

STATE BOARD OF EXAMINERS OF OPHTHALMIC DISPENSERS
AND OPHTHALMIC TECHNICIANS
PUBLIC SESSION MINUTES
SEPTEMBER 10, 2008

The September 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 9:00 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: Jane Kenny

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 July 9, 2008. On a motion by Michael Higgins, seconded by Jay McMullin, the minutes were unanimously approved as amended.

II. OLD BUSINESS

a. The Board reviewed a letter from Joe DeZenzo, Associate Vice President Optical Development and Relations for LUXOTTICA Retail, thanking the Board for its time and consideration regarding the new distance learning associate degree program that is accredited by the Commission of Opticianry Accreditation. Also Luxottica would like confirmation that the Board will accept applicants for licensure who have obtained an associates degrees through distance learning. On a motion by Michael Higgins seconded by Gary Iavarone, the board will advise LUXOTTICA that the Board recognizes any educational facility that is approved by the Commission of Opticianry Accreditation. LUXOTTICA will also be informed that all students who are registered with the Board under an apprentice permit must sit for the Qualifying Technical examination. Mr. DeZenzo will be so advised.

III. STATUTES/LEGISLATION

a. The Board reviewed a summary of Assembly Bill A2735 - Prohibits employment and licensing background checks to go further than seven years under certain circumstances and Senate Bill S1815 - Requires legal action against certain licensed persons to be brought within two years. On a motion by Michael Higgins seconded by Jay McMullin the Board opposes Senate Bill S1815 based on the limitations as the Board wants to be fair and accurate for the consumer.

b. The Board reviewed assembly, No. 789 (Third Reprint) concerning the expiration date of certain professional and occupational licenses and registrations for certain members of the Armed Forces of the United States as informational.

IV. NEW BUSINESS

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

b. The Board reviewed an email from Barbara Wilson inquiring as to whether it would be illegal for Walmart Vision Center in Freehold, NJ to return her prescription. On a motion by Gary Iavarone seconded by John Valeri, the Board will advise Ms. Wilson that she is entitled to the original copy of her prescription.

V. OTHER BUSINESS

There being is no other business to come before the Board, on a motion by John Valeri seconded by Michael Higgins the Public Session was adjourned and the Board convened in Executive Session for the purpose of receiving counsel, to conduct five investigative inquiries, to review one advertisement, and three matters of old business.

The Board reconvened in Public Session. The next scheduled meeting is October 8, 2008. There being no other business to come before the Board, on a motion made and seconded the meeting was adjourned at 2:30 p.m.

Respectfully submitted,

Dorcas K. O'Neal
Executive Director