

Mississippi State Board of Optometry

Saturday, November 30, 2021
840 East River Place Suite 503
Jackson, MS 39202

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, 11:00 a.m. The following board members were present:

Steve Edwards, O.D, President
Rebecca Patton, O.D.
Arthur Dampier, O.D. Secretary
Lori Blackmer, O.D.
Susanne Cunningham, O.D.

Also present was Beverly Limbaugh, Executive Director, Leyser Q. Hayes, Special Assistant, Attorney General and Makenzie Dickerson, guest from the Governor's Office

Dr. Edwards opened the meeting with prayer.

II. REPORT OF EXECUTIVE DIRECTOR/COMMUNICATIONS TO THE BOARD

- A. Travel vouchers were signed by the Board members.
- B. Beverly Limbaugh provided the Board with a current financial report and a renewal update. Beverly also informed the Board of the outcomes data reports that have been collected and are still being received. She announced that Dr. Arthur Dampier, O.D. has been appointed by the Governor for a second 5-year term. The Board unanimously approved the report of the Executive Director.
- C. After a Board discussion, a motion was made by Susanne Cunningham, O.D. that the Board of Optometry will continue to comply with the general schedule for retention of records recommend by the Board of Archives and History. The motion was seconded by Rebecca Cox Patton, O.D. and passed unanimously

- D. A motion was made by Arthur Dampier, O.D. that the Board of optometry adopt the NBEO's grading Rubric as the one they will use for PEP clinical skills assessments. The motion was seconded by Susanne Cunningham, O.D. and passed unanimously.

EXECUTIVE SESSION

Upon motion made by Lori Blackmer, O.D., with a second by Arthur Dampier, 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: Rebecca Patton, O.D., Arthur Dampier, O.D., and Steve Edwards, O.D., Lori Blackmer, O.D., and Susanne Cunningham, O.D., voting against: none;

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

(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; Arthur Dampier, O.D., and Steve Edwards, O.D., Lori Blackmer, O.D., Susanne Cunningham, O.D. and Rebecca Patton, O.D. voting against: none;

Upon the conclusion of business of Executive Session, the Board voted, on motion made by Arthur Dampier, O.D. and seconded by Rebecca Patton, O.D. that the board leave Executive Session. The motion carried with the following members voting: voting for; Arthur Dampier, O.D., and Steve Edwards, O.D., Lori Blackmer, O.D. and Susanne Cunningham, O.D.. Rebecca Patton, O.D. voting against: none;

RETURN TO REGULAR SESSION

The Board resumed in open meeting. Within Executive Session, The Board took the following actions.

III. REPORTS OF OFFICERS

A. The President made his report.

Dr. Edwards gave an update on the progress of purchasing a four-hour recorded PEP review course to be used by the Board for future Primary Eyecare Procedure credentialing. A motion was made by author Dampier that the Board approves the payment of \$8000.00 to Dr. Nate Lighthizer for this standardized review material. The motion was seconded by Rebecca Patton, O.D. and passed with the following vote:

Steve Edwards, O.D.-Aye
Rebecca Patton, O.D. - Aye
Arthur Dampier, O.D.-Aye
Lori Blackmer, O.D. – Aye

B. The Secretary made his report.

Dr. Susanne Cunningham made a motion that for 2022 in addition to the CE requirements set forth in Rule 4.1 of the new Rules and Regulations, the Board will require that 8 hours of CE be obtained by being present and face-to-face. The remaining 12 hours may be virtual, (non face-to-face). Other accommodations may be considered on a case by case basis. . The motion was seconded by Rebecca Patton, O.D. and passed with the following vote:

Steve Edwards, O.D.-Aye
Rebecca Patton, O.D. - Aye
Arthur Dampier, O.D.-Aye
Lori Blackmer, O.D. – Aye
Susanne Cunningham

IV. REPORT OF COUNSEL

Leyser discussed the attorney- client memo she had prepared for the Board members.

The Board will continue to comply with the general schedule for retention of records as set forth by the Board of Archives and History.

Leyser gave the Board the most up-to-date information about the requirements for masks to the Board and they asked Beverly to add it to our web-site.

V. OLD BUSINESS

- A. Compliant Docket # 02-01-18
Dr. Susanne Cunningham made a motion that the Second Amended Order be extended. A motion was made by Arthur Dampier O.D. that the Board accepts the recommendation made by Dr. Cunningham. The motion was seconded by Dr. Lori Blackmer, O.D. and the motion carried with the following members voting: voting for: Arthur Dampier, O.D., and Steve Edwards, O.D., Lori Blackmer, O.D., Rebecca Patton, O.D, voting against: none; recusal: none; absent: none
- B. Complaint Docket # 09-02-21
Susanne Cunningham made a recommendation that the case be set for hearing. A motion was made by Arthur Dampier, O.D. that the Board accepts Dr. Cunningham's recommendation. