

**LOUISIANA STATE BOARD OF OPTOMETRY EXAMINERS**  
**909 Poydras St. Suite 1400, New Orleans, LA 70163**  
**MINUTES**  
**June 08, 2023**

**I. Roll Call/Call to Order/Confirmation of posting of notice and agenda**

The roll was called at 9:44am with present: Drs. Heitmeier, Avallone, Wroten, LaPoint and Mr. Dale Benoit. Absent board member Dr. Gerald Gerdes. Also present were board counsel Mr. AJ Herbert, III, Public Guests/OAL Members.

Declaring a quorum was present, Dr. Heitmeier called the meeting to order.

**II. Adoption of Agenda**

The agenda was approved/adopted without amendment or objection. Passed unanimously.

**III. Approval of Minutes**

The minutes from 04/28/23 were previously distributed by email for review. No edits, amendments or objections were heard. Minutes approved unanimously.

**IV. Secretary's Report**

A. Finance and Budget Report

Dr. Avallone presented financial reports including a P&L statement, Balance Sheet, and Budget/Actual expense comparison through May 2023. All budget items are as expected except that the legal fees for 2022 were paid in 2023. There is an increase in website monthly cost from \$170/mo. to 200/mo.

B. License Activity –

- i. Renewals Ongoing – Most renewal completed, non-renewals will be eligible suspension on July 1, 2023, following notice, list forthcoming
- ii. Applicants/New Licensees – Applications for new license are being received. Currently approx 45, 27 completed, application deadline - June 15, 2023
- iii. Retirement – no new requests
- iv. Endorsement request – no new applications
- v. Inactive requests - no new requests
- vi. Hardship requests – Dr. Travis Jones
- vii. Request for Reinstatement following Disciplinary Action – TBD in Executive Session
- viii. Complaints – TBD in Executive Session

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C. Required Training

- i. Ethics Training – Dr. Avallone reported all members completed required training for 2022. Agreed to drop from future agenda items in 2023
- ii. Sexual Harassment Prevention – Dr. Avallone reported no members completed required training for 2023. Request for training link submitted.

**OLD BUSINESS**

**V. Louisiana Legislative Audit 2020/2021**

Dr. Avallone reported creating & sending the policy and procedures cited by the LLA as lacking during the 2020/2021 audits to all board members prior to the meeting following request from Dr. Wroten for discussion and adoption.

Procedures in operation since last year to correct LLA findings, not written or formally adopted by the board.

Motion to adopt the Policies & Procedures distributed to correct 2021 LLA findings (Wroten/Benoit) No objections - Passed unanimously (Exhibit A)

Dr. Heitmeier requests a letter to the LLA outlining corrective actions.

**VI. Telehealth - Rule status**

Mr. Herbert reports the Telehealth rule was being revised but there is pending legislation (SB 66) which will affect this rule by changing definitions and recommends a delay of the rule until legislation is cleared. No objections were heard regarding the delay.

**VII. Dispensing of Pharmaceuticals – Rule status**

Mr. Herbert reports the rule is submitted and is working to get the fiscal impact statement to begin the legislative promulgation process.

**VIII. CE Rule Status**

Waiting for the Governor to sign SB 210. When SB210 is signed then CE rule will need to come into compliance with the statute. Promulgation to continue.

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**IX. Alternate Route of Licensure (NBEO) – Rule Status**

Mr. Herbert reported the Rule is ready to submit. The board approves the rule with the addition of passage of TMOD requirement and state law exams which can be taken in Charlotte or Shreveport.

**X. State Board Exam/Dr. Lewis Contract Status**

Completed. Waiting for signatures

Will lump all cost of annual state exam to the LSBOE in annual fee to Dr. Lewis who will pay all individual costs of exam administration. Separate administration will be paid to Dr. Lewis at \$125/administration.

**XI. ARBO Contract Status**

Letter of understanding received from ARBO. Mr. Herbert to include in the state approved contract form. Dr. Avallone to communicate with Lisa Fennel regarding completion of contract.

