



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
*Olympia, Washington 98504*

WASHINGTON STATE BOARD OPTOMETRY  
Minutes of Meeting  
March 21<sup>st</sup>, 2016

A meeting of the Washington State Board of Optometry was called to order at 9:11 a.m. on Monday, March 21<sup>st</sup>, 2016 by Acting Chair Judy Chan, OD. The meeting was held in Conference Room 307 at the Department of Health, Center Point Corporate Park, 20425 72<sup>nd</sup> Avenue South, Kent, Washington.

**BOARD MEMBERS PRESENT:**

Chris Barry, O.D.  
Judy Chan, O.D., Acting Chair  
Karen Preston, O.D.  
Michael Noble, O.D.  
Dale Heaston, O.D.

**STAFF PRESENT:**

Christopher Wright, Assistant Attorney General  
Kathy Schmitt, Deputy Director  
Loralei Walker, Program Manager  
Christopher Gerard, DOH Staff Attorney  
Danielle Welliever, Policy Analyst  
Katie Wolt, Policy Analyst  
Katy Shockman, Secretary Senior  
Tanya Mills, Credentialing

**OTHERS PRESENT:**

**9:11 a.m. Call to Order**

The meeting was called to order by Judy Chan, O.D., Acting Chair

1. Approval of Agenda  
The agenda for this meeting was approved.
2. Approval of December 14<sup>th</sup> 2015 Minutes  
Dr. Noble requested the December minutes reflect the board's discussion of the definition of personal supervision as it relates to unlicensed staff doing optical dispensing. Pending Dr. Noble's edit request, the minutes of the December 14<sup>th</sup> 2015 meeting were approved. Board acknowledged and agreed that this meeting is being recorded.

## REPORTS

3. Christopher Barry, O.D., Chair.  
No report.
4. Christopher Wright, A.A.G.  
Christopher again discussed legal repercussions of the North Carolina Dental Board Supreme Court ruling. He addressed the use of the term “personal supervision” in the Dispensing Optician statute. Dr. Noble expressed the desire to check the Optometry rules to see if there is a rule to which the board can add a clarifying definition of supervision. Since the term is used in the Dispensing Optician statute, the Optometry board should be involved in the discussion when the Dispensing Optician Program determines how to address the definition “personal supervision”. Christopher acknowledged he is also the advising attorney for the Dispensing Optician Committee and if anyone on the board feels there is a conflict of interest to let him know. If Christopher identifies a conflict of interest, he will notify the board and recuse himself.
5. Kathy Schmitt, Deputy Office Director  
Kathy reported on budget revenue and expenditures. Kathy brought to the board’s attention the proposed budget sweep of the Department of Health’s O2G “Health Professions” account, and \$500,000 dollars being taken from that fund and reallocated to use for other state financing. She updated the board on the Citrix transition and explained it is delayed for the foreseeable future.

## Rule-writing

6. **WAC 246-851-580 through 590 – Concerning the use of hydrocodone products by licensed optometrists in Washington State (Discussion/Action)**  
The board held a rule writing workshop to review and consider minor changes suggested by DOH rules staff. Dr. Preston motioned to approve and accept the changes proposed; Dr. Chan seconded. The motion carried.
7. **Demographic Information Collection Project (Information)**  
Kathy Schmitt presented information on this project and requested input from the board. Dr. Noble asked when this demographic data is made public what kind of personal information is included with it. Kathy explained that private identifying info (example: name, credential number) is not included in the demographic data as a whole and is not made public; but, the department recognizes that there could potentially be an issue when referencing this information as it pertains to more rural areas.
8. **Election of Officers for 2016 (Action)**  
The board discussed nominations for board Chair and Secretary for the 2016 board meetings. Dr. Noble moved to nominate Dr. Heaston for board Chair and Dr. Chan seconded. The motion carried. Dr. Noble moved to nominate Dr. Barry for board Secretary and Dr. Heaston seconded. The motion carried.

9. **Review of by-laws (Action)**  
Loralei Walker presented the current by-laws to the board. The board along with Christopher Wright discussed and proposed several changes.
10. **ARBO 2016 Annual Meeting (Discussion/ action)**  
The board discussed who would go to this meeting in June. Dr. Noble made a motion to nominate Dr. Preston to attend the ARBO meeting; Dr. Preston seconded. The motion carried. Loralei Walker will be the staff representative joining Dr. Preston for the meeting.
11. **Request for Lists & Labels (Action)**  
The board reviewed a request from Great Western Council of Optometry, Western University of Health Sciences (College of Optometry), and the American Academy of Optometry. Dr. Preston made a motion to approve all three list and labels requests; Dr. Noble seconded. The motion carried.
12. **Priority board of optometry business for 2016 (Discussion/ action)**  
The board continued its discussion regarding work priorities for 2016. The board created subcommittee with Dr. Preston and Dr. Heaston to re-review the out-of-state equivalency data from several years back. The subcommittee will review regulations from the several states and provinces with no documentation of equivalency status.  
  
Regarding rulemaking, the board agreed to address the four rules flagged in its previous five-year-rules review. The first rule for rulemaking is WAC 246-851-250 Minimum equipment requirements. This rule can likely be repealed because it is duplicative. National accrediting organizations verify that practitioners meet minimum equipment requirements.
13. **Open Public Meetings Act (OPMA) and Attorney Roles Training (Information)**  
Christopher Wright gave a presentation on the OPMA and roles of DOH staff attorneys and assistant attorneys general when conducting board business.

11:50 a.m. **Open forum**

The Board held an open forum for public comment. There was no public comment

12:00 p.m. **Closed Session**

The meeting was adjourned at 12:15 p.m.