

**Mississippi State Board of Optometry  
P.O. Box 12370  
Jackson, MS 39236-2370**

**Statutory Board Meeting Minutes  
April 23, 2018  
8 Professional Parkway, Ridgeland, MS 39157**

**I. CALL TO ORDER**

The Mississippi State Board of Optometry meeting was called to order by the President, Steve Edwards, O.D, at 6:48 p.m. The following board members were present:

Steve Edwards, O.D, President  
Dewey Handy, O.D.  
Arthur Dampier, O.D.

The following board members were absent:  
Frank Evans, O.D.  
Lori Blackmer, O.D.

Also present was Beverly Limbaugh, Executive Director, and Leyser Q. Hayes, special assistant, attorney general.

**II. REPORT OF EXECUTIVE DIRECTOR/COMMUNICATIONS TO THE BOARD**

Travel vouchers were completed and signed by the Board.

**III. REPORTS OF OFFICERS**

The President made his report.

The Secretary made his report.

**IV. OLD BUSINESS**

**EXECUTIVE SESSION**

Upon motion made by Dewey Handy, O.D., with a second by Steve Edwards, O.D., the Board voted to go into a closed determination session to establish the need for an

Executive Session. The motion carried with the following members voting: voting for: Dewey Handy, O.D., Arthur Dampier, O.D., and Steve Edwards, O.D.  
voting against: none; recusal: none; absent: Lori Blackmer, O.D. and Frank Evans, O.D..  
In the determination session, moved by Dewey Handy, O.D. and seconded by Arthur Dampier, O.D., that the Board had reason to go into Executive Session, namely to:

(d). Investigative proceedings by any public body regarding allegations of misconduct or violations of law.

The motion carried with the following members voting: voting for; Dewey Handy, O.D., Arthur Dampier, O.D., and Steve Edwards, O.D.  
voting against: none; recusal: none; absent: Lori Blackmer, O.D. and Frank Evans, O.D..

Upon the conclusion of business of Executive Session, the Board voted, upon motion made by Dewey Handy, O.D. and seconded by Arthur Dampier, O.D. to come out of Executive Session. The motion carried with the following members voting: voting for; Dewey Handy, O.D., Arthur Dampier, O.D., and Steve Edwards, O.D.  
voting against: none; recusal: none; absent: Lori Blackmer, O.D. and Frank Evans, O.D..

The Board resumed in open meeting by announcing the following actions and votes taken in Executive Session.

#### RETURN TO REGULAR SESSION

- A. Complaint Docket # 04-02-17. A motion was made by Arthur Dampier, O.D. that Leyser to draft a letter to Ben Jay Gallaty advising that it is unlawful for any person to engage in the practice of optometry without a license. A second was made by Dewey Handy, O.D.. The vote was, as follows:
  - Aye – Arthur Dampier, O.D.
  - Aye – Dewey Handy, O.D.
  - Aye – Steve Edwards, O.D.
- B. Compliant Docket # 02-01-18. A recommendation was made by Steve Edwards, O.D. on behalf of Frank Evans, O.D. that Leyser draft a consent agreement based on 73-19-23-(1).  
The licensee shall attend and complete fifty (50) hours of COPE approved lectures in the subject area of glaucoma. The licensee is required to attend the course in person, in a classroom setting with a lecturer present and not on-line, mail-in, correspondence or otherwise by December 31, 2019.  
If the licensee is unable to complete the fifty (50) hours in the subject area of glaucoma, he is permitted to take fifteen (15) hours of the (50) hours in medical coding and/or documentation, with an emphasis on glaucoma diagnosis and management.

It is understood that the fifty (50) hours of COPE approved courses are in addition to the required twenty (20) hours of continued education mandated by the Board for the annual license renewal.

The licensee shall timely and fully cooperate with all Board requests to provide information and shall appear and report to the Board as required.

The licensee's failure to comply with any term, condition, or requirement of the Order fully set forth therein shall authorize and empower the Board to take further disciplinary action against the licensee, up to and including revocation of his license.

A motion was made by Dewey Handy, O.D. that the Board accepts Dr. Evans recommendation. A second was made by Arthur Dampier, O.D. and the vote was as follows:

Aye – Arthur Dampier, O.D.

Aye – Dewey Handy, O.D.

Aye – Steve Edwards, O.D.

- C. Complaint Docket # 04-02-18. Dr. Edwards assigned this complaint to Dr. Handy for investigation and recommendation.

#### V. **REPORT OF COUNSEL**

Upon motion made by Dewey Handy, O.D., with a second by Steve Edwards, O.D., the Board voted to go into a closed determination session to establish the need for an Executive Session. The motion carried with the following members voting: voting for: Dewey Handy, O.D., Arthur Dampier, O.D., and Steve Edwards, O.D.  
voting against: none; recusal: none; absent: Lori Blackmer, O.D. and Frank Evans, O.D..

In the determination session, moved by Dewey Handy, O.D. and seconded by Arthur Dampier, O.D., that the Board had reason to go into Executive Session, namely to:

(b). Strategy sessions or negotiations with respect to prospective litigation, litigation or issuance of an appealable order when an open meeting would have a detrimental effect on the litigating position of the public body.

The motion carried with the following members voting: voting for; Dewey Handy, O.D., Arthur Dampier, O.D., and Steve Edwards, O.D.  
voting against: none; recusal: none; absent: Lori Blackmer, O.D. and Frank Evans, O.D..

Upon the conclusion of business of Executive Session, the Board voted, upon motion made by Dewey Handy, O.D. and seconded by Arthur Dampier, O.D. to come out of Executive Session. The motion carried with the following members voting: voting for; Dewey Handy, O.D., Arthur Dampier, O.D., and Steve Edwards, O.D.  
voting against: none; recusal: none; absent: Lori Blackmer, O.D. and Frank Evans, O.D..

The Board resumed in open meeting by announcing the following actions and votes taken in Executive Session.

RETURN TO REGULAR SESSION

The board asked the board attorney to draft a letter of response to the request for declaratory opinion by MS Eye Care.

VI. **NEW BUSINESS**

VII. **ADJOURNMENT AND NEXT MEETING**

The motion was made by Dewey Handy, O.D. to adjourn the meeting at 8:50 p.m.

A second was provided by Arthur Dampier, O.D. The vote was, as follows:

Aye – Dewey Handy, O.D.

Absent – Frank Evans, O.D.

Aye – Arthur Dampier

Absent – Lori Blackmer, O.D

Aye – Steve Edwards, O.D.

The next meeting will be in Destin, Florida in conjunction with the Mississippi Optometric Association's Summer Conference. The meeting will be on Thursday June 7, 2018 from 1-5pm.

APPROVED:

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Steve Edwards, O.D., President

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Arthur Dampier, O.D., Secretary