**XII. CPA Contract Status**

Letter of engagement received from CPA. Mr. Herbert to include in the state approved contract form. Dr. Avallone to communicate with CPA regarding completion of contract.

**XIII. Executive Director Status**

Now with approved 04/28/2023 minutes, Mr. Herbert will send a letter to the AG and BOE requesting review of Secretary contract with consideration of the Secretary as voting board member.

**NEW BUSINESS**

**XIV. Senate Bill 210**

Dr. Avallone pointed out that some terminology included in SB210 stated that CE may be obtained from any “nationally accredited organization” with no reference to optometry or eyecare. Dr. Wroten suggested that the rules should address the proper subject matter of allowed CE. The new board member shall be a minority member not including gender. The public board member must represent the minority consumer population.

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**XV. NBEO Letter**

A rebuttal to the Canadian opinion letter. No action needed.

**XVI. Corneal Crosslinking Question**

Question presented by licensee – Is Cross-linking within the Scope of Louisiana Optometry? Motion (Wroten/Avallone) to find Corneal Collagen Cross-linking is within the scope of Louisiana Optometry. No objections. Passed Unanimously.

Mr. Herbert will respond after receiving suggestive verbiage from Dr. Avallone that Corneal cross-linking is indeed within the scope of Louisiana Optometry.

**XVII. Board Exam Question**

Can a candidate who has passed all Parts of the NBEO exam except the TMOD sub-section of Part II be allowed to take the Louisiana Optometry State Board Examinations? The board was addressed by license candidate Dr. Andrew Khong. Dr. Avallone and Mr. Herbert pointed out the Provisions in the law and rule addressing the issue. To be addressed in Executive Session.

**EXECUTIVE SESSION**

**Motion (Heitmeier/Wroten) – No objections (Entered 10:44 am)**

**XVIII. Litigation:**

**A. By OAL v Heitmeier, et al No C-729018 19th JDC State of Louisiana**

**B. By LSBOE v OAL et al No. C-729434 19th JDC State of Louisiana**

**XV. Complaints**

**A. Complaints & Investigation of complaints**

**i. Ongoing**

**ii. New**

**B. Reactivation requests**

**C. Request for Reinstatement from Prior Disciplinary Action**

**EXECUTIVE SESSION – (Exited 11:29am)**

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**XVI. Report on Items Discussed in Executive Session**

- Mr. Herbert reports with respect to Complaints –
  - Against Dr. HL, response sufficient
    - Motion (Wroten/ Benoit) to dismiss, No objection, Pass unanimously
  - Against Dr. BG, response reports patient has received SRx
    - Motion (Benoit/Wroten) to dismiss as resolved, No objection, Pass unanimously
  - Against Dr. DS, the board will seek a response from Dr DS
- Mr. Herbert reports with respect to Guidance –
  - Corneal Cross-Linking – within scope of Louisiana Optometry
  - Optical ownership in Louisiana – No Optometry license required; Valid Rx needed to legally fill Rx
  - Contact Lens insertion - No Optometry license required to insert, insertion may be delegated by licensed provider
- Mr. Herbert reports with respect to State Board Testing –
  - Following review of previous LSBOE opinions, having a failure of any part of the NBEO exams a candidate for licensure in Louisiana may not take the Louisiana State Board exam until successful completion of all required Parts and sub-sections of the NBEO exams.

Motion (Heitmeier/LaPoint) to accept the report by Mr. Herbert of items discussed in Executive Session. No objection, Pass unanimously

**XVII. Public Comment**

No comments received

**XIX. Opening/Counting of District 1 Nomination Ballots**

Dr. Avallone reports sending 163 ballots out. 6 requests for reissued ballots. 43 ballots returned with nomination. Only one nomination accepted from each optometrist.

