

THE BOARD OF EXAMINERS IN OPTOMETRY
Professional & Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes ("HRS").

Date: Monday, September 24, 2012

Time: 8:30 a.m.

Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Present: Kevin K. Lui, O.D., Chair
Gayle Chang, Public Member
Jere Loo, O.D.
Geoffrey Reynolds, O.D.
Joy Shimabuku, Public Member
Rodney J. Tam, Deputy Attorney General ("DAG")
Sandra Matsushima, Executive Officer ("EO")
Jennifer Fong, Secretary

Excused: Reid Saito, O.D. Vice Chair
Peter J. Shoji, O.D.

Guest: Keali'i S. Lopez, Director, DCCA

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by section 92-7(b), Hawaii Revised Statutes ("HRS").

1. Call to Order: There being a quorum present, Chair Lui called the meeting to order at 8:34 a.m.

2. Additions/
Revisions to
Agenda: None.

3. Introduction of
Keali'i S. Lopez,
Director, DCCA: Director Lopez thanked the members for their time and effort to serve the public. She recently spoke to the Governor who also expressed his appreciation for the boards. She noted that the Board helps the DCCA with their responsibility to protect consumers. She informed the Board that the DCCA will be conducting an

orientation for board members on October 24, which will include presentations from DCCA's Office of Administrative Hearings, Regulated Industries Complaints office, and other state agencies such as the Ethics Commission, Office of Information Practices and the Attorney General's office.

4. Approval of Board Meeting and Executive Session Minutes of the July 30, 2012 Meeting:

It was moved by Dr. Loo, seconded by Ms. Shimabuku, and unanimously carried to approve the July 30, 2012 Board meeting minutes with the following amendments:

- On page 4, the second paragraph should read as:

"Chair Lui stated that the licensees will have to [join ARBO to enroll in the program and] submit their CE certificates to ARBO. The Board will then have the ability to view a report of the courses the licensee has taken. (bracketed material is to be deleted)

- On page 4, the fourth paragraph should read as:

"Chair Lui said yes[.] it will be summarized in a print out." (underlined material to be added, while bracketed material is to be deleted)

It was moved by Dr. Loo, seconded by Ms. Shimabuku, and unanimously carried to approve the Executive Session minutes of the July 30, 2012 meeting.

5. Continuing Education:

a. Continuing Education Course Report

Ms. Shimabuku moved to approve the following continuing education courses:

<u>Index #</u>	<u>Program Title/Sponsor</u>	<u>CE</u>	<u>TPA Hours</u>
12-023	Ocular Symposium: Pearls in Ocular Diagnosis Ocular Symposium	24	24
12-026	Pacific Rim Optometric Conference Hawaii Optometric Association	16	16
12-027	Ocular Manifestations of Diabetes Hugo Higa	2	2
12-028	Herpetic Eye Disease Hugo Higa.	1	1

Dr. Loo seconded the motion, it was voted on and unanimously carried.

6. Applications: a. Ratification List

Upon a motion by Chair Lui, seconded by Dr. Reynolds, it was voted on and unanimously carried to ratify the following:

Approved for Optometrist License

- DURHAM, Michelle
- HARKER, Daniel
- MURAKAMI, Jana
- SHIRAISHI, Kimberly

Approved for TPA Certification

- DIMOVA, Kristina
- HARKER, Daniel
- LEE, Matthew
- PEARCE, Nicoleta
- ROWE, Duane
- SHIRAISHI, Kimberly

7. New Business: a. Discussion on "Capping" and "Steering" business practices

Chair Lui summarized the Board's previous discussion on this issue.

DAG Tam said he met with the Board's DAG regarding this issue. He cited HRS §459-9(5) and Hawaii Administrative Rules ("HAR") §16-92-52(5) as sections that prohibit activities such as fee splitting, commissions, etc.

b. Discussion on the Association of Regulatory Boards of Optometry ("ARBO") OE Tracker

Chair Lui summarized the Board's previous discussion on this issue.

DAG Tam asked how the submission process would work.

Chair Lui said that the licensee would be required to submit all continuing education ("CE") certificates to the ARBO OE Tracker. The course information can be submitted either by the licensee or the course provider. The licensee will have limited access to the OE Tracker for free. Full access would require the licensee to pay a \$20 annual fee. ARBO has told him that they can customize the report to suit the board's needs.

EO Matsushima asked who would request the licensee printout.

Chair Lui said that the EO can view the report through the board's access.

EO Matsushima said that the law requires the licensee to provide proof that they have met the CE requirement. Using this method may require spending lots of time and effort to constantly check to see if each licensee has complied.

Ms. Chang asked if the licensee would be able to print out a copy of their report and submit it to the Board.

Chair Lui said he was unsure but that printing out a copy of the report may require full access to OE Tracker.

Dr. Loo asked if all other methods of submitting proof of CE completion would not be accepted if the Board decided to adopt OE Tracker.

EO Matsushima said it would depend on what the Board decides.

Dr. Reynolds suggested getting more information about the OE Tracker program so the Board can better discuss the pros and cons involved. He said he feels there may be merit to the idea, however, there are too many unanswered questions to make an informed decision.

Chair Lui asked Dr. Reynolds if he would be willing to do research on the program and report back to the Board.

Dr. Reynolds agreed.

8. Next Meeting: Monday, December 3, 2012
8:30 a.m.
King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

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9. Adjournment: With no further business to discuss, Chair Lui adjourned the meeting at 9:13 a.m.

Taken by:

/s/ Jennifer Fong

Jennifer Fong
Secretary

Reviewed by:

/s/ Sandra Matsushima

Sandra Matsushima
Executive Officer

10/2/12

[] Minutes approved as is.

[] Minutes approved with changes; see minutes of December 3, 2012.