

**STATE BOARD OF EXAMINERS OF OPHTHALMIC DISPENSERS
AND OPHTHALMIC TECHNICIANS
PUBLIC SESSION MINUTES
MARCH 11, 2009**

The March meeting of the Board was convened in accordance with its notice to the Secretary of State, the Bergen Record, the Record of Hackensack, the Trenton Times, the Courier Post and the Star-Ledger and was conducted in accordance with the provisions of the Open Public Meetings Act.

President Cohen convened the meeting at 10:00 a.m. A roll call was taken and the following attendance was recorded for these minutes:

PRESENT: Linda Cohen, Joseph Grodman, Michael Higgins, Gary Iavarone, Jerry McMullian, and John Valeri, Esq.

EXCUSED OR ABSENT: NONE

PUBLIC ATTENDEES: NONE

Also in attendance: Dorcas K. O'Neal, Executive Director, Susan Berger, Deputy Attorney General, and Monica Carrington, staff.

I. APPROVAL OF PUBLIC MINUTES

The Board reviewed the Public Session Minutes for January 14, 2009. On a motion by Jay McMullin, seconded by Michael Higgins, the Minutes were unanimously approved as submitted.

II. OLD BUSINESS

NONE

III. APPRENTICE MATTERS

a. The Board reviewed a letter from Brian Thomas, Coordinator of the Ophthalmic Science Department at Raritan Valley Community College regarding the recent conference call presentation of the Commission on Opticianry Accreditation with Ellen Stoner and concerns that the Board office is referring students seeking educational opportunities only to J. Sargent Reynolds in Virginia. It was the consensus of the Board to advise Mr. Thomas that the conference call was conducted in Public Session and was open to the public. Also the Board will advise Mr. Thomas that the Board office does not refer callers to schools but it does answer specific questions when the information is known.

b. The Board reviewed a list of COA Contributors as informational. The Board directed staff get the names of other states which are accredited by the COA.

c. The Board reviewed a letter from Matilde Rivera requesting an excused absence for the March 2009 examination to care for her mother and stepfather. On a motion by Jay McMullin seconded by Joseph Grodman, the Board unanimously granted an excused absence due to serious family health issues.

IV. STATUTES AND REGULATIONS

a. The Board reviewed the legislative summary report as informational. b. The Board reviewed Assembly, No. 3765 - which establishes an 18-month moratorium on promulgation of new administrative rules and issuance of new policy letters by State agencies. It was the consensus of the Board to oppose this regulation as written as it inhibits its ability to function and to protect the health, safety, and welfare of the consumers of the State.

V. NEW BUSINESS

- a. The Board reviewed the Division of Law billing as informational.
- b. The Board reviewed the FY2009 Budget Report - 1st half and would like Darlene Kane to attend the next meeting to discuss a possible credit for the 2010-2011 renewal period.
- c. The Board reviewed a newspaper article titled "Shop web for eyewear savings." It was the consensus of the Board to draft a notice advising that ophthalmic dispensing is a regulated profession in the State of New Jersey. No person not licensed to practice medicine or optometry in this state shall directly or indirectly, for himself or others, do or engage in any act or practice specifically prohibited to duly registered ophthalmic dispensers and technicians. The purpose of the Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians is to protect the health, safety and welfare of the consumers of the State and it advises consumers to use the professional services of licensed ophthalmic dispensers.
- d. The Board reviewed the Annual Opticians Association of America State leadership Conference as informational.

VI. OTHER BUSINESS

There being is no other business to come before the Board in Public Session, on a motion by Gary Iavarone seconded by Michael Higgins the Public Session was adjourned and the Board convened in Executive Session for the purpose of receiving counsel, to review two consumer complaints and one matter of new business.

The Board reconvened in Public Session. The next scheduled meeting is May 13, 2009. There being no other business to come before the Board, on a motion made and seconded the meeting was adjourned at 2:00 p.m.

Respectfully submitted,

Dorcas K. O'Neal
Executive Director