

**New Jersey State Board of Optometrists
Regular Session Minutes
June 17, 2009**

A regular meeting of the New Jersey State Board of Optometrists was held at 124 Halsey Street, Newark on the 6th floor on Wednesday, June 17, 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 9:10 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 AFFINITO, Executive Director and Jessica Murrey, Law Clerk

I. Approval of Regular Session Minutes

A. May 20, 2009

A motion was made by Dr. Harfst and seconded by Mr. Bent to approve the May 20, 2009 Regular Session Minutes as amended. A vote was taken and the motion carried by a unanimous vote.

II. New Business

A. Letter from Joseph Y. Bictricer, O.D.
RE: Request for a refund of the renewal late fee

Dr. Bictricer wrote the Board and asked for a waiver of the renewal late fee. Dr. Bictricer advised the Board that he had recently moved and received his renewal in May of 2009.

The Board noted that Dr. Bictricer contacted the Board office on May 19, 2009 to change his address. Pursuant to N.J.S.A. 45:12-8, "Every person practicing optometry in New Jersey shall notify the board in writing of any change of address or location of his office or offices at least 5 days prior to occupying said new office, returning therewith the appropriate registration renewal certificate or certificates and the board shall issue a new registration renewal certificate or certificates for the new office location or locations".

A motion was made by Dr. Steiner and seconded by Mr. Bent to deny Dr. Bictricer's waiver request. The Board opined that licensees were sent more than one notice to their address of record concerning the renewal as renewals were mailed to licensees in February of 2009 and a renewal reminder letter was mailed to licensees in April of 2009. Dr. Bictricer would have received these notifications if he had notified the Board of his address change pursuant to N.J.S.A. 45:12-8. A vote was taken and the motion carried by a unanimous vote.

B. Letter from Irene Lui, O.D.
RE: Request for a refund of the renewal late fee

Dr. Lui wrote the Board and asked for a waiver of the renewal late fee. Dr. Lui advised the Board that she had missed the renewal deadline by one day.

A motion was made by Mr. Bent and seconded by Dr. Florio to deny Dr. Lui's waiver request. A vote was taken and the motion carried by a unanimous vote.

C. Letter from Marisa Tanner
RE: Scope of Practice

Ms. Tanner inquired whether a New Jersey licensed optometrist could operate a laser machine for the purpose of medical aesthetic treatments.

A motion was made by Dr. Steiner and seconded by Dr. Harfst to advise Ms. Tanner that the use of a laser machine for the purpose of medical aesthetic treatments is not within the scope of practice of an optometrist licensed in New Jersey. A vote was taken and the motion carried by a unanimous vote.

D. Letter from Thanh Truong, O.D.
RE: Credentialing Course

Dr. Truong graduated from a college of optometry in May of 2005. Dr. Truong inquired whether he would be eligible to apply for an oral certification.

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

E. July 15, 2009 and August 19, 2009 New Jersey State Board of Optometrist Meetings

A motion was made by Dr. Steiner and seconded by Dr. Harfst to cancel its July 15, 2009 and August 19, 2009 meetings due to lack of a quorum. A vote was taken and the motion carried by a unanimous vote.

III. Adjournment

A motion was made by Dr. Harfst and seconded by Dr. Steiner 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