

**NEW JERSEY STATE BOARD OF OPTOMETRISTS  
REGULAR SESSION MINUTES  
SEPTEMBER 17, 2003**

A regular meeting of the New Jersey State Board of Optometrists was held at 124 Halsey Street, Newark on the 6th floor on Wednesday, September 17, 2003. 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:

GIGETTE COLLAZO, O.D. Present  
GORDON COMPTON Present  
MITCHELL FINK, O.D. Present  
JOSEPH SCHKOLNICK, O.D. Present  
LEONARD STEINER, O.D. Present  
LEONARD STRULOWITZ, O.D. Present  
RALPH WHITE 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. July 16, 2003**

A motion was made by Mr. Compton and seconded by Dr. Fink to accept the July 16, 2003 Regular Session Minutes as presented. A vote was taken and the motion carried by a unanimous vote.

## **III. New Business**

### **A. Division of Consumer Affairs State Board of Medical Examiners Presence of Chaperones Proposed New Rule: N.J.A.C. 13:35-6.23**

The Board reviewed the Division of Consumer Affairs State Board of Medical Examiners Presence of Chaperones Proposed New Rule: N.J.A.C. 13:35-6.23 from the July 21, 2003 issue of the New Jersey Register and considered it informational.

### **B. Licensure Application of Michael S. Soehnlen, O.D.**

The Board reviewed a letter from Michael S. Soehnlen, O.D. regarding a traffic violation that he had in 1990 and based on information supplied by the applicant it appeared as though there have been no further violations of this nature since that time. A motion was made by Dr. Schkolnick and seconded by Mr. Compton to approve Dr. Soehnlen for licensure in New Jersey as he has met all the licensure requirements. A vote was taken and the motion carried by a unanimous vote.

## **IV. Old Business**

## **A. Licensure Application of Dennis Miller, O.D.**

The Board reviewed information supplied by Dr. Miller concerning a resolved misdemeanor charge. A motion was made by Dr. Fink and seconded by Dr. Collazo to approve Dr. Miller for licensure in New Jersey as he has met all the licensure requirements and he has had no further violations of this nature. A vote was taken and the motion carried by a unanimous vote.

## **B. Letter from Joyes Abraham, O.D.**

**RE: Criteria and Definition of legal blindness in New Jersey**

**Pending from the July 16, 2003 meeting**

Dr. Abraham asked the Board for the criteria and definition of legal blindness for New Jersey. Carmen Rodriguez, D.A.G. will research this information and advise the Board at a future meeting.

## **C. Letter from James Stewart, O.D.**

**RE: Any willing provider laws**

Dr. Stewart advised the Board that he had concerns regarding a recent U.S. Supreme Court decision which would make it possible for individual States to enact and enforce any willing provider laws. The Board will advise Dr. Stewart that this matter is not within its jurisdiction and will forward his letter to the New Jersey Society of Optometric Physicians.

## **V. For Your Information**

### **A. Signed Assurance of Voluntary Compliance letters**

#### **1. James Stewart, O.D. - Signed AVC**

The Board is in receipt of a signed Assurance of Voluntary Compliance letter from James Stewart, O.D. for violation of N.J.A.C. 13:38-1.2(1) General advertising practices. An Assurance of Voluntary Compliance letter is a letter of warning with no disciplinary action taken against Dr. Stewart. The Board considers this matter to be concluded.

#### **2. Beth Schlein, O.D. - Signed AVC**

The Board is in receipt of a signed Assurance of Voluntary Compliance letter from Beth Schlein, O.D. for violation of N.J.A.C. 13:38-1.2(1) General advertising practices. An Assurance of Voluntary Compliance letter is a letter of warning with no disciplinary action taken against Dr. Schlein. The Board considers this matter to be concluded.

#### **3. Dennis Cardillo, Sr., O.D. - Signed AVC**

The Board is in receipt of a signed Assurance of Voluntary Compliance letter from Dennis Cardillo, O.D. for violation of N.J.A.C. 13:38-1.2(1) General advertising practices. An Assurance of Voluntary Compliance letter is a letter of warning with no disciplinary action taken against Dr. Cardillo. The Board considers this matter to be concluded.

