nominated to fill the vacated position – Passed unanimously

Notice of the nominee will be sent to the Governor ASAP.

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XI. Website update

Discussion was held regarding adding the Sexual Harassment policy to the website – A new policy will be created and posted on the website and in the Policy & Procedure Manual.

XII. Dispensing of Pharmaceuticals

Dr. Anastasio suggested in light of new drugs available now and in the future the board consider a rule to allow optometrists in the state to sell & dispense pharmaceuticals (not including controlled substances) in their offices. Model text was introduced to be sent to the board attorney for review.

XIII. Optometric Employment Restrictions

A discussion was held regarding optometric employment restrictions – no action taken

XIV. Oakdale office lease

Dr. Avallone reminded the board that the current office lease in Oakdale will expire in September 2022. The board is paying \$600/mo plus utilities. Dr. Sandefur still has access to the office on a daily basis and does send board mail which may still be delivered to the old address. The board has instructed Dr. Avallone to contact the State Facilities Manager and inquire on how to terminate the Oakdale lease and terminate any liability there.

XV. Next Meeting

TBD (Likely in March in conjunction with SECO in New Orleans)

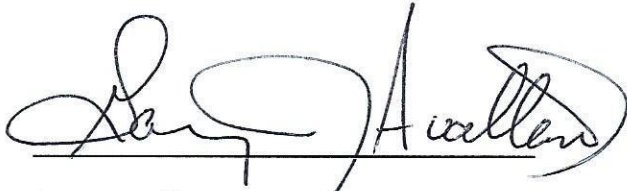
Motion by Gerdes/Anastasio to Adjourn – Passed Unanimously

Adjourn – 11:59am

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A handwritten signature in black ink, appearing to read "Gary Avallone", written over a horizontal line.

Gary Avallone, O.D., Secretary

A handwritten signature in black ink, appearing to read "Jeffrey Anastasio", written over a horizontal line.

Jeffrey Anastasio, O.D., President