

**STATE OF NEW JERSEY
DIVISION OF CONSUMER AFFAIRS
ORTHOTICS AND PROSTHETICS BOARD OF EXAMINERS
PUBLIC SESSION AGENDA
SEPTEMBER 26, 2006
(Hunterdon Conference Room, 6th Floor)
10:00 A.M.**

CALL TO ORDER

ROLL CALL

OPENING STATEMENT " Reading of the Sunshine Law "

MINUTES: JUNE 27, 2006 PUBLIC SESSION MINUTES APPROVAL.

I. RULES AND REGULATIONS

1. Orthotics and prosthetics Board of Examiners Continuing Education Adopted New Rule: N. J. A.C. 13:44H-6.3

The Board to discuss and work on implementation of Continuing Education requirements commencing with the 2007 renewal. See attached material

2. State Board of Physical Therapy Examiners - Readoption N.J.A.C. 13:39A Submitted to the Board for review is a copy of the publication of a proposed readoption with amendments: N.J.A.C. 13:39A for the State Board of Physical Therapy Examiners, which appeared in the July 17, 2006 issue of the NJ Register.

3. State Board of Medical Examiners - Proposal N.J.A.C. 13:35-10.8 Athletic Trainers Sexual Misconduct

Submitted to the Board for review is a copy of the publication of a proposed new rule: N.J.A.C. 13:35-10.8 for the State Board of Medical Examiners, which appeared in the July 17, 2006 issue of the NJ Register.

4. State Board of Chiropractic Examiners - Adoption N.J.A.C. 13:44E

Submitted to the Board for review is a copy of the publication of a proposed readoption with amendments: N.J.A.C. 13:44E for the State Board of Chiropractic Examiners, which appeared in the August 21, 2006 issue of the NJ Register.

5. State Board of Optometrists - Requirements for issuing Prescriptions and Dispensing of Medications; Requirements for Applications for Licensure:Therapeutic Pharmaceutical Agents (TPA) Certification; Fee Achedule; Continuing Education. Proposed Amendments: N.J.A.C. 13:38-2.4,3.5,4.1 through 4.4,5.1,7.3 and 7.4; Proposed Repeal and New Rule: N.J.A.C. 13:38-4.5

Submitted to the Board for review is a copy of the publication of a proposed amendment, repeal and New Rule stated above for the Board of Optometrist, published in the Monday July 3, 2006 issue of the NJ Register.

II CORRESPONDENCE

1. Artificial Eyes

Submitted to the Board for review and consideration is a letter/request for clarification on artificial eyes received from Freund Brothers-Ophthalmic Dispensing.

III OLD BUSINESS

1. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Opinion No. 06-02 RE: Durable Medical Equipment Suppliers/New Jersey Physicians.

At its June 27, 2006 meeting, the Board reviewed a letter Opinion No. 06-02 regarding two proposed programs to manage the delivery of durable medical equipment and orthotics to be offered to physicians. This opinion was received attached to an anonymous letter requesting the action of the Medical and Orthotics and Prosthetics Boards. Upon discussion, the board directed to each board member to produce an opinion and submit same to the office to assist Deputy Attorney General Michelle Weiner and Executive Director Anderson to draft a letter to be presented to the Medical Board.

Diligently Dr. Uustal submitted his opinion on June 28, 2006. Mildred Carlascio submitted her letter on August 6, 2006.

Both letter submitted to the Board for review and consideration.

2. Richard Bettini

Submitted to the Board for review is the following information forwarded by Deputy Attorney General Swang Oo with regards to Mr. Richard Bettini, an applicant for licensure.

At its March 2, 2005 meeting, the Board reviewed and denied the request for reconsideration of an application submitted initially in February 2005 as an orthotist under the grandfather provision by Mr. Bettini, since the grandfather provision had been expired since May 2003.

On August 4, 2006 Mr. Bettini filed a motion of appeal to the Board's decision before the Superior Court of New Jersey. On September 12, 2006 Mr. Bettini's appeal was denied and dismissed by the Superior Court of New Jersey.

IV. APPLICATIONS REVIEW