

**STATE BOARD OF EXAMINERS OF OPHTHALMIC DISPENSERS
AND OPHTHALMIC TECHNICIANS
PUBLIC SESSION MINUTES
JUNE 13, 2007**

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, Trenton Times, Courier Post and Star-Ledger and was conducted in accordance with the provisions of the Open Public Meetings Act.

President Cohen convened the meeting at 9:15 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 McMullin, Jane Kenny and John Valeri, Esq.

EXCUSED OR ABSENT: NONE

PUBLIC ATTENDEES: Phil Lehr, Opticians Association of New Jersey

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

I. APPROVAL OF PUBLIC MINUTES

The Board reviewed the Public Session Minutes for May 16, 2007. On a motion by Gary Iavarone, seconded by Jay McMullin, the minutes were unanimously approved as submitted.

II. OLD BUSINESS

a. The Board reviewed minutes of the National Committee of State Regulatory Boards which met on January 27, 2007. On a motion by Joseph Grodman seconded by John Valeri, the Board unanimously determined that it is not within the Board's budget to send a representative to the NCSORB meetings, therefore it will not renew its membership this year. b. The Board reviewed minutes of the National Committee of State Opticianry Regulatory Board National/Regional Practical Exam Work Session of January 26, 2007, as informational. c. The Board reviewed the National Committee of State Regulatory Board - Profit & Loss Statement January-December, 2006 as informational.

III. APPRENTICE MATTERS

a. The following candidates attended the meeting for exam review:

Lisa Ganzaroli Elayne Wilder Tracey Siegel
Patrick Scully Raul Cruz Chris Tait
Lydia Czapek Michael Benjamin Jennifer Kresefsky
LeighAnn Eisen Willian Moffitt Maikel Filobos
David Mandel Kathleen Bauman Marcy Malc
Sergio Feliciano Cathy Gilligan Naum Brekhman

The following people requested to be scheduled for the review but did not appear:

Marianne Salati Suany Castro Grishma Desai

IV. LEGISLATION/REGULATION

a. The Board reviewed proposed amendment N.J.A.C. 13:33-5.5 Scope of Practice (Vision Screening) On a motion by Jay McMullin seconded by Joseph Grodman, the Board unanimously approved the proposed regulation for publication in the New Jersey Register. b. The Board reviewed the proposed amendment N.J.A.C. 13:33-5.1 Record of Prescriptions filled. It was the consensus of the Board to table this matter until the next meeting. Reagendized. c. The Board reviewed proposed amendments N.J.A.C. 13:33-8.8 Fee Schedule and Subchapter 9, Registration of Out-of-state contact lens sellers. On a motion by Gary Iavarone, seconded by Michael Higgins, the Board unanimously approved the amendments to have out-of-state vendors comply with the FTC regulation, when registering in the State of New Jersey to be published in the New Jersey Register. d. Proposed Amendments: N.J.A.C. 13:33-5.1 and 7.1 Record of Preceptor filled and Advertising were published in the New Jersey Register for June 4, 2007 with a 60 day comment period ending August 3, 2007.

V. NEW BUSINESS

a. The Board reviewed the Division of Law Billing statement as informational.
b. The Board reviewed the Board of Optometrist Regular Session Agenda for May 9, 2007 as informational.
c. The Board reviewed the Board of Optometrist Regular Session Minuted for March 21, 2007 as informational.
d. The Board reviewed an E-Mail from Michelle Thomas inquiring as to whether a license is required for an out-of-state manufacturer or distributor for ophthalmic drug products and devices which are not Controlled Dangerous Substances. It was the consensus of the Board to refer this inquiry to the Board of Pharmacy. Ms. Thomas will be advised of the referral.

VI. OTHER BUSINESS/LATE STARTERS

a. The Board reviewed an letter from Evelyn Magio regarding the requirement on filling a "Polycarbonate" prescription. It was the consensus of the Board to advise Ms. Magio that she must fill the prescription as written by the Optometrist.
b. The Board reviewed a letter from LeeAnn Clark TD-1988 requesting a refund for a branch license she alleges was never used. On a motion by Jay McMullin seconded by John Valeri, the Board unanimously voted to deny a refund as the license for the branch issued November 6, 2006.

There being no other business to come before the Board on a motion by Joseph Grodman and seconded by John Valeri the Public Session was adjourned and the Board convened in Executive Session for the purpose of receiving counsel to review four items of old business, two criminal background reviews, two consumer complaints, one inspection of premise and one item of other business.

The Board reconvened in Public Session. The next scheduled meeting is July 11, 2007. There being no other business to come before the Board, on a motion by Gary Iavarone seconded by Joseph Grodman the meeting was adjourned at 2:25 p.m.

Respectfully submitted,

Dorcas K. O'Neal
Executive Director