**Nomination Received**

Jarrett Johnson	7
Shelly Anastasio	12
Breanne Magee	4
Keith Sehon	8
Henry Carter	1
David Heitmeier	3
Jeff Anastasio	5

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Chris Wroten	1
Jennifer Moncada	1
Terrill McGinn	1
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	43

Top three names which will be reported to the Governor for appointment to the LSBOE representing District 1 are:

**Shelly Anastasio**  
**Keith Sehon**  
**Jarrett Johnson**

**XX. Next Meeting**

Board members agreed that the next meeting will be scheduled for July 14-15, 2023  
August meeting availability will be August 11 or 18, 2023

**Adjourn**

Meeting adjourned at 12:15pm

\_\_\_\_\_  
Gary Avallone, O.D.  
Secretary LSBOE

\_\_\_\_\_  
Gerald "Jerry" Gerdes, O.D.  
President LSBOE

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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**Exhibit A**

**ADMINISTRATIVE PROCEDURES**

**Budget**

***Preparing the Budget:***

1. The LSBOE Secretary is responsible for preparing an annual budget.
2. The LSBOE Secretary should work closely with accounting and board members to provide realistic budget targets. Procedures to provide realistic budget targets might include:
  - Developing a budget “calendar” with timelines and deadlines for budget completion,
  - Analyzing trends of revenue sources and considering whether budgetary increases/decreases are warranted.
  - Using a side-by-side comparison, analyze current year line-item expenditures to identify costs that can be reduced or eliminated and those that may increase.
3. Total proposed expenditures (including other financing uses) must not exceed the sum of total estimated revenues (including other financing sources) plus beginning fund balance.
4. The LSBOE Secretary must complete the budget, submit it to the board.

***Adopting the Budget:***

1. The LSBOE Board must adopt the budget using a resolution passed in an open meeting.
2. The LSBOE Secretary is also responsible for retaining copies of the adopted budget, budget adoption instrument, budget amendments, supporting schedules, and correspondence relating to the budget.
3. If, at the end of any fiscal year, the budget has not been adopted by the LSBOE, then only 50% of last year’s final adopted budget is deemed to be appropriated for the current year. This 50% limitation continues until a new budget is adopted

***Monitoring the Budget:***

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1. The LSBOE Secretary must notify the LSBOE Board when revenues and expenditures, including other sources and other uses, of the General Fund and special revenue funds are estimated to exceed the 5% thresholds. The official must also notify the governing if the beginning fund balances fail to meet estimated beginning fund balances by 5% or more, if the fund balances are being used to fund current year expenditures.
2. If the General Fund had a negative unrestricted beginning fund balance, the LSBOE Board should evaluate management's adherence to the formal plan to eliminate the negative unrestricted fund balance.
3. As a best practice, the LSBOE Secretary report budget-to-actual comparisons for the General Fund, special revenue funds, and any other large funds (including proprietary and fiduciary funds) to the LSBOE Board on a regular basis.

***Amending the Budget:***

Once the LSBOE Board has been notified of a 5% variance (see Monitoring the Budget above) or a change in operations upon which the original budget was developed, the LSBOE must amend the budget. The amendment must be adopted at a public meeting after publication of the agenda and amendments to the adopted budget must be done through ordinance (motion or resolution).

**Bank Reconciliations**

Reconciling the bank balances with the book balances is necessary to ensure that (1) all receipts and disbursements are recorded by the LSBOE (an essential process in ensuring complete and accurate monthly financial statements); (2) checks are clearing the bank in a reasonable time; (3) reconciling items (errors, unrecorded deposits and checks, etc.) are



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appropriate and are being recorded; and (4) the reconciled cash balance agrees to the general ledger cash balance.

R.S. 10:4-406(d)(2) allows the entity thirty days to examine bank statements and canceled checks for unauthorized signatures or alterations. After thirty days, the entity is precluded from asserting a claim against the bank for unauthorized signatures or alterations.

