

**New Jersey State Board of Optometrists  
Regular Session Minutes  
March 18, 2009**

A regular meeting of the New Jersey State Board of Optometrists was held at 124 Halsey Street, Newark on the 7th floor on Wednesday, March 18, 2009. Mitchell Fink, O.D., President of the Board, announced that pursuant to the Open Public Meetings Act notice of this meeting was prepared in the office of the Board and mailed out to the Secretary of State, the Attorney General, the Star Ledger, the Record, the Press of Atlantic City, the Asbury Park Press, and the Trenton Times. The meeting was called to order at 9:00 A.M. A roll call was taken and the following attendance was recorded:

PAUL BENT Present  
GIGETTE COLLAZO HARFST, O.D. Present  
RICHARD FAVREAU, O.D. Absent  
MITCHELL FINK, O.D. Present  
JOHN FLORIO, O.D. Present  
LEONARD STEINER, O.D. Present

Also present were: CARMEN RODRIGUEZ, Deputy Attorney General; LISA PETROWSKI, Executive Director

I. Public Comment

II. Approval of Regular Session Minutes

A. February 18, 2009

A motion was made by Dr. Harfst and seconded by Mr. Bent to approve the February 18, 2009 Regular Session Minutes as amended. A vote was taken and the motion carried by a unanimous vote.

III. New Business

A. Letter from Maria Labombarda, O.D.  
RE: Credentialing Course

Dr. Labombarda inquired whether Part II of the National Board of Examiners in Optometry was equivalent to the oral pharmaceutical credentialing course.

A motion was made by Dr. Harfst and seconded by Dr. Steiner to advise Dr. Labombarda that in order for an applicant to be eligible for licensure, the applicant must take and pass all sections of the examination given by the National Board of Examiners in Optometry pursuant to N.J.A.C. 13:38-3.5 and the Board cannot accept the oral pharmaceutical credentialing course in lieu of Part II of the National Board of Examiners in Optometry. A vote was taken and the motion carried by a unanimous vote.

B. Letter from Leah Kim, O.D.  
RE: Credentialing Course

Dr. Kim graduated from a college of optometry in June of 2005. Dr. Kim inquired whether she would be eligible to apply for an oral certification.

A motion was made by Dr. Harfst and seconded by Dr. Steiner to advise Dr. Kim that based upon the information she supplied, she would be eligible to apply for an oral certification. A vote was taken and the motion carried by a unanimous vote.

C. Assembly, No. 3765

(Synopsis - Establishes 18-month moratorium on promulgation of new administrative rules and issuance of new policy circular letters by State agencies.) - Introduced February 9, 2009

A motion was made by Mr. Bent and seconded by Dr. Steiner to advise the Division of Consumer Affairs legislative liaison that it opposes A-3765 as the 18 month moratorium will delay promulgating new rules for the protection of the public. It would also create a backlog at the end of the moratorium and the Board's first priority is the protection of the public. A vote was taken and the motion carried by a unanimous vote.

#### D. Continuing Education Credits

The Division of Consumer Affairs inquired from each professional board that requires licensees to complete continuing education credits whether the requirement was mandated by statute or by regulation. The Division of Consumer Affairs also inquired whether the number of continuing education credits required is a sufficient amount.

A motion was made by Mr. Bent and seconded by Dr. Harfst to advise the Division of Consumer Affairs that the Board of Optometrists requires 50 credits of continuing education biennially of each New Jersey optometrist holding an active license. The continuing education requirement is mandated by statute, N.J.S.A. 45:12-9.3, and the Board opined that 50 credits is a sufficient amount of continuing education credits for a licensee to complete during a biennial period. A vote was taken and the motion carried by a unanimous vote.

#### E. April 15, 2009 New Jersey State Board of Optometrists Meeting

A motion was made by Mr. Bent and seconded by Dr. Florio to cancel its April 15, 2009 meeting due to a lack of a quorum. A vote was taken and the motion carried by a unanimous vote.

### IV. For Your Information

#### A. Final Order of Discipline filed February 10, 2009 In the matter of Henry Parker, O.D.

The Board is in receipt of a Final Order of Discipline filed February 10, 2009 in the matter of Henry Parker, O.D. Dr. Parker's New Jersey optometric license was suspended on February 10, 2009 for violation of N.J.S.A. 45:1-21(e) and N.J.A.C. 13:45C-1.3(a)3 and 5 as he failed to timely cooperate with a Board investigation and failed to timely respond or report under oath to a complaint regarding his conduct.

#### B. New Jersey Board of Medical Examiners March 11, 2009 Open Board Agenda

The Board reviewed the New Jersey Board of Medical Examiners' March 11, 2009 Open Board Agenda and considered it informational.

#### C. New Jersey Board of Medical Examiners March 11, 2009 Open Agenda of Disciplinary Matters Pending Conclusion

The Board reviewed the New Jersey Board of Medical Examiners' March 11, 2009 Open Agenda of Disciplinary Matters Pending Conclusion and considered it informational.

#### D. New Jersey Board of Medical Examiners January 14, 2009 Open Minutes of Disciplinary Matters Pending Conclusion

The Board reviewed the New Jersey Board of Medical Examiners' January 14, 2009 Open Minutes of

Disciplinary Matters Pending Conclusion and considered them informational. Upon a motion made by Dr. Harfst and seconded by Dr. Florio, the Board voted to go into Executive Session to discuss the following matters involving investigations or violations of the Board's enabling act, the Uniform Enforcement Act and/or Board regulations.

1. Two matters filed with the board which requires review and additional recommendations with regard to investigations and/or actions.
2. Two matters where additional information has been submitted to the Board concerning pending investigations.

#### V. Adjournment

A motion was made by Dr. Harfst and seconded by Mr. Bent to adjourn the Regular Session Meeting at 2:00 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Lisa Petrowski  
Executive Director