

**New Jersey State Board of Optometrists
Regular Session Minutes
May 9, 2007**

A regular meeting of the New Jersey State Board of Optometrists was held at 124 Halsey Street, Newark on the 6th floor on Wednesday, May 9, 2007. Leonard Steiner, O.D., President of the Board, announced that pursuant to the Open Public Meetings Act, Chapter 321, P.L., 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
GORDON COMPTON Absent
RICHARD FAVREAU, O.D. Present
MITCHELL FINK, O.D. Present
JOHN FLORIO, O.D. Present
LEONARD STEINER, O.D. Present

Also present were: SUSAN H. GARTLAND, Executive Director; CARMEN RODRIGUEZ, Deputy Attorney General; LISA PETROWSKI, Assistant to the Executive Director.

I. Public Comment

II. Approval of Regular Session Minutes

A. April 18, 2007

A motion was made by Dr. Harfst and seconded by Dr. Florio to approve the April 18, 2007 Regular Session Minutes as amended. A vote was taken and the motion carried by a unanimous vote.

III. New Business

A. Letter from Michael Newman, O.D.
RE: New Jersey Healthcare Profile

Dr. Newman wrote the Board concerning his date of certification to dispense topical medications on the New Jersey Health Care Profile. Dr. Newman advised the Board that he was initially certified to dispense topical medications on February 17, 1993, but the New Jersey Health Care Profile indicates March 12, 2007 (the date he renewed his certification to dispense topical medications) as his certification date. Dr. Newman further advised the Board that he has a concern that the 2007 certification date may give the appearance that the optometrist is less experienced than if the actual initial date of certification was posted.

The Board will advise Dr. Newman that the certification date on the New Jersey Health Care Profile for each optometrist certified to dispense topical medications in New Jersey is the date that each optometrist renewed their certification. The New Jersey Health Care Profile also indicates the initial date of licensure of each optometrist which gives the consumer information as to how long an optometrist has been in practice in the State of New Jersey.

B. Letter from Sidney Albert, O.D.
RE: Continuing Education

Dr. Albert wrote the Board requesting a waiver of the continuing education requirement for this renewal (2007-2009) due to his and his wife's medical issues.

A motion was made by Mr. Bent and seconded by Dr. Harfst to deny Dr. Albert's request for a waiver of the continuing education requirement as Dr. Albert continued to practice full time. A vote was taken and the motion carried by a unanimous vote.

C. Letter from Michael Levavi, O.D.
RE: Continuing Education

Dr. Levavi wrote the Board requesting an extension to complete the 50 necessary continuing education credits for renewal as he was unable to complete the requirement due to his personal hardships. Dr. Levavi also advised the Board that he has had difficulty accessing some of this continuing education records due to his personal hardships.

A motion was made by Dr. Fink and seconded by Mr. Bent to grant Dr. Levavi a 60 day extension to complete the 50 continuing education credits necessary for renewal. The Board will also suggest that he contact the continuing education sponsors of the courses he took to reconstruct his records. The Board will also remind Dr. Levavi that it is the licensee's responsibility to maintain a record of all continuing professional optometric education activity completed pursuant to N.J.A.C. 13:38-7.6(a). A vote was taken and the motion carried by a unanimous vote.

D. Letter from Edward Campell, O.D.
RE: CPT Code

Dr. Campell wrote the Board and asked that it add CPT Code 92025 to its CPT Code list. A motion was made by Dr. Fink and seconded by Dr. Favreau to add CPT Code 92025 to the Board's CPT Code list as it is within the scope of optometry. A vote was taken and the motion carried by a unanimous vote.

E. Licensing

The Board discussed the possibility of its licensees having one license number instead of its licensees having a license and certification number. The one license number would have an identifier that would differentiate the level in which the optometrist is licensed to practice.

IV. Old Business

A. Response from Edward Cogan, O.D.
RE: Continuing Education

Dr. Cogan wrote the Board advising it that he had obtained 7.5 continuing education credits towards the 50 necessary for renewal and requesting a waiver of the remaining 42.5 continuing education credits due to his severe medical condition. Dr. Cogan did not supply the Board with a letter from his physician concerning his medical condition.

As the Board requested, Dr. Cogan provided it with a letter from his treating physician, Anil Ponnambalam, MD, as well as a notarized statement concerning the amount of time he has practiced optometry during the time he has been diagnosed and treated for his medical condition.

A motion was made by Dr. Fink and seconded by Dr. Favreau to grant Dr. Cogan a 90 day extension to complete the remaining 42.5 continuing education credits. The Board will also permit Dr. Cogan to obtain 30 of the 50 continuing education credits from internet and/or correspondence courses. A vote was taken and the motion carried by a unanimous vote.

VI. For Your Information

A. Notification from the New Jersey State Board of Ophthalmic Dispensers and Ophthalmic Technicians RE:

Cancellation of its May 9, 2007 meeting

The Board reviewed the notification of the New Jersey State Board of Ophthalmic Dispensers and Ophthalmic Technicians concerning the cancellation of its May 9, 2007 meeting and considered it informational.

Upon a motion made by Dr. Favreau and seconded by Mr. Bent, 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. One matter filed with the Board which requires review and additional recommendations with regard to investigations and/or actions.
2. Three 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 Dr. Favreau 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,
Susan H. Gartland
Executive Director