As a small entity with limited personnel, it is not possible to have an employee with no receipts/disbursements functions to reconcile the bank statements. Therefore, the bank statements are received unopened by the LSBOE Secretary or designated board member for review then transferred to the board CPA. Then, bank statements and related canceled checks and validated deposit tickets will be reviewed and reconciled timely to the book balances.

The board CPA will complete preparation of monthly bank reconciliations and bank reconciliations will be made available for board review/approval and documented in the minutes as well as maintained as part of the Board's accounting records.

Appropriate action will be taken on all bank accounts including outstanding items more than six months.

### **Collections Control**

The following policies and procedures regarding internal controls, adequate segregation of duties including maintaining detailed accounting records bank deposits and reconciliation are put in place to maintain best practices. The LSBOE has placed emphasis on developing internal controls over revenue collections and implementing segregation of duties.

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- All payments received via checks will be logged and deposit completed within 2 days of receipt.
- All fees charged will be verified with an approved appropriate fee scheduled.
- The Board's CPA will conduct a formal review process to ensure collections match expected income and deposits which will be reviewed by the Secretary and another designated board member.

### Purchasing

- LSBOE is to implement controls to ensure that purchases are (1) reasonable and necessary; (2) budgeted; (3) documented and approved; (4) received and safeguarded; and (5) used solely for the public purposes/functions of the LSBOE.
- LSBOE is to implement a system that requires certain documentation to be generated. Documentation is to include the following:
  - Invoice – documentation/evidence from the vendor of the services or materials provided to the LSBOE.
  - Approval – verification by both the Secretary and LSBOE President or other board member in the absence of the LSBOE President (e.g., initials and date) that documentation is present to support the payment and the amount owed is correct.
- Related party transactions are strictly prohibited (i.e., transactions with any individual(s) or business that is “related” to a LSBOE official or employee).
- LSBOE must always provide an open and competitive atmosphere and ensure that written bids/quotes are solicited for purchases (including recurring purchases) that exceed the applicable dollar thresholds provided in the *Louisiana Public Bid Law*.
- Bid documentation (e.g., solicitation letters, advertisements, bids/quotes, tabulation sheets, minutes, etc.) demonstrating such compliance is to be maintained and filed in an organized manner.

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- For purchases to be made under an existing state contract, the board must formally acknowledge that the LSBOE is bypassing the requirements of the Public Bid Law and is adopting the requirements of the *Louisiana Procurement Code* (R.S. 39:1551 – 1755) to make such purchases. LSBOE must monitor and ensure that such purchases are made in compliance with those requirements.
- For “piggyback” purchases (i.e., LSBOE makes a purchase using another agency’s contract), LSBOE must obtain documentation from the other agency that clearly demonstrates the contract was previously bid on and is a viable contract. The price paid by the LSBOE must be the same as the contract’s bid price.
- For purchases/contracts made under the *request for proposals* (RFP) method, LSBOE must establish appropriate scoring criteria and maintain documentation of its evaluations.
- Purchases/procurements related to homeland security must be made from the federal General Services Administration (GSA) supply schedules. LSBOE is required to ensure strict compliance with all applicable GSA requirements.

#### **Non-payroll Disbursements**

- All disbursements are to be made by electronic payment or check. Cash payments are prohibited.
- The accounts payable/disbursement function is to be centralized in the LSBOE office and be under the supervision of the LSBOE Secretary.
- The supply of blank/unused checks is to be maintained under restricted access to only authorized personnel.
- The Secretary LSBOE is to sign all LSBOE checks. However, a designated board member is to be given the authority to sign checks in the absence of the Secretary LSBOE.
- The Secretary LSBOE and board President are to document their review and approval to pay on all invoices or by both signatures on any issued checks.
- All documentation (e.g., invoice, check stub, electronic record) supporting a disbursement should be attached together and be maintained in the LSBOE office.

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- Travel reimbursements will be paid in accordance with established policies and procedure.
- The LSBOE President or a board member appointed by the LSBOE President will review disbursements according to the bank statement, bank reconciliations and journal entries, and changes to vendor records in the accounting system.

