

**LOUISIANA STATE BOARD OF OPTOMETRY
EXAMINERS
1100 Loyola Ave. Suite 898, New Orleans, LA 70163
MINUTES
December 12, 2023**

Roll Call/Call to Order/Confirmation of posting of notice and agenda

The roll was called at 8:31 am with present members: Drs. Avallone, LaPoint, Richardson, Sehon, Wroten (8:45am arrival), and Mr. Many Lopez. Absent – Dr. Gerdes. Also, present were board counsel Mr. AJ Herbert, III, Public Guests/OAL Members.

Due to Dr. Gerdes' absence Motion per Rober's Rules (Avallone/LaPoint) Dr. Sehon was asked to act as President Pro temp to preside over the meeting and accepted the position. Passed unanimously.

Declaring a quorum was present and confirming proper posting of meeting notice and agenda, Dr. Sehon called the meeting to order.

I. Adoption of Agenda

Motion (Avallone/LaPoint) to adopt the agenda was approved/adopted with a change of order without objection. Passed unanimously.

XVII. Issue Concerning October CE, CPR, prior LSBOE guidance, and impact on attendees

Following discussion regarding an ophthalmology seminar used for CE credit accepted by the board during the November meeting further information indicates the board is not able to accept for CE credit due to lack of accreditation by COPE and violation of OIG guidelines. Motion (Avallone/LaPoint) The board vacates the decision/vote taken last meeting to accept CE provided during the Gerner seminar and to grant a hardship waiver to any seminar attendee that fails to receive required amount of CE for 2024 license renewal. Passed unanimously. Note: Dr. Sehon abstained from voting.

II Approval of Minutes

Motion (Avallone/LaPoint) to approve the minutes previously distributed by email for review. No edits, amendments or objections were heard from board members. Minutes from the meeting held in November were approved unanimously.

(Wroten arrival @ 8:45am due to wreck on interstate)

III. Secretary's Report

A. Finance and Budget Report

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Financial reports distributed and reviewed. Budget draft will be distributed for review and input so approval can be given in January 2024 and reported to DOA.

B. License Activity

- i. Renewals**
Renewals are currently taking place. Approximately 300 renewals have been completed at this time. March 1, 2024, is the deadline for renewal without penalty.
- ii. Applicants / New Licensees**
All applicants from July 2023 board exam have been issued their license.
- iii. Retirement**
None reported
- iv. Endorsement request**
Discussion regarding two applicants currently applying for licensure by endorsement,
Dr. Joseph Pruitt – Approved, pending passage of Louisiana Law testing
Dr. Andrea Capps May – Disapproved, based on equal scope of practice from states applicant is currently licensed and current statute language and lack of precedent granting license by endorsement.
Motion (Avallone/LaPoint) to approve Dr. Pruitt’s application for licensure by endorsement following passage of Louisiana Law testing
- v. Inactive requests**
None reported
- vi. Hardship requests**
None reported
- vii. Request for Reinstatement**
Travis Jones, OD – retired license 2023, Appropriate CE reported
Motion to approved Reactivation of Retired License - Approved
- viii. Complaints**
To be discussed in Executive Session

C. Required Training

- i. Sexual Harassment Prevention**
Will request a new issuance of training link - Mr. Herbert to follow-up.
- ii. Ethics training resources from BOE**
Mr. Lopez is currently the only member in need of Ethics training.

OLD BUSINESS

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IV. Louisiana Legislative Audit 2020/2021

A. Consultant's findings and recommendations – Mr. Daryl Purpera

Much improvement has been achieved.

Written Policies & Procedures, Segregation of duties, Mitigating Controls, Proper documentation. Some work still to be done to totally clear any future LLA findings.

Very difficult for small entities like the LSBOE to have zero findings. Report available upon request.

EXECUTIVE SESSION Motion (LaPoint/Avallone) Passed unanimously.

V. Review of the qualifications and responses submitted in response to the RFQ for an Executive Director for the LSBOE

VI. Litigation:

**A. By OAL v Heitmeier, et al No C-729018 19th JDC State of
Mediation between LSBOE and OAL**

B. By LSBOE v OAL et al No. C-729434 19th JDC State of Louisiana

VII. Complaints

A. Complaints & Investigation of complaints

i. New

B. Reactivation requests

i. Request for Reinstatement from Prior Disciplinary Action

EXECUTIVE SESSION – Closed

VI. Report on Items Discussed in Executive Session

INFORMATION ONLY - NO ACTION TAKEN

i. Selection of Executive Director for the LSBOE

Two applicants considered – Mr. Purpera and Ms. Cahill

Motion (Lopez/Richardson) Passed unanimously. Dr. Avallone Not voting. The board will offer the Executive Director position to Ms. Cahill subject to agreement on contract terms while hoping to keep Mr. Purpera available as a consultant.

OLD BUSINESS (Con't)

VII. Telehealth - Rule status

No change in status since last meeting

VII. Dispensing of Pharmaceuticals – Rule status

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No change in status since last meeting

VIII. Alternate Route of Licensure (NBEO) – Rule Status

No change in status since last meeting

IX. ACT 194: CE to comply with statute-Rule Status

Dr. Gerdes attended an Occupational License hearing where the proposed rule was not approved and returned for consideration by the LSBOE regarding definitions,

XI. Hiring an Executive Director to administer LSBOE operations- RFQ

See VI, i

XII. AG and BOE review of consideration of the Secretary as voting board member

Topic on BOE agenda not discussed, Phone call from AG office indicating still under review. No opinions rendered so far.

NEW BUSINESS

XIII. Rule to implement the disability accommodations required by Act 393

No change in status since last meeting

XIV. Newsletter

Deferred to next meeting

XV. Public Comment

Dr. Janot stated that as a Louisiana license holder, ED of OAL representing more than 300 Louisiana licensed ODs (more than 80% of ODs practicing in state) his request to be put on the agenda, even after providing more information to LSBOE President, Dr Gerdes, was denied without a reason given. He also stated that the OAL has information from time to time that is germane to the current LSBOE discussion that could be very helpful if allowed to have input, such as the Louisiana Eye Health Educational Institute. Dr. Janot has sent information and mission statement regarding the Louisiana Eye Health Educational Institute and how it is used currently for memorial donations and how the LSBOE was involved in its very inception promoting Optometry as a primary eyecare profession. Dr. Janot sent information via email to the full board recently. Also, Dr. Janot provided a

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transcript of the CE rule hearing and asked for clarification to required CE for license renewal due to the existing confusion.

Next Meeting

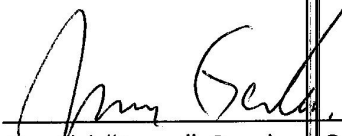
Tentatively scheduled for 8:30 am, January 19, 2024

Alternate date - January 26, 2024

ADJOURN



Keith Sehon, O.D.
Secretary LSBOE



Gerald "Jerry" Gerdes, O.D.
President LSBOE