**Maine Board of Optometry**

**113 State House Station**

**Augusta, Maine 04333**

**MINUTES OF MAY 6, 2022**

**BOARD MEETING**

**CALL TO ORDER**: The meeting was called to order by Dr. Nadeau, O.D. at 9:00 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 and ­­ three ­­­­­­­citizen’s listening remotely.

**OLD BUSINESS:**

Action on Minutes of February 17, 2022 Meeting: A motion was made by James Murphy, second by Dr. Cote to accept the minutes as written.

The motion passes 5 in favor and 0 opposed.

**NEW BUSINESS:**

Dr. Murray disciplinary supervisor assessment reports: The Board reviewed Dr. Murray email dated April 28, 2022 regarding the fully executed Consent Agreement and disciplinary supervisor assessment reports.

A motion was made by Dr. Cote, second by Dr. Smith to amend the consent agreement for Dr. Murray to have 30 assessment reports for August 5, 2022, 15 for November 4, 2022, and 15 for February 2023. Send copy of revised consent agreement to disciplinary supervisor.

The motion passes 5 in favor and 0 opposed.

2022 license renewals active subject to Board approval:

Stephanie Arnio: Short 1 hour for 2021; made up 1 hour in 2022.

Hanna Wood: Short 6 hours for 2021; made up 6 hours in 2022.

Eric Roush: Short 2 hours for 2021; made up 2 hours in 2022.

A motion was made by Dr. Smith, second by James Murphy to send a letter stating that the Board will approve the hours made up in 2022 for 2021 continuing education credits.

The motion passes 5 in favor and 0 opposed.

Dr. Thees late renewal: The Board reviewed the renewal form from Dr. Thees renewal on April 19, 2022, practicing without a license for 19 days.

A motion was made by Dr. Smith, second by Dr. Cote to file a complaint against Dr. Thees for practicing without a license and issue a consent agreement.

The motion passes 5 in favor and 0 opposed.

Dr. LaBree letter received 3/29/2022: Explanation regarding a recent settlement report from question on the renewal application Have you had any adverse judgment, settlement, or award arising from a professional liability claim? Dr. LaBree answered Yes.

No motion taken from the Board.

Dr. Grotton email dated 2/21/2022: The Board reviewed the email about adding a radio frequency and IPL unit to her office. Dr. Grotton asked if she can use the unit to treat the face for aesthetics as well.

A motion was made by Dr. Smith, second by James Murphy to send a letter and copy of the Board’s Law and Rules for reference. Law and Rules do not authorize use of injections except in very limited circumstances.

The motion passes 5 in favor and 0 opposed.

SUBCHAPTER IV 2431-A Disciplinary Actions: AAG reviewed with the Board to reassure that they understand they can have informal conference with the licensee if a complaint is filed.

Masking in Practice: MOA questions regarding masking in practice.

<https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-risk-assesment-hcp.html>

<https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control-recommendations.html>

Board members agreed to add these two CDC sites to the Board’s website.

No motion taken from the Board.

Finalize Rule Draft: The Board review and finalized the rules. Tina will start the paperwork to get the rules ready to be submitted for license fee increase from $380.00 to $490.00.

A motion was made by Dr. Smith, second by Dr. Cote to finalize the rules with increase of license fee due to staff pay increase, attorney fee, travel, and other expenses.

The motion passes 5 in favor and 0 opposed.

**COMPLAINTS:**

OPT-2022-18043 After presentation and discussion, a motion was made by Dr. Cote, seconded by Dr. Smith to dismiss the complaint on the ground of no violation of the Maine Optometry Laws and Rules.

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

**PRESIDENT’S REPORT**: Board will need to look for a new sponsor for the repeal and replace of the Law in the of winter 2023.

Tina will draft letter to the Commissions to see when the Board will be getting appointments to the Board.

**SECRETARY’S REPORT:**

Due to increases in expenses, the Board may need to increase the License fees to meet the increase in expenses.

Total 238

Therapeutic Advance Glaucoma 205

Therapeutic Advance 33

Diagnostic 1

New licensee applications 1

**ADJOURNED:** A motion was made by Dr. Cote, seconded by Dr. Smith to adjourn the meeting at 9:49 a.m.

The next meeting will be held on August 5, 2022.

Respectfully submitted,

Tina Carpentier

Office Specialist II