

**STATE BOARD OF OPHTHALMIC DISPENSERS AND  
OPHTHALMIC TECHNICIANS  
ESSEX CONFERENCE ROOM, 7TH FLOOR  
PUBLIC SESSION MINUTES  
MAY 24, 2006**

The May 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 Meeting Act.

President Cohen convened the meeting at 9:00 A.M. A roll call was taken and the following attendance was recorded for this meeting.

**PRESENT:**

Linda Cohen Jane Kenny  
Michael Higgins Joseph Grodman  
Gary Iavarone John Valeri

**ABSENT:** Jerry McMullin

Also in attendance: Dorcas K. O'Neal, Executive Director, Bernadette Abercrombie, Deiettre Hinton, William Perry and Kathleen Griffith, Staff.

**I. APPROVAL OF MINUTES**

a. The Board reviewed the Public Session Minutes for March 8, 2006. Redactions were as follow: under attendance delete the "u" and replace "a" in the name of Jane Kenny; delete "e " in the name of John Valeri and Page "2", Item 5 (a), place a period (.) after "highlights"; end the sentence. Delete items 1 thru 4. On a motion made by Joseph Grodman, seconded by Gary Iavarone, the Board unanimously approved the minutes as redacted.

**II. OLD BUSINESS**

There were no items of old business

**III. APPRENTICE MATTERS**

a. I/M/O OSCAR ALBUQUERQUE -The Board reviewed a letter from Mr. Alberquerque requesting to be excused from the March 2006 examination due to financial reasons. On a motion made by Board member Joseph Grodman, seconded by Board member Michael Higgins, the Board unanimously approved the appearance of Mr. Albuquerque for a hearing at the June 14, 2004 meeting to ascertain his place of employment and to establish his status as an apprenticeship.

b. I/M/O LESLY MORENCY - The Board reviewed a letter from Ms. Morency requesting to be excused from the March, 2006 examination, because she did not complete the educational requirements. On a motion made by Board member Gary Iavarone, seconded by John Valeri the Board unanimously approved the request and granted an excused absence. Ms. Morency must sit for the September 19 -20, 2006 examination. Ms. Morency will be so advised.

c. I/M/O JULIE MAGYAR - The Board reviewed a letter from Ms. Magyar requesting that she be excused from the March 2006 examination as she did not complete the educational requirements. On a motion made by Board member Michael Higgins, seconded by Joseph Grodman, the Board unanimously approved the request and granted an excused absence. Ms. Magyar must sit for the September 19-20, 2006 examination. Ms. Magyar will

be so advised.

d. I/M/O ANNA GORODISCHER - The Board reviewed a letter from Ms. Gorodisher requesting to be excused from the March 2006 examination because she did not feel prepared. On a motion made by John Valeri, seconded by Joseph Grodman the Board unanimously approved the request and granted an excused absence and Ms. Gorodischer must sit for the September 19-20, 2006 examination. Ms. Gorodischer will be so advised.

e. I/M/O RAYSA SIGLER-SHIVLEY - The Board reviewed a letter inquiring as to what steps she needs to take to continue her apprenticeship from May 2005, as she will be working for an ophthalmology practice. On a motion made by Gary Iavarone, seconded by John Valeri the Board unanimously approved that Ms Sigler-Shivley submit a new application in order to receive a new permit. Ms. Sigler-Shivley will be so advised.

f. I/M/O LEONARD CALVERT - The Board reviewed a letter from Mr. Calvert requesting an excused absence, as he does not have sufficient education credits. On a motion made by Michael Higgins, seconded by John Valeri the Board unanimously approved and granted an excused absence and Mr. Calvert must sit for the September 19 -20, 2006 examination. Mr. Calvert will be so advised.

NOTE: Records for apprentices, b, c, d and f, to be reviewed at the next meeting. REAGENDIZED

g.- Michelle Sullivan, Michelle Cugno and Joan Crowe, District Managers of Wal- Mart - Attended the public session of the May 24, 2004 meeting, with a list of questions from Angie Muldoon, Optical Compliance Manager, Wal-Mart as it relates to the scope of practice. The letter inquired as follows: (1) as to whether it is permissible for an apprentice to work at one location which does not have a lab and the apprentice works there part of the time (the rest the time he/she is at a location with a lab), can the apprentice perform other apprentice tasks at that location without a lab and still get credit for those tasks; (2) as to whether if an apprentice is at a location where he/she does not have a prefector, (sic) can he/she perform apprentice tasks even though he/she is not getting credit for performing those tasks; (3) as to when an optometrist, is an apprentice's prefector,(sic), is a lab still needed and (4) as to whether (licensed opticians, apprentice opticians , lay people) may perform vision screenings in the State of New Jersey. REAGENDIZED

The Board moved this matter to the Executive Session.

#### **IV. NEW BUSINESS**

a. I/M/O CHRISTOPHER SUCHOCKI - The Board reviewed a letter advising that licensee is opening a new business under a L.L.C. in two (2) phases. Phase I: distributing plano sunglasses and Phase II: Prescription eyewear. The L.L.C. will open after 5:00 P.M. during the week and over weekends.

The Board determined that more information is required regarding Phase II, specifically hours opened and location of business. On a motion by John Valeri, seconded by Gary Iavarone the Board unanimously approved an appearance by Mr. Suchocki for a hearing at the June 14, 2006 meeting. Mr. Suchocki will be notified.

b. The Board reviewed the FY 2006 Budget Report (1st half), as informational.

c. Meeting of the National Committee of State Regulatory Boards (NCSORB) - The Board reviewed a letter from Jon Bright which enclosed a dues statement, minutes of the January 28, 2006 meeting; minutes from the practical exam work session, the National practical exam job analysis survey that was voted on and approved by NCSORB Board and a CD.

Board member Higgins, attended the National Committee of State Opticianry Regulatory Boards (NCSORB) meeting and advised the Board that a Committee was formed to come up with a practical intermediate examination. He indicated that it is an ongoing process and the Committee is hiring a psychometrician or asking States that have a psychometrician to donate services to analyze the survey. Mr. Higgins stated that the examination is an intermediate examination designed to establish reciprocity between licensed/registered States. He stated that New Jersey has not officially agreed to be part of this National Examination. This examination will

not be replacing any State examinations, but it is an intermediate examination that has never been done at this level. The Committee will be looking for common threads from each State. The Board will be apprised of any developments regarding the examination.

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

e. I/M/O MAUI JIM - This matter was moved to Executive Session under Application Review.

## **V. LEGISLATION/REGULATION**

a. N.J.A.C. 13:33-7.1 Advertising (e) was amended at letter (g) all advertisement shall include, for at least one ophthalmic dispenser working at the business. On a motion made by John Valeri, seconded by Michael Higgins, the Board unanimously approved the amendment.

b. The Board reviewed the Legislation Report for the Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians, as informational.

There being no other business to come before the Committee in Public Session, on a motion by Jerry McMullin, seconded by Joseph Grodman, th Public Session was adjourned and the Board moved into Executive Session for the purpose of receiving counsel, to review three (3) items of old business, four (4) consumer complaints, two (2) advertisements and to review one (1) application.

The Board reconvened in Public Session. The next scheduled meeting is June 14, 2006. There being no other business to come before the Board, on a motion made by Michael Higgins, seconded by Joseph Grodman, the meeting was adjourned at 2:00 P.M.

Very truly yours,  
State Board of Ophthalmic Dispensers and Ophthalmic Technicians

Dorcas K. O'Neal  
Executive Director