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**Contracts**

1. Formal written contracts should be prepared for public works, materials/supplies, and professional services.
2. Prior to entering into a contract or renewing a contract, the LSBOE should perform a needs assessment that includes: (1) identifying goals and objectives; (2) exploring possible alternatives to contracting to meet the identified goals and objectives; and (3) comparing costs and benefits associated with alternatives to contracting against the costs and benefits of contracting. The needs assessment should be documented in writing and maintained in the file with the contract document.
3. Public Bid Law is not required for professional service contracts, but the LSBOE should establish whether professional service fees are reasonable. Once a vendor is selected, the criteria for selecting the vendor should be documented in the contract file.

***Standard Terms and Conditions:***

1. Contract terms and conditions should be clearly stated and in the best interests of the LSBOE, and include the following:
  - Specific goods/services to be performed and costs;
  - Timing of service delivery;
  - Period covered by the contract;
  - Clearly defined performance standards and measurable outcomes;
  - How vendor performance will be evaluated/monitored;
  - If and how the contract may be amended (change orders) within the scope of the contract or terminated; and
  - Consequences for failure to meet contract requirements.

***Legal Review***

Prior to execution, the LSBOE legal advisor should review all contracts and change orders for compliance with applicable laws and entity policies. Evidence of legal review should be documented and maintained in the contract file.

***Approval Process***

Contract documents should be approved by the full board and recorded in meeting minutes and be reviewed, signed, and dated by either the LSBOE President, LSBOE Secretary

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and/or other appropriate parties and maintained on file at the LSBOE office. Any amendments to the contract should be allowable under the original contract terms and should also be in writing and signed by all applicable parties.

***Monitoring Process***

1. The LSBOE will maintain a master list of all active contracts that includes the following for each contract (multiple contracts with the same vendor should be treated as separate contracts):

- Vendor's name and contact information;
- Starting date of the contract;
- Ending date of the contract;
- Type of services to be received;
- Cost of the services; and
- Employee responsible for monitoring the contract terms and conditions (i.e. contract manager)

2. For each contract (including change orders), the LSBOE should designate a contract manager with the authority and knowledge to monitor the contract and related project/service. The contract manager should be accountable for (1) tracking budgets, (2) comparing invoices and charges to contract terms, (3) verifying and accepting/rejecting deliverables, (4) withholding vendor payment until deliverables are met, (5) approving invoices, (6) maintaining all documentation supporting payments to the vendor, and (7) closing out the contract. The contract manager should also communicate the status of each contract for management to update its master contract list for presentation at regular board meetings.

3. The LSBOE should also periodically review contract documentation maintained by the contract manager to ensure that the contract manager is following related LSBOE policies and procedures.

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4. Payments to vendors should only be made after verifying that the related goods or services have been received or performed in accordance with the terms of the contract.
5. Once a contract has been closed, the LSBOE should perform a post-contract evaluation to assess compliance with laws and LSBOE policies. Any deficiencies should be addressed with the contract manager

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**ETHICS POLICY**

All LSBO Board members & Employees will be required to take the [State of LA Ethics Training](#) annually and submit the completion certificate to the LSBOE Secretary. No employee of the LSBOE shall use or authorize the use of leave time, facilities, equipment, or supplies for private gain or advantage to oneself or any other private person or group without the permission of the LSBOE Board. All LSBOE vehicles and equipment are for official use only. No person other than a LSBOE employee may operate a LSBOE vehicle or piece of machinery. Drivers must have a valid Louisiana driver's license and be approved by the LSBOE Administrator and Department Head to operate said vehicle or machinery.

