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STATE BOARD OF EXAMINERS OF OPHTHALMIC DISPENSERS AND OPHTHALMIC TECHNICIANS

THOMAS R. CALCAGNI
Acting Director

PUBLIC SESSION MINUTES June 8, 2011

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The June 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 Michael Higgins convened the meeting at 9:00 a.m. A roll call was taken and the following attendance was recorded for these minutes:

PRESENT: Michael Higgins, Peter Goetz, Gary Iavarone, Jerry McMullin, and Norman Schleiffer

EXCUSED OR ABSENT: NONE

PUBLIC ATTENDEES: NONE

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

The Board adjourned the Public Session in order to hold examination reviews.

The Board held examination reviews for the March 2011 examination from 9:00 a.m.-10:00 a.m. There were 7 candidates to schedule a review and 5 candidates attended the examination review.

The Board reconvened in Public Session to complete the Public Agenda.

I. APPROVAL OF MINUTES FOR MAY 11, 2011

The Board reviewed the Public Session Minutes for May 11, 2011. **On a motion by Gary Iavarone, seconded by Norman Schleiffer, the minutes were unanimously approved as submitted.**

II. OLD BUSINESS

- a. The Board reviewed a letter of appeal from Anthony Casile, III who submitted an application for apprentice ophthalmic dispenser permit along with transcripts from Rochester Institute of Technology for Board approval.

The Board advised Mr. Casile that his educational institution was not approved by the Commission of Opticianry Accreditation, therefore he was not eligible for an apprentice ophthalmic dispenser. The Board reviewed course descriptions from Rochester Institute of Technology and a email from Debra White, Director of Accreditation for the Commission of Opticianry Accreditation, who advised the Board that RIT was a lab tech certificate program that was accredited by COA. **On a motion by Norman Schleiffer seconded by Jay McMullin the Board reaffirmed its decision that Mr. Casile may apply for a apprentice technician permit but is not eligible for an ophthalmic dispenser permit as the educationsl requirement has not been met. Mr. Casile will be so advised.**

III. APPRENTICE MATTERS

- a. Examination Review from 9:00 a.m. - 10:00 a.m.

IV. NEW BUSINESS

- a. The Board reviewed an application from Nicole Stuhreck for Temporary Permit to practice as an Ophthalmic Dispenser along with transcripts from Broward College in Ft. Lauderdale, Florida for Board approval. **On a motion by Gary Iavarone seconded by Jay McMullin, the Board approved her application for a temporary permit.**

V. STATUTES AND REGULATIONS

- a. The Board reviewed Proposed Amendment to N.J.A.C. 13:33-1.5 Supervision of apprentice ophthalmic dispensers and technicians which states that an apprentice shall not have management authority over his or her supervising preceptor. **On a motion by Jay McMullin, seconded by Gary Iavarone the Board unanimously approved the amendment as proposed.**

VI. OTHER BUSINESS/INFORMATIONAL

VII. PUBLIC COMMENT

NONE

There being is no other business to come before the Board in Public Session, on a motion by Gary Iavarone seconded by Joseph Grodman, the Public Session was adjourned and the Board convened in Executive Session for the purpose of receiving counsel, to review one criminal history background result and nine matters of old business.

The Board reconvened in Public Session. The following disciplinary actions are being reported.

DISCIPLINARY ACTIONS

I/M/O Cesar Pajares - The Board conducted a investigative inquiry for information on a flagging for criminal history summary report for a positive criminal history for Cesar Pajares, who is being reported as a registered sex offender. Mr. Pajares was offered a Consent Order stipulating that his employer must monitor him around minors; that the employer must be pre-approved by the Board; that he must submit quarterly reports of his progress in therapy; that he must submit a copy of the evaluation from May 16, 2011; and finally that a \$5000.00 penalty be assessed and stayed for violation of N.J.S.A. 45:1-21(f) for acts involving moral turpitude. **A Consent Order was signed and filed on June 8, 2011.**

The next scheduled meeting is July 13, 2011. There being no other business to come before the Board, on a motion by Jay McMullin and seconded by Gary Iavarone, the meeting was adjourned at 12:00 p.m.

Respectfully submitted,

Dorcas K. O'Neal
Executive Director