

Mississippi State Board of Optometry
Saturday, June 7, 2018
1:00 pm

Henderson Beach Resort
200 Henderson Resort Way
Destin, FL 32541

STATUTORY BOARD MEETING MINUTES

I. CALL TO ORDER

The Mississippi State Board of Optometry meeting was called to order by the President, Steve Edwards, O.D, at 1:06 p.m. The following board members were present:

Steve Edwards, O.D, President
Dewey Handy, O.D.
Arthur Dampier, O.D.
Frank Evans, O.D.
Lori Blackmer, O.D.

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

II. Dr. Handy made a motion that the Board accept the minutes from April 23, 2018 meeting with corrections, the motion was seconded by Lori Blackmer, O.D. . The vote was as follows:

Steve Edwards, O.D.-Aye
Dewey Handy, O.D.-Aye
Frank Evans, O.D.-Aye
Lori Blackmer, O.D.-Aye

III. REPORT OF EXECUTIVE DIRECTOR/COMMUNICATIONS TO THE BOARD

A. Travel vouchers were signed by the Board members. Beverly will complete travel vouchers and turn them in for re-imbusement processing.

B. Dr. Handy made a motion, seconded by Dr. Blackmer that Dr. Steve Edwards continue to serve as Board President for an additional fiscal year, and that Dr. Arthur Dampier continue to serve as Board Secretary for an additional fiscal year, the vote was as follows:

Steve Edwards, O.D.-Aye
Dewey Handy, O.D.-Aye
Frank Evans, O.D.-Aye

Lori Blackmer, O.D.-Aye

C. Dr. Blackmer made a motion, seconded by Dr. Evans that, if funds are available, the Board pays for the expenses for any board members able to attend the FARB conference in Portland, OR September 27-29, 2018. The vote was as follows:

Steve Edwards, O.D.-Aye
Dewey Handy, O.D.-Aye
Frank Evans, O.D.-Aye
Lori Blackmer, O.D.-Aye
Arthur Dampier, O.D.-Aye

D. Dr. Dampier made a motion, seconded by Dr. Blackmer that the attached financial report be approved. The vote was as follows:

Steve Edwards, O.D.-Aye
Dewey Handy, O.D.-Aye
Frank Evans, O.D.-Aye
Lori Blackmer, O.D.-Aye
Arthur Dampier, O.D.-Aye

E. Dr. Dampier made a motion, seconded by Dr. Blackmer that the attached ARBO report be approved. The vote was as follows:

Steve Edwards, O.D.-Aye
Dewey Handy, O.D.-Aye
Frank Evans, O.D.-Aye
Lori Blackmer, O.D.-Aye
Arthur Dampier, O.D.-Aye

IV. REPORTS OF OFFICERS

A. The President made his report. – He asked the Board members to set goals for this next fiscal year. The Board discussed perhaps needing to revise the definitions section of our Rules and Regulations.

B. The Secretary made his report. – The Board discussed Operative On-line eye exams, Mississippi Optometric Association's communication with the AOA and the AG's office, as well as 1-800 CONTACTS.

V. OLD BUSINESS

A. A motion was made by Frank Evans, O.D. and seconded by Dewey Handy, O.D. that the applicant files that are complete, be allowed to take the licensure exam in July 2018. The vote was as follows:

Steve Edwards, O.D.-Aye

Dewey Handy, O.D.-Aye
Frank Evans, O.D.-Aye
Lori Blackmer, O.D.-Aye
Arthur Dampier, O.D.-Aye

B. A motion was made by Dr. Arthur Dampier that the Board adopts the Drug Monitoring Program of Physicians Health Network, to be used as needed on a case-by-case basis. The motion was seconded by Dewey Handy, O, D. and the vote was as follows:

Steve Edwards, O.D.-Aye
Dewey Handy, O.D.-Aye
Frank Evans, O.D.-Aye
Lori Blackmer, O.D.-Aye
Arthur Dampier, O.D.-Aye

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., Lori Blackmer, O.D., and Frank Evans, O.D., voting against: none; recusal: none; absent: none

In the determination session, it was 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:

- (a) Transaction of business or discussion of personal matters relating to the job performance. Transaction of business and discussion of *personal matters* or the character, profession competence of a Board employee, or physical or mental health of a person.
- (b) Strategy sessions or negotiations with respect to prospective *litigation*, or issuance of an appealable order when an open meeting would have a detrimental effect on the litigating position of the public body.
- (d) Investigative proceedings by the board regarding *allegations of misconduct* or violation of the board statutes and regulations..

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

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. that the board leave 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., Lori Blackmer, O.D. and Frank Evans, O.D.. voting against: none; recusal: none; absent: none

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

RETURN TO REGULAR SESSION

C. Complaint Docket # 04-02-18. After his investigation, Dewey Handy, O.D., impartial board member, recommended that no further action be taken. A motion was made by Lori Blackmer, O.D. that the board accepts the recommendation by Dewey Handy, O.D.. The motion was seconded by Frank Evans, O.D. and the vote was as follows:

Steve Edwards, O.D.-Aye
Dewey Handy, O.D.-Aye
Frank Evans, O.D.-Aye
Lori Blackmer, O.D.-Aye
Arthur Dampier, O.D.-Aye

D. Complaint Docket # 05-03-18. Dr. Steve Edwards assigned this complaint to Dr. Handy for investigation.

A. Arthur Dampier, O.D. made a motion that the board adopt the Director evaluation, although the completed evaluations be tabled until the July meeting. The motion was seconded by Dewey Handy, O.D.. The vote was as follows:

Steve Edwards, O.D.-Aye
Dewey Handy, O.D.-Aye
Frank Evans, O.D.-Aye
Lori Blackmer, O.D.-Aye
Arthur Dampier, O.D.-Aye

B. The Board instructed Beverly to send an email reminder to all licensed Optometrists regarding renewal on-line, Rule 8.1 and Rule 8.2 in mid-September.

C. A motion was made by Dr. Arthur Dampier and seconded by Lori Blackmer, that Dr. Handy be allowed to do research, consult with legal counsel, and make recommendation regarding the Echols contract.

VII. **REPORT OF COUNSEL**

A. Leyser Hayes reviewed the Attorney General's opinion from October 2016 regarding on-line eye exams.

VIII. **ADJOURNMENT AND NEXT MEETING**

The motion was made by Arthur Dampier, O.D. to adjourn the meeting at 8:50 p.m. A second was provided by Dewey Handy, 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 Jackson on the second Saturday of July in compliance with Section 73 19-9. The location and time to be announced.

APPROVED:

Steve Edwards, O.D., President

Arthur Dampier, O.D., Secretary