**Maine Board of Optometry**

**113 State House Station**

**Augusta, Maine 04333**

**MINUTES OF AUGUST 5, 2022**

**BOARD MEETING**

**CALL TO ORDER**: The meeting was called to order by Dr. Nadeau, O.D. at 9:01 a.m. Members present Paul Cote, O.D, Parise Chamberland, O.D, James Smith, O.D. and James Murphy, Public Member.

Others present Tina Carpentier, Office Specialist II, Elizabeth Stivers, Assistant Attorney, two citizen’s and one citizen listening remotely.

**OLD BUSINESS:**

Action on Minutes of May 5, 2022 Meeting: A motion was made by Dr. Cote, second by James Murphy to accept the minutes as written.

The motion passes 5 in favor and 0 opposed.

**NEW BUSINESS:**

Repeal and Replace Optometry Law (MOA comments): The Board discussed and reviewed the comments from the MOA. The Board made most of the recommend changes to the repeal and replace.

Rule Changes**:** The Board review the license fee changes to the rules. The rule change for license fee will have to wait until the repeal and replace of the law is passed. The excess some is $400 and will be changed to $600.00 once the repeal and replace of the law is passed. At that time the Board will submit the rule change for license fee from $380.00 to $490.00.

Disciplinary Supervisor report (Dr. Murray): The Board reviewed the 30 cases submitted by Dr. Murray’s Disciplinary Supervisor. After review and discussion, the board recommended that the staff file a complaint for unlicensed practice and set the matter for an informal conference.

A motion was made by Dr. Smith, second by Dr. Cote to have the staff file a complaint for unlicensed practice and set the matter for an informal conference.

The motion passes 5 in favor and 0 opposed.

Comment on proposed phase out of ACOE change policy and procedure: The Board reviewed the email dated July 22, 2022. Proposed phase out of ACOE Accreditation of Optometric Technician Program and Modification to the Substantive Changes Policy and Procedure.

No action was taken.

New Remote Meeting Policy (AAG): Betsy Stivers, AAG explained the new remote meeting policy to the Board.

AAG will prepare paperwork and the board will take action on the new policy at the November 4, 2022 meeting.

Letter from Tina Cagle-Optomap procedure: The Board reviewed the letter dated July 15, 2022.

The board stated that there is no State Law that patients have to have either your eyes dilated or the optomap procedure.

No motion taken

**COMPLAINTS:**

OPT-2022-18248: After presentation and discussion, a motion was made by Dr. Cote, seconded by James Murphy to dismissal for lack of violation of the Maine Optometry Laws and Rules.

The motion passes in 4 in favor and 1 abstained (Dr. Chamberland)

OPT-2022-18270: After presentation and discussion, a motion was made by Dr. Nadeau, seconded by James Murphy to offer a consent agreement with a censure and a civil penalty of $1,000.00.

The motion passes in 4 in favor and 1 abstained (Dr. Chamberland)

OPT-2022-18318: After presentation and discussion, a motion was made by Dr. Cote, seconded by Dr. Smith to dismissal for lack of violation of the Maine Optometry Laws and Rules.

The motion passes in 4 in favor and 1 abstained (Dr. Chamberland)

OPT-2022-18331: After presentation and discussion, a motion was made by Dr. Cote, seconded by Dr. Smith to dismiss the complaint once we receive all the paperwork and all signatures are signed and dated.

The motion passes in 4 in favor and 1 abstained (Dr. Chamberland)

OPT-2022-18452: After presentation and discussion, a motion was made by James Murphy, seconded by Dr. Smith to set up an adjudicatory hearing without the opportunity for a consent agreement.

The motion passes in 4 in favor and 1 abstained (Dr. Chamberland)

**PRESIDENT’S REPORT**: None

**SECRETARY’S REPORT:** Sponsor for the Board repeal and replace: Senator Jennifer Poirier will be running for re-election in November. She was our second sponsor to the Law.

I emailed her and she said she will still gladly sponsor the bill.

Budget for 2024-2025 is in process. I will add to the budget increase for Attorney fees, travel, and staff full time position.

Boards and Commission: They cannot find Dr. Hebert’s application, he sent in twice. I sent an email to Dr. Hebert asking if he could send me his application and I will personally bring it to the commission office.

Cell phone for home use.

**ADJOURNED:** A motion was made by Dr. Cote, seconded by Dr. Smith to adjourn the meeting at 10:48 a.m.

The next meeting will be held on November 4, 2022.

Respectfully submitted,

Tina Carpentier

Office Specialist II