



**CHRIS CHRISTIE**  
Governor

**KIM GUADAGNO**  
Lt. Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
New Jersey State Board of Optometrists  
124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102



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### New Jersey State Board of Optometrists

#### Regular Session Minutes

**June 20, 2012**

**Mailing Address:**  
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A regular meeting of the New Jersey State Board of Optometrists was held at 124 Halsey Street, Newark on the 6<sup>th</sup> floor on Wednesday, June 20, 2012. **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 9:30 A.M. A roll call was taken and the following attendance was recorded and a quorum was present:

<b>DANIEL DESRIVIERES, O.D.</b>	<b>Present</b>
<b>GIGETTE COLLAZO HARFST, O.D.</b>	<b>Present</b>
<b>MITCHELL FINK, O.D.</b>	<b>Present</b>
<b>JOHN FLORIO, O.D.</b>	<b>Present</b>
<b>MICHAEL SIEGEL, O.D.</b>	<b>Present</b>

Also present were: **CARMEN RODRIGUEZ, Deputy Attorney General; LISA AFFINITO, Executive Director; Renee Clark, Executive Director; Francis Mateo, legal intern and Jason Ye, legal intern**

- I. Public Comment**
- II. Approval of Regular Session Minutes**

A. April 18, 2012

A motion was made by Dr. Harfst and seconded by Dr. Siegel to approve the April 18, 2012 Regular Session Minutes as amended. A vote was taken and the motion carried by a unanimous vote.

#### **III. New Business**

- A. Letter from Mark Horwitz, O.D.  
RE: Eyeglass Prescriptions

Dr. Horwitz inquired if an optometrist provides a patient with a pupillary distance measurement on their eyeglass prescription, is the optometrist liable in any way if the eyeglasses that the patient gets elsewhere, such as an internet source, do not perform as expected.

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A motion was made by Dr. Desrivieres and seconded by Dr. Florio to advise Dr. Horwitz that an optometrist is not required to include the interpupillary distance and height segment measurements on an eyeglass prescription. A vote was taken and the motion carried by a unanimous vote.

B. Letter from Kevin DeSimone  
RE: Prescriptions

Mr. DeSimone advised the Board that it was brought to his attention that there is a movement in New Jersey to pass a law or regulation that prescriptions cannot be changed in order to manufacturer with an "as-worn" prescription.

A motion was made by Dr. Harfst and seconded by Dr. Desrivieres to advise Mr. DeSimone that the Board is not aware of such proposed legislation. A vote was taken and the motion carried by a unanimous vote.

C. Information from the Association of Regulatory Boards of Optometry RE: Council on Optometric Practitioner Education (COPE) Accreditation for Continuing Education for maintenance of Licensure

The Board reviewed information from the Association of Regulatory Boards of Optometry regarding the Council on Optometric Practitioner Education (COPE) Accreditation for Continuing Education for maintenance of Licensure and considered it informational.

Upon a motion made by Dr. Harfst and seconded by Dr. Siegel, 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. A vote was taken and the motion carried by a unanimous vote.

D. July 18, 2012 and August 15, 2012 New Jersey State Board of Optometrists meetings

A motion was made by Dr. Harfst and seconded by Dr. Siegel to adjourn the Board's July 18, 2012 and August 15, 2012 due to a lack of a quorum. A vote was taken and the motion carried by a unanimous vote.

1. Four matters filed with the board which require review and additional recommendations with regard to investigation and/or actions.
2. Five matter where additional information has been submitted to the Board concerning pending investigations.

**IV. Adjournment**

A motion was made by Dr. Harfst and seconded by Dr. Siegel to adjourn the Regular Session Meeting at 2:30 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Lisa Affinito  
Executive Director