In elections for local offices, LSBOE employees are not allowed to engage in the following activities:

1. Become a candidate for or campaign for an elective office;
2. Directly or indirectly solicit, receive, collect, handle, disburse, or account for assessments, contributions, or other funds for a candidate for office;
3. Organize, sell tickets to, promote, or actively participate in a fundraising activity of a candidate for Office;
4. Take part in managing the political campaign for a candidate for an Office;
5. Solicits votes in support of or in opposition to a candidate for Office;
6. Act as a clerk, watcher, challenger, or similar officer at the polls on behalf of a candidate for an Office;
7. Drive voters to the polls on behalf of a candidate for Office.
8. Endorse or oppose a candidate for an Office in a political advertisement, broadcast, campaign literature, or similar material;
9. Address a rally or similar gathering of supporters or opponents of a candidate for an Office;
10. Initiate or circulate a nominating petition or recall petition for a candidate for an Office;  
or
11. Wear campaign buttons, pins, hats, or other similar attachments, or distribute campaign literature supporting or opposing a candidate for Office.

*\*\*\*NOTE\*\*\* Nothing in this policy is intended to prohibit any LSBOE employee from privately expressing his or her political views or from casting his or her vote in all elections.*

**GENERAL PROHIBITIONS (R.S. 42:1111 - 1121)**

NOTE: The following is a synopsis of some of the key provisions of the Code of Governmental Ethics. It is only a summary. For the official text of the provisions described



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below and for the text of other provisions of the Code, including information relative to exceptions to these general restrictions, refer to the Code at LSA R.S. 42:1101 et seq.

**A. 1111A** - Receipt of a thing of economic value from a source other than the governmental entity for the performance of official duties and responsibilities.

**B. 1111C(1)(a)** - Receipt of a thing of economic value for the performance of a service substantially related to public duties or which draws on non-public information.

**C. 1111C(2)(d)** - Receipt of a thing of economic value by a public servant for services rendered to or for the following:

- (1) persons who have or are seeking to obtain a contractual or other business or financial relationship with public servant's agency;
- (2) persons who are regulated by the public servant's agency; or
- (3) persons who have substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duties.

These same restrictions apply to the public servant's spouse and to any legal entity in which the public servant exercises control or owns an interest in excess of 25%.

**D. 1115** - Solicitation or acceptance of a thing of economic value as a gift from any of the persons listed in C, above; however, the restrictions against the receipt of gifts from persons regulated by a public employee's agency or from persons who may be substantially affected by his performance or nonperformance, or his official duty applies only to "public employees" and not to elected officials. In addition, elected officials are not allowed to solicit or accept anything of economic value from paid lobbyists or their employers.

**E. 1115.1** - Giving of food and drink valued at over \$50 per single event to a public servant by one of the persons listed in C or A above; however, this restriction does not apply to a gathering held in conjunction with a meeting of a national or regional organization or a statewide organization of government officials or employees, or to a public servant of a post-secondary education attending a private fundraiser for the post-secondary institution.

**F. 1111E** - Receipt of a thing of economic value for assisting someone with a transaction with the agency of the public servant.

**G. 1112** - Participation by a public servant in a transaction involving the governmental entity in which any of the following persons have a substantial economic interest:

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- (1) the public servant;
- (2) any member of his immediate family;
- (3) any person in which he has an ownership interest that is greater than the interest of a general class;
- (4) any person of which he is an officer, director, trustee, partner, or employee;
- (5) any person with whom he is negotiating or has an arrangement concerning prospective employment;
- (6) any person who is indebted to him or is a party to an existing contract with him and by reason thereof is in a position to affect directly his economic interests.

An **elected official** may participate in the debate and discussion of a matter which could violate this provision, but only if he discloses the nature of the conflict on the record of his agency prior to his participation in the debate and discussion, and prior to any vote taken on the matter. The elected official is not allowed to vote on the matter and he must recuse himself. R.S. 42:1120.

**Appointed members of boards and commissions** may recuse themselves to avoid a violation of Section 1112. Unlike elected officials, they may not participate in the debate or discussion of the matter. They must recuse themselves from all participation. R.S. 42:1112D.

**H. 1113** - Bidding on, entering into, or being in any way interested in any contract, subcontract or other transaction under the supervision or jurisdiction of the public servant's agency. This restriction also applies to the immediate family members of the public servant and to legal entities in which the public servant and/or his family members own an interest in excess of 25%.

