

**New Jersey State Board of Optometrists
Regular Session Minutes
October 19, 2005**

A regular meeting of the New Jersey State Board of Optometrists was held at 124 Halsey Street, Newark on the 6th floor on Wednesday, October 19, 2005. Mitchell Fink, 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 9:05 A.M. A roll call was taken and the following attendance was recorded:

GIGETTE COLLAZO, O.D. Present
GORDON COMPTON Absent
MITCHELL FINK, O.D. Present
JOHN FLORIO, O.D. Present
MAYOR JAMES GUIDA Present
JOSEPH SCHKOLNICK, 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. September 21, 2005

A motion was made by Dr. Collazo and seconded by Dr. Florio to approve the September 21, 2005 Regular Session Minutes as amended. A vote was taken and the motion carried by a unanimous vote.

III. New Business

A. New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians Proposed Amendments: 13:33-8.8, Fee Schedule published in the September 19, 2005 New Jersey Register

The Board reviewed the New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians Proposed Amendments: 13:33-8.8, Fee Schedule published in the September 19, 2005 New Jersey Register and considered it informational.

B. Memorandum from the Enforcement Bureau
RE: Prescription Blanks for Optometrists

The Board reviewed draft New Jersey Prescription Blanks for optometrists including prescription blanks for controlled dangerous substances. A motion was made by Dr. Collazo and seconded by Dr. Schkolnick to approve each of the draft New Jersey Prescription Blanks. A vote was taken and the motion carried by a unanimous vote.

C. January 18, 2006 New Jersey State Board of Optometrists Meeting

A motion was made by Mayor Guida and seconded by Dr. Steiner to change the January, 2006 meeting date from January 18, 2006 to January 25, 2006 due to lack of a quorum. A vote was taken and the motion carried by a unanimous vote.

IV. Old Business

A. New Jersey State Board of Optometrists Proposed Readoption with Amendments: N.J.A.C. 13:38 published in the October 3, 2005 New Jersey Register

The Board reviewed the Proposed Readoption with Amendments: N.J.A.C. 13:38 published in the October 3, 2005 New Jersey Register. The Board will review comments received after the comment period which ends December 2, 2005.

B. New Jersey State Board of Optometrists draft Proposed Amendments: N.J.A.C. 13:38-2.4; 3.5; 4.1 through 4.5; 5.1; 7.3 and 7.4

Danielle Swenson, Regulatory Analyst, met with the Board to review the draft amendment to N.J.A.C. 13:38-2.4. A motion was made by Dr. Steiner and seconded by Mayor Guida to approve the draft amendment to N.J.A.C. 13:38-2.4 which states,

"Each prescription for a controlled dangerous substance shall be written on a separate NJPB. 1. A NJPB that contains prescriptions for two or more controlled substances shall be invalid. 2. A NJPB that contains a prescription for only one controlled substance and contains other prescriptions(s) other than another controlled substance shall be valid".

A vote was taken and the motion carried by a unanimous vote.

V. For Your Information

A. Notification from the New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians RE: Cancellation of its October 12, 2005 meeting

The Board reviewed a notification from the New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians concerning the cancellation of its October 12, 2005 meeting and considered it informational.

B. Article, "Colored Contacts" in the September 21, 2005 issue of the Philadelphia Inquirer

The Board reviewed an article, "Colored Contacts" in the September 21, 2005 issue of the Philadelphia Inquirer and considered it informational.

C. Signed Settlement letter - Frank Barnes, Jr., O.D.

The Board is in receipt of a signed Settlement letter together with a money order in the amount of \$648.50 for violation of N.J.S.A. 45:1-21(e) Grounds for refusal to admit to examination or denial, suspension or revocation of any certificate, registration or license; definitions. The Board considers this matter to be concluded.

D. Signed Settlement letter - Ira Herman, O.D.

The Board is in receipt of a signed Settlement letter together with a money order in the amount of \$1000.00 for violation of N.J.S.A. 45:1-21(e) Grounds for refusal to admit to examination or denial, suspension or revocation of any certificate, registration or license; definitions and N.J.A.C. 13:38-6.1(f) Availability of records. The Board considers this matter to be concluded.

E. Signed Settlement letter - Richard Frankel, O.D.

The Board is in receipt of a signed Settlement letter for violation of N.J.S.A. 45:1-21(e) Grounds for refusal to admit to examination or denial, suspension or revocation of any certificate, registration or license; definitions and N.J.A.C. 13:38-2.1(a) Minimum examination; record of conditions.

VI. Adjournment

A motion was made by Dr. Collazo and seconded by Dr. Steiner to adjourn the Regular Session Meeting at 2:45 P.M. A vote was taken and the motion carried by a unanimous vote.

Respectfully submitted,

Susan H. Gartland
Executive Director