

**NEW JERSEY STATE BOARD OF OPTOMETRISTS
REGULAR SESSION MINUTES
DECEMBER 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, December 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 9:20 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 and CARMEN RODRIGUEZ, Deputy Attorney General.

I. Public Comment

II. Approval of Regular Session Minutes

A. November 19, 2003

A motion was made by Dr. Strulowitz and seconded by Dr. Collazo to accept the November 19, 2003 Regular Session Minutes as presented. A vote was taken and the motion carried by a unanimous vote.

III. New Business

A. Letter from the New Jersey Society of Optometric Physicians

RE: CPT Codes

The New Jersey Society of Optometric Physicians wrote the Board and asked whether CPT code 76514 could be added to the Board's approved CPT Code list as it will soon replace code 0025T. A motion was made by Dr. Collazo and seconded by Mr. Compton to add CPT code 76514 to the New Jersey State Board of Optometrists approved CPT Code list. A vote was taken and the motion carried by a unanimous vote.

B. Letter from Ronald Minsky, O.D.

RE: Reinstatement Fee

Dr. Minsky renewed his main office license but did not pay for his branch office license to be renewed. Dr. Minsky advised the Board that he paid for his TPA certification to be renewed at his branch office and believed that the check he submitted with his renewal was the correct amount to renew his main and branch office licenses. Dr. Minsky inquired whether the Board would waive the \$200.00 late fee/reinstatement fee for renewing his branch office license after the April 30, 2003 deadline.

A motion was made by Mr. Compton and seconded by Dr. Collazo to deny Dr. Minsky request to waive the \$200.00 reinstatement fee. A vote was taken and the motion carried by a unanimous vote.

C. Letter from Beverly C. Miller, O.D. and Anna DiGeso, O.D.

RE: Motor Vehicle Eye Standards

Dr. Miller and Dr. DiGeso inquired whether an optometrist is required to notify the Division of Motor Vehicle if a patient does not meet the Motor Vehicle standards or if the optometrist is required to only educate the patient and maintain patient confidentiality. A motion was made by Dr. Strulowitz and seconded by Dr. Fink to advise Dr. Miller and Dr. DiGeso that there is nothing in the the New Jersey State Board of Optometrists statutes and regulations that obligates an optometrist to report to Motor Vehicle that a patient does not meet their standards. The optometrist should educate the patient and document the patient's record. A vote was taken and the motion carried by a unanimous vote.

D. S-2793 (Synopsis-"Patient Safety Act"; establishes medical error reporting system and provides "Good Samaritan" protections to certain health care professionals.) Introduced December 4, 2003

A motion was made by Dr. Fink and seconded by Dr. Strulowitz to advise the legislative liaison that optometrists practice in small practice settings, therefore, this bill is probably not applicable to the optometric profession as a whole. A vote was taken and the motion carried by a unanimous vote.

IV. Old Business

A. 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.

B. Henry E. Parker, O.D.

RE: Explanation of answer on renewal

Pending from the July 16, 2003 meeting

This matter was tabled until the Board receives notification of the outcome of Dr. Parker's traffic violation.

V. For Your Information

A. American Optometric Association November 2003 Bulletin

The Board reviewed the American Optometric Association November 2003 Bulletin and considered it informational.

B. Memorandum from the American Optometric Association

RE: VA Bill Would Limit Optometrists' Practice Authority

The Board reviewed the Memorandum from the American Optometric Association regarding VA Bill which would limit optometrists' practice authority and considered it informational.

C. A Guide to the HIPAA Privacy Rule

The Board reviewed a guide to the HIPAA privacy rule and considered it informational.

D. Signed Certification - Robert Cole, III, O.D.

The Board is in receipt of a signed certification from Dr. Cole together with a money order in the amount of two hundred and fifty dollars (\$250.00) for violation of N.J.A.C. 13:38-1.2(l) General advertising practices. The Board considers this matter to be concluded.

E. Signed Certification - Michael Feinstein, O.D.

The Board is in receipt of a signed certification from Dr. Feinstein together with a money order in the amount of two hundred and fifty dollars (\$250.00) for violation of N.J.A.C. 13:38-1.2(l) General advertising practices. The Board considers this matter to be concluded.

VI. Adjournment

A motion was made by Dr. Collazo and seconded by Dr. Fink 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

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