- Modification of the rule for appointed members of boards and commissions prohibits, not only bidding on or entering into to such contracts, subcontract and transactions, but also being "in any way interested" in them; also, reference to an interest exceeding 25% is changed to reference legal entities in which the public servant or immediate family members have a "substantial economic interest."

- Modification applicable to legislators prohibits a legislator, certain executive branch officials, their spouses or legal entities in which either owns an interest from entering into a contract or subcontract with any branch, agency, department or institution of state government, with a few exceptions.

**I. 1116** - A public servant's use of the authority of his office to compel or coerce a person to provide himself or someone else with a thing of economic value that they are not entitled to by law or the use of the authority of his office to compel or coerce a person to engage in political activity. Also, a regulatory employee is prohibited from participating in any way in

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the sale of goods or services to persons regulated by his agency, if a member of his immediate family or if a business enterprise in which the regulatory employee or members of his immediate family own in excess of 25%, receives or will receive a thing of economic value by virtue of the sale.

**J. 1117** - It is prohibited for a public servant or other person make a payment, give, loan, transfer, or deliver or offer to give, loan, transfer or deliver a thing of economic value to a public servant when the public servant is prohibited by the Ethics Code from receiving such a thing of economic value.

**K. 1119** – Nepotism

- Members of the immediate family of an agency head may not be employed in the agency.
- Members of the immediate family of a member of a LSBOE Board or the chief executive of a governmental entity may not be employed in the governmental entity. The term “LSBOE Board” includes parish councils, police juries, school boards, town councils, boards of aldermen, etc.
- Note that the application of this restriction is not affected by whether the agency head, chief executive or LSBOE Board member has authority over or actually participates in the hiring decision - such family members are simply ineligible for employment.
- Exceptions:
  - a. persons employed in violation of this rule continuously since April 1, 1980;
  - b. a person employed for one year prior to their family member becoming an agency head;
  - c. employment of a school teacher who is a member of the immediate family of the superintendent or a school board member as long as the family member is certified to teach. Annual disclosure is required and forms are available from the Ethics Administration Program office. Pursuant to Act 1349 of the 1999 Regular Legislative Session, if the required disclosure is not timely filed, a late fee assessment of \$50 per day, with a maximum penalty of \$1,500, may be imposed;
  - d. employment as a health care provider, of an immediate family member of a hospital service district board member or of a public trust authority board member as long as the hospital service district or the public trust authority has a population of less than 100,000 and the family member is a licensed physician or a registered nurse. Annual disclosure is required and forms are available from the Ethics Administration Program office. Pursuant to Act 1349 of the 1999 Regular Legislative Session, if the required disclosure is not timely filed, a late fee assessment of \$50 per day may be imposed, with a maximum penalty of \$1,500, or people employed as volunteer firefighters.

**LOUISIANA STATE BOARD OF OPTOMETRY EXAMINERS**  
**909 Poydras St. Suite 1400, New Orleans, LA 70163**  
**MINUTES**  
**June 08, 2023**

**L. 1121-** Post Employment

- During the two-year period following the termination of public service as an agency head or elected official, these individuals may not assist another for compensation, in a transaction, or in an appearance in connection with any transaction involving their former agency nor may they render any service on a contractual basis to or for their former agency.
- During the two-year period following the termination of public service as a board or commission member, these individuals may not contract with, be employed in any capacity by, or be appointed to any position by that board or commission. The Board has interpreted “board or commission” to include a collective body that shares responsibility for its actions. This would include school boards, police juries, boards of aldermen, a group of selectmen, a council, etc.
- During the two-year period following the termination of public service as a public employee, these individuals may not assist another for compensation, in a transaction, or in an appearance in connection with a transaction involving the agency in which the former public employee participated while employed by the agency nor may the former public employee provide on a contractual basis to his former public employer, any service he provided while employed there.