

Maine Board of Optometry  
113 State House Station  
Augusta, Maine 04333

MINUTES OF FEBRUARY 2, 2024  
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., Timothy Rioux, O.D.(zoom) and James Murphy, Public Member.

Others present Tina Carpentier, Office Specialist II, Betsy Stivers, Assistant Attorney, and nine citizens listening on Zoom.

**OLD BUSINESS:**

Action on Minutes of November 20, 2023 Meeting: A motion was made by James Murphy, second by Dr. Cote to accept the minutes as written.

The motion passes 6 in favor and 0 opposed.

**NEW BUSINESS**

Dr. Alan Beaulieu Email: The Board reviewed the email for licensure. At this time, there is no waiver provisions in the law to waive Part III of the NBEO. However, the new statute has a licensure by endorsement provision which allows an optometrist to get a license if currently licensed in a State that has substantially similar licensing requirements as Maine.

A motion was made by Dr. Smith, second by Dr. Cote to send a letter to Dr. Beaulieu.

The motion passes 6 in favor and 0 opposed.

Dr. Ashcon Zadeh Email: The Board reviewed the email for licensure. At this time, there is no waiver provisions in the law to waive Part I of the NBEO. However, the new statute has a licensure by endorsement provision which allows an optometrist to get a license if currently licensed in a State that has substantially similar licensing requirements as Maine.

A motion was made by Dr. Cote, second by James Murphy to send a letter to Dr. Zadeh.

The motion passes 6 in favor and 0 opposed.

Review Rule Changes: The Board engaged in significant work regarding rule changes that are designed to implement the repeal and replace legislation once passed. However, we do not know what the Legislature will do with the bill.

A motion was made by James Murphy, second by Dr. Cote to table the review of rule changes.

The motion passes 6 in favor and 0 opposed.

**EXECUTIVE SESSION**: Pursuant to 1 MRS Chapter 13, section 405 (Executive Sessions), paragraph 6(A), I Dr. Nadeau, made the motion that the Maine Board of Optometry go into Executive Session at 9:15 a.m. for Performance Management form for Office Specialist II.

The motion passes 6-0.

A Motion was made by Dr. Cote, seconded by James Murphy to end the Executive Session at 9:27 a.m.

The motion passed 6-0.

A motion was made by Dr. Chamberland, second by Dr. Cote to approve the performance review.

The motion passed unanimously 6-0.

## **COMPLAINTS**

OPT-2023-19494: 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 and issue a letter of guidance to be kept in file for 5 years.

The motion passes 5 in favor and 1 abstained (Dr. Chamberland)

OPT-2023-19581, 19582 and 19583: After presentation and discussion, a motion was made by James Murphy, seconded by Dr. Smith to dismiss the complaint on the ground of no violation of the Maine Optometry Laws and Rules.

The motion passes 5 in favor and 1 abstained (Dr. Chamberland)

**INVESTIGATION**: After presentation and discussion, a motion was made by Dr. Smith, seconded by Dr. Cote not to refer Dr. B to the Attorney General office.

The motion passes 3 in favor, 2 opposed and 1 abstained (Dr. Chamberland)

After presentation and discussion, a motion was made by Dr. Cote, seconded by James Murphy to send a letter of guidance to Dr. S, and keep it in the file for five years.

The motion passes 5 in favor and 1 abstained (Dr. Chamberland)

After present and discussion, a motion was made by Dr. Smith, seconded by Dr. Cote to table Dr. E, pending the LD 1956 .

The motion passes 5 in favor and 1 abstained (Dr. Chamberland)

**OTHER BUSINESS: PUBLIC COMMENT:** Ashcon Zadeh made a public comment on Licensure by endorsement.

**PRESIDENT'S REPORT:** We worked very hard on LD 1956 An Act to Amend the Laws Governing Optometrists, which was unanimously passed by the Joint Standing Committee on Health Coverage, Insurance and Financial Services.

**SECRETARY'S REPORT:** The Board will need a financial order to cover FY24 budget. Increase in legal fees, insurance, hearing cost, and payroll for staff.

**ADJOURNED:** A motion was made by Dr. Cote, seconded by James Murphy to adjourn the meeting at 10:45 a.m.

The next meeting will be held on May 3, 2024.

Respectfully submitted,



Tina Carpentier  
Office Specialist II