



**New Jersey State Board of Ophthalmic Dispensers
and Ophthalmic Technicians Minutes
Public Session Minutes
December 11, 2002**

The November 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 Meetings Act.

Acting President Linda 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
Theodore Bucon
Michael Higgins
Robert Kubick
Norman Schleiffer
John Valeri, Esq.

ABSENT:

Robert Troast, President and Jane Kenny

Public Attendees:

NONE

Also in Attendance:

Dorcas O'Neal, Executive Director; Rhonda Pope Stephens, Deputy Attorney General; Linda Goba and Monica Perkins, Staff.

I. APPROVAL OF MINUTES

The Board reviewed the Public Session Minutes of November 13, 2002. **On a motion by Ted Bucon seconded by Norman Schleiffer the Board unanimously approved the minutes as submitted.**

II. OLD BUSINESS

a. The Board reviewed the memo from D.A.G. Sandra Dick regarding the Attorney General's Advice for 1-800-CONTACTS. DAG Dick advised that the original draft by former DAG Kathy Rohr is not finalized and may be

subject to change upon review by the Attorney General. She further advised that the Department of Law has been in contact with the Attorney Generals office to obtain approval. **The memo was accepted as informational.**

b. The Board reviewed a memo to file of Gregory York, an apprentice ophthalmic dispenser, written subsequent to the Board's determination to give a failure to Mr. York for non-attendance at the September 2002 examination. A review of the records show that Mr. York did not qualify to sit for the September 2002 examination. Therefore the failure is void.

III. APPRENTICE MATTERS

a. The Board held examination reviews for candidate who were not successful in passing one or more portions of the exam. The candidate who attended are as follow:

Sonia Luna	Brian Duchard	Kathy May
James Lynch	Phillip Rahal	Linda Falkenstein
Inna Medow	Shama Thariani	Michael Notare
Robert Rosenbaum	Joseph Schusitzky	Caren Stern
Melissa McGinley	Kelly Wilson	Damon Quigley
Pauline Kuria		

The following candidates scheduled a review but failed to appear:

Trelles Milagritos	Sarah Passero	Natalie Zafrani
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b. The Board reviewed a letter from Stewart Gursky, General Manager for Lenscrafters, Woodbridge, NJ inquiring as to whether Kathleen Shackley may continue to dispense or as an alternative take the Technicians examination. **On a motion by Robert Kubick seconded by Norman Schleiffer the Board voted to reagentized the matter upon receipt of additional information including but not limited to name of the school, number of credits, name of preceptor, and a review of Board records.**

Also the Board requested an undercover investigation for possible unlicensed practice at Lencrafters in Woodbridge.

IV. NEW BUSINESS

a. Fredric Gross TD-1339, would like to reinstate his license that expired more than 5 years ago. **On a motion by John Valeri seconded by Ted Bucon, the Board unanimously determined that Mr. Gross must sit for the State Board examination, pursuant to N.J.S.A. 52:17B-41.12.**

b. The Board reviewed the Division of Law Billing as **informational.**

c. The Board reviewed a letter from Mitchell Goodman, Senior Vice President of National Vision Inc. regarding the health Insurance Portability and Accountablity Act of 1996, and inquiring as to whether the Board is engaged in assisting its licensees for compliance. **It was the consensus of the Board to refer this matter to the Attorney General's office for review. The Board will also inform the Attorney General's office that the Board does not license establishments. The matter will be reagentized for updates.**

V. OTHER BUSINESS

a. The Board reviewed two news articles relative to a warning by the FDA regarding the distribution of non-corrective, decorative contact lenses without prescription and without proper fitting by an eyecare professional. **The Board recommended that these articles be sent to the Attorney General in support of the 1-800-CONTACTS matter.**

There being no other business to come before the Board in Public Session, on a motion by Michael Higgins seconded by Robert Kubick, the meeting was adjourned. The Board convened into Executive Session for the purpose of receiving counsel, to review one consumer complaint, to hold two investigative inquiries, and to review two matters involving old business.

The Board reconvened in Public Session. The following matter involving action taken in Executive Session is being reported.

VI. DISCIPLINARY ACTION

a. **I/M/O Ruth Resnick TD-2229** Uniform Penalty Letter N.J.A.C. 13:33-1.29(a) 4 - failure to initial records. In settlement respondent paid a \$750.00 penalty.

The next scheduled meeting will be January 8, 2003. There being no other business to come before the Board in Public Session, the meeting was adjourned at 3:00 p.m.

Respectfully submitted,

Dorcas K. O'Neal
Executive Director

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