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Regular Session Minutes

April 21, 2010

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A regular meeting of the New Jersey State Board of Optometrists was held at 124 Halsey Street, Newark on the 3rd floor on Wednesday, April 21, 2010. **Gigette Collazo Harfst, O.D., Vice 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 9:10 A.M. A roll call was taken and the following attendance was recorded:

CLARIBEL AZCONA-BARBER	Present
DANIEL DESRIVIERES, O.D.	Present
GIGETTE COLLAZO HARFST, O.D.	Present
MITCHELL FINK, O.D.	Excused
JOHN FLORIO, O.D.	Present

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

Members of the public: Howard Cooper, Executive Director of the New Jersey Society of Optometric Physicians

I. Public Comment

II. Approval of Regular Session Minutes

A. March 17, 2010

A motion was made by Dr. Desrivieres and seconded by Dr. Florio to approve the March 17, 2010 Public Session Minutes as amended. A vote was taken and the motion carried by a unanimous vote.

III. Board Review of New Jersey Administrative Code Title 13, Chapter 38 New Jersey State Board of Optometrists Subchapter 3. General Provision, Subchapter 4. Therapeutic Pharmaceutical Agents (TPA) Certification and Subchapter 5. Fee Schedule

The Board completed their review of Administrative Code Title 13, Chapter 38 New Jersey State Board of Optometrists Subchapter 3. General Provision, Subchapter 4. Therapeutic Pharmaceutical Agents (TPA) Certification and Subchapter 5. Fee Schedule for Sunsetting and made recommendations for additional language or clarification of existing language. The Board will review Administrative Code Title, Chapter 38 New Jersey State Board of Optometrists Subchapter 6. Records and Subchapter 7. Continuing Professional Optometric Education at its May 19, 2010 meeting.

IV. New Business

- A. Assembly, No. 2400 (Synopsis - Requires applications for certain professional and occupational licenses and certain registrations for controlled dangerous substance distribution to include information on applicant's membership in Armed Forces.) Introduced March 4, 2010

A motion was made by Mrs. Barber and seconded by Dr. Florio to advise the Division of Consumer Affairs legislative liaison that it supports A-2400. A vote was taken and the motion carried by a unanimous vote.

- B. Medco Pharmacy
RE: Prescriptions from Optometrists

The Board reviewed information concerning Medco Pharmacy refusing to fill a prescription written by an optometrist. The information also indicated that Medico Pharmacy subsequently filled the prescription.

A motion was made by Dr. Desrivieres and seconded by Dr. Florio to confirm that this matter has been resolved. A vote was taken and the motion carried by unanimous vote.

V. Old Business

- A. Response from David Glassco, O.D.
RE: TPA Certification

Dr. Glassco inquired whether he could be considered for a therapeutic pharmaceutical agent (TPA) certification to prescribe oral and topical medications based on his educational background. Dr. Glassco advised the Board that he did not take the oral credentialing course for New Jersey but has a license to prescribe oral medication in the State of Ohio and in the State of Illinois. Dr. Glassco also advised the Board that he has a controlled dangerous substance license and a DEA number.

In March, the Board asked Dr. Glassco to provide it with a copy of the syllabus of the course he completed in order to qualify for licensure to prescribe oral pharmaceutical agents in the State of Illinois.

Dr. Glassco provided the Board with the syllabus. After the Board reviewed the syllabus, a motion was made by Dr. Florio and seconded by Mrs. Barber to advise Dr. Glassco that the coursework he completed for Illinois is not substantially equivalent to the New Jersey credentialing course. The Board will further advise Dr. Glassco that he must take and pass the thirty (30) hour credentialing course in accordance with N.J.A.C. 13:38-4.3 and 4.4 in order to qualify to apply for a TPA certification to prescribe oral and topical medications. A vote was taken and the motion carried by a unanimous vote.

VI. For Your Information

- A. Senate, No. 1351 (Synopsis - Revises law concerning meetings of public bodies to provide greater public access to meetings and to information about meetings) Introduced February 8, 2010

The Board reviewed S-1351 and considered it informational.

- B. Assembly, No. 2456 (Synopsis - Eliminates salary for part-time members of certain boards, commissions, and independent authorities) Introduced March 4, 2010

The Board reviewed A-2456 and considered it informational.

- C. Notification from Patricia L. Sparks, O.D.
RE: Cessation of optometry practice

The Board reviewed a notification from Dr. Sparks concerning the cessation of her optometric practice and considered it informational.

- D. New Jersey Board of Medical Examiners
April 14, 2010 Open Board Agenda

The Board reviewed the New Jersey Board of Medical Examiners April 14, 2010 Open Board Agenda and considered it informational.

- E. New Jersey Board of Medical Examiners
April 14, 2010 Open Agenda of Disciplinary Matters Pending Conclusion

The Board reviewed the New Jersey Board of Medical Examiners April 14, 2010 Open Agenda of Disciplinary Matters Pending Conclusion and considered it informational.

- F. New Jersey Board of Medical Examiners
January 13, 2010 Open Board Minutes

The Board reviewed the New Jersey Board of Medical Examiners January 13, 2010 Open Board Minutes and considered it informational.

- G. New Jersey Board of Medical Examiners
January 13, 2010 Open Minutes of Disciplinary Matters Pending Conclusion

The Board reviewed the New Jersey Board of Medical Examiners January 13, 2010 Open Minutes of Disciplinary Matters Pending Conclusion and considered them informational.

- H. Letter from Debra C. Lienhardt, Esq. on behalf of the New Jersey Academy of Ophthalmology to William V. Roeder, Executive Director of the New Jersey Board of Medical Examiners RE: Optometry Scope of Practice

The Board reviewed a letter from the New Jersey Academy of Ophthalmology to the New Jersey Board of Medical Examiners regarding optometry scope of practice. The Board was copied on the letter and considered it informational.

- I. Letter from the New Jersey Foundation for Aging
RE: Notice to Licensees

The Division of Consumer Affairs is in the process of posting a link on its website to the New Jersey Foundation for Aging. The New Jersey Foundation for Aging will have information on their website concerning a new law to protect vulnerable senior citizens. The link will also be accessible from the New Jersey State Board of Optometrists website.

- J. Letter from the American Board of Clinical Optometry (ABCO)
RE: Board Certification

The Board reviewed a letter from the American Board of Clinical Optometry and considered it informational.

Upon a motion made by Dr. Desrivieres 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. Four matters filed with the board which require 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.

VII. Adjournment

A motion was made by Dr. Florio and seconded by Mrs. Barber 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 Affinito
Executive Director