## **B. Report from Vice President, Leonard Strulowitz, O.D.**

**RE: June, 2003 Association of Regulatory Boards of Optometry meeting**

The Board reviewed the Board Vice President's report on the Association of Regulatory Boards of Optometry annual meeting and considered it informational.

## **C. Letter from Joseph LaMountain, Vice President of Strategic Communications of Vision Council of America**

## **RE: Vision Screening**

The Board reviewed a letter from Vision Council of America regarding vision screening and considered it informational.

## **D. American Optometric Association's July 16, 2003 Bulletin**

The Board reviewed the American Optometric Association's July 16, 2003 Bulletin and considered it informational.

## **E. Letter from Joyce L. Urbeck, Administrative Director of the American Optometric Association RE: Report of the actions taken by the Accreditation Council on Optometric Education at its June, 2003 annual meeting**

The Board reviewed a letter from the American Optometric Association regarding the actions taken by the Accreditation Council on Optometric Education at its June, 2003 annual meeting and considered it informational.

## **F. Memorandum from the American Optometric Association**

### **RE: Call for comments on proposed change to length of accreditation and annual reporting process for professional optometric degree programs**

The Board reviewed a memorandum from the American Optometric Association regarding comments on proposed change to length of accreditation and annual reporting process for professional optometric degree programs and considered it informational.

## **G. Letter from Edward Tumminello, Chief of the Enforcement Bureau**

### **RE: Harvey B. Richman, O.D.**

The Board reviewed a letter from the Enforcement Bureau commending Dr. Richman's assistance and training seminar with office inspection investigators and considered it informational.

## **H. Notification from the New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians RE: Cancellation of its August 13, 2003 meeting**

The Board reviewed the notification from the New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians regarding the cancellation of its August 13, 2003 meeting and considered it informational.

## **I. Letter from Ralph Bellamy, Program Analyst of the Division of Practitioner Data Banks RE: Healthcare Integrity and Protection Bank**

The Board reviewed a letter from Ralph Bellamy, Program Analyst of the Division of Practitioner Data Banks regarding the data entry improvements to Healthcare Integrity and Protection Bank and considered it informational.

## **J. Letter from Patricia H. Kotyk-Zalisko, Esq.**

### **RE: Rule Change on Extension Orders**

The Board reviewed a letter from Patricia H. Kotyk-Zalisko, Esq. regarding rule change on extension orders and considered it informational.

## **K. Division of Consumer Affairs**

### **New Jersey State Board of Chiropractic Examiners**

### **Notice of Administrative Corrections**

### **Patient Records**

## **N.J.A.C. 13:44E-2.2**

The Board reviewed the New Jersey State Board of Chiropractic Examiners Notice of Administrative Corrections Patient Records N.J.A.C. 13:44E-2.2 from the September 2, 2003 issue of the New Jersey Register and considered it informational.

## **L. New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians's September 10, 2003 Agenda and June 18, 2003 Minutes**

The Board reviewed the New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians's September 10, 2003 Agenda and June 18, 2003 Minutes and considered it informational.

## **M. HR 2221 - Fairness to Contact Lens Consumers Act**

The Board reviewed Congressional Bill HR2221 (Fairness to Contact Lens Consumers Act) in the House of Representatives May 22, 2003. A motion was made by Dr. Fink and seconded by Dr. Collazo to advise the State representatives that the Board agrees with the statute in concept, however, the Board is against passive prescription verifications. The Board also suggests that the Bill require active verifications within 72 hours. A vote was taken and the motion carried by a unanimous vote.

## **N. Letter form Colleen and Michael Carroll RE: Michael McDermott, O.D.**

Mr. and Mrs. Carroll advised the Board that Dr. McDermott detected that their daughter had papilledema and referred them to the Will@s Eye Hospital where it was confirmed and treated. Mr. and Mrs. Carroll wanted to commend Dr. McDermott for his outstanding treatment of their daughter and prompt response which saved their daughter's vision. The Board will keep this letter in Dr. McDermott's licensee file.

## **VI. Adjournment**

A motion was made by Mr. Compton and seconded by Dr. Collazo to adjourn the Regular Session Meeting at 3:10 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Susan H. Gartland  
Executive Director

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