

**STATE BOARD OF EXAMINERS OF OPHTHALMIC DISPENSERS
AND OPHTHALMIC TECHNICIANS
PUBLIC SESSION MINUTES
April 20, 2005**

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

Acting President Linda Cohen convened the meeting at 9:00 a.m. A roll call was taken and the following attendance was recorded for these minutes.

PRESENT: Theodore Bucon
Michael Higgins
Gary Iavarone
Joseph Grodman
Jerry McMullian
John Valeri, Esq.
Linda Cohen, Acting President

ABSENT: Jane Kenny

Public Attendees: Peter Geotz, President of the OANJ; Phil Lehr, Vice President of the OANJ; Michael Della Pesca and Frank Giammanco, from Quantum Learning Group.

Also in Attendance: Dorcas K. O'Neal, Executive Director; Tobey Palan, Deputy Attorney General; Bernadette Ambercrombie, Linda Goba and Monica Carrington, Staff.

I. APPROVAL OF MINUTES

The Board reviewed the Public Session Minutes of March 9, 2005. Redactions were made as follow: Page 3, Section V; line 12 after submitted inert this matter was moved to Executive Session and delete the last sentence. On a motion by Ted Bucon seconded by John Valeri, the Board unanimously approved the minutes as submitted.

II. OLD BUSINESS

a. Fiscal Year 2005 Budget - Darlene Kane attended the Public Session meeting to discuss possible fee increase. Ms. Kane explained that the Board of Ophthalmic Dispensers and Technicians is not collecting enough revenue to support itself. The last fee increase was 1992 (13 years ago). She also explained that the Board's expenses include: DAG assistance; Enforcement and administration all of which are NOT General Fund supported. Ms. Kane advised the Board that a vote on the fee increase would be necessary for the next Board meeting. This matter will be reagendaized for further discussion.

III. APPRENTICE MATTERS

a. A letter was submitted by Janine Velez requesting a waiver of her apprenticeship while completing two classes for her dispenser license. She is currently licensed as a Technician. On a motion by Joseph Grodman seconded by Jay McMullian, the Board unanimously determined that due to the time passed during the initial apprenticeship that she must complete four months of apprenticeship, providing that she submits proof of enrollment in the two classes needed to complete the ophthalmic dispensers program.

b. A letter was submitted by Marisol Reyer-Grasso stating that she has completed the required courses for the certificate program and several courses toward the associates degree and requested permission to sit for the

September 2005 dispensers examination. On a motion by Ted Bucon seconded by Jay McMullian, Ms. Reyes must complete the required courses for the associates degree and four month apprenticeship or based upon proof of completion and passing of the 30 credit hours prior to date of the exam she may be eligible to sit for the September 2005 examination.

c. Joan (DeAmicis) Allen requested to be reinstated as a apprentice ophthalmic dispenser. On a motion by Jay McMullian seconded by John Valeri, it was the consensus of the Board to advise Ms. Allen that she must submit a current apprentice application and start a four month apprenticeship anew.

d. Wendy Taylor requested an excused absence for the March 2005 examination. She stated that no documents were mailed to her. Staff advised the Board that no application or fee was received from Ms. Taylor, therefore, she was not added to the examination list. On a motion by John Valeri seconded by Ted Bucon, it was the consensus of the Board, deny her request for an excused absence and to allow Ms. Taylor to sit for the September 2005 dispensers examination. She may not renew her Temporary License.

e. Janelle Silvera requested an extension of her apprenticeship, as she was unable to enroll for school in January 2005 due to early labor. On a motion by John Valeri, seconded by Ted Bucon, the Board granted the extension, but she must submit proof of enrollment, as soon as possible.

f. Joseph Picillo requested an excused absence from the March 2005 examination due to flu like symptoms. On a motion by Michael Higgins seconded by Gary Iavarone, the Board unanimously determined to grant an excused absence for the March 2005 examination but must sit for the September 2005 examination. Further, he must not work with the public and he has three (3) more opportunities to sit for the examination.

g. Joseph Zampella submitted a letter stating that he is ineligible to sit for the March 2005 examination due to educational requirements. On a motion by John Valeri seconded by Joseph Grodman and extension will be granted until he passes the proper classes. He will be eligible and must sit for the next exam (9/05).

h. Kathryn Viti is requesting an excused absence from her March 2005 QT examination due to medical reasons. On a motion by Jay McMullian seconded by John Valeri an excused absence was granted.

IV. LEGISLATION/REGULATION

a. The Board reviewed the Guild of Prescription Opticians of New Jersey, Inc. was reviewed in conjunction with the recodification commencing with apprenticeship. The next review begins on page 15 at N.J.A.C. 13:33-1.4. This matter was reagendaized.

b. The Board reviewed the Senate Bill A458 - Permits the incorporation of Ophthalmic Dispensers and Technicians N.J.S.A. 39:3-10c (Motor Vehicle Statute) as informational.

c. The Board reviewed the Sunset regulations: Ophthalmic Dispenser: definition; scope of practice as informational.

d. Sunset Regulation: APPRENTICESHIPS. This matter will be reagendaize for further review.

V. NEW BUSINESS

a. The Board reviewed the changes in governing procedures and guidelines for the National Committee of State Opticianry Licensing Board in Arkansas as informational.

b. The Board reviewed the Board of Optometrists Regular Session Minutes for January 12, 2005 as informational.

c. The Board reviewed the Board of Optometrists Regular Session Agenda for March 16, 2005 as informational.

d. The Board reviewed the Division of Law Billing as informational.

VI. ELECTION OF OFFICERS

Executive Director O'Neal opened the floor for nominations for President. John Valeri nominated Linda Cohen. There were no other nominations. Ted Bucon closed the nominations. On a unanimous vote, Linda Cohen was elected President.

Executive Director O'Neal opened the floor for nominations for Secretary. John Valeri nominated Michael Higgins. There were no other nominations. Ted Bucon closed the nominations. On a unanimous vote, Michael Higgins was elected Secretary.

Executive Director O'Neal opened the floor for nominations for Treasurer. Michael Higgins nominated Joseph Grodman. There were no other nominations. Ted Bucon closed the nominations. On a unanimous vote Joseph Grodman was elected Treasurer.

VII. PUBLIC COMMENT

Michael Della Pesca and Frank Giammanco, CEO of Quantum Learning Group addressed the Board. Mr. Della Pesca advised the Board that notice of participants included a statement that a certificate of completion is not a substitution for licensure. He also invited the Board to attend the sessions on April 30, 2005.

Peter Goetz, President of OANJ and Phil Lehr, Vice President of the OANJ congratulated the new members of the Board and offered support in any future endeavors in which the Board may need.

There being no other business to come before the Board in Public Session, on a motion by John Valeri, seconded by Mike Higgins the meeting was adjourned. The Board convened into Executive Session for the purpose of receiving counsel, to review one consumer complaint, to review two inspections reports, to review three matters in new business and to review four matters involving old business.

The Board reconvened in Public Session. The following disciplinary actions were taken in Executive Session.

DISPLINARY ACTIONS

a. I/M/O Amanda D'Oliveira - Consent Order, for Unlicensed Practice. Mrs. D'Oliviera's was assessed a penalty of \$5,000.00. An initial payment of \$250.00 was received upon filing the signed Consent Order with a payment plan of \$250.00 each month until balance is paid in full.

The next scheduled meeting will be held on May 11, 2005. There being no other business to come before the Board in Public Session, the meeting was adjourned at 4:00 p.m.

Respectfully submitted,

Dorcas K. O'Neal
Executive Director