

**STATE BOARD OF EXAMINERS OF OPHTHALMIC DISPENSERS
AND OPHTHALMIC TECHNICIANS**

**PUBLIC SESSION MINUTES
OCTOBER 21, 2009**

The October 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, Michael Higgins, Joseph Grodman, Gary Iavarone, Jerry McMullin, and John Valeri, Esq.

EXCUSED OR ABSENT: NONE

PUBLIC ATTENDEES: **Robert Campanelli**, Joe Dezenzo, Luxottica Retail, Greg Bevelock, attorney for Luxottica, Todd Rupell, Optician, and Rick Striffolino

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 September 9, 2009. **On a motion by Joseph Grodman, seconded by Jay McMullin, the minutes were unanimously approved as amended.**

II. OLD BUSINESS

NONE

III. APPRENTICE MATTERS

- a. The Board reviewed a letter from Stacey Pier an apprentice alleging that she was wrongfully terminated by Walmart and requesting a letter stating that she did not break NJ statutes or regulations. **On a motion by John Valeri seconded by Jay McMullin, the Board unanimously determined that this is a personal litigation matter. Ms. Pier will be sent a letter so advising. The Board also recommends that Ms. Pier review the current statutes and regulations at <https://www.njconsumeraffairs.gov/medical/opththalmic.htm>.**

IV. STATUTES AND REGULATIONS/Chuck Manning

NONE

V. NEW BUSINESS

- a. The Board reviewed the meeting dates for calendar year 2010. **On a motion by Jay McMullin seconded by Joseph Grodman the meeting dates for 2010 were approved.**
- b. The Board reviewed the FY2009 Final Budget Report **as informational.**
- c. The Board reviewed the email from Thomas Blair "Hope is not a Plan" **as informational.**
- d. The Board reviewed an email from Lisa Hendi inquiring as to whether there are any Board regulations for on-line ordering of eyeglasses. **On a motion by Jay McMullin seconded by Michael Higgins, the Board unanimously determined to send Ms. Hendi a letter referring her to the NJ State Board website at <https://www.njconsumeraffairs.gov/medical/opththalmic.htm>. to review the current statutes and regulations.**

VI. PUBLIC COMMENTS

Richard Strifflino attended the Public Meeting to ask if the Board accepts educational credit from J. Sargent Reynolds Community College in VA. Mr. Strifflino states that he has been given different information. He also states that he was advised by a professor at Raritan Valley College that the online credits given at J. Sargent Reynolds would not be accepted as transfer credits at his institution. DAG Berger directed Board staff to forward a list of schools by the Commission on Opticianry Accreditation that are currently approved by the Board.

Joe DeZenzo, LUXOTTICA attended the Public Meeting and discussed the quality of education J. Sargent Reynolds provides to apprentice dispensers in the State of New Jersey. He ended by saying that if the Board had questions or concerns, he would be happy to answer.

Todd Rupell, an optician attended the Public Session meeting to see if Board had any questions regarding J. Sargent Reynolds and to support Joe DeZenzo.

Chairman Cohen thanked all public attendees for their comments.

There being is no other business to come before the Board in Public Session, on a motion by John Valeri seconded by Joseph Grodman the Public Session was adjourned and the Board convened in Executive Session for the purpose of receiving counsel, to hold two investigative inquiries, to review one consumer complaint, to review four criminal background results and two inspection of premises.

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

DISCIPLINARY ACTIONS

I/M/O Alan Traino TD-1537 - Respondent appeared before the Board in connection with a violation of N.J.A.C. 13:33-7.1(f) which states that licensees may advertise eye examinations provided they state that the examination is performed by an independent doctor of optometry or ophthalmologists. **Mr. Traino agreed to the terms of the Uniform Penalty Letter and was assessed a penalty of \$500.00.**

The next scheduled meeting is November 18, 2009. There being no other business to come before the Board, on a motion made and seconded the meeting was adjourned at 1:30 p.m.

Respectfully submitted,

Dorcas K. O'Neal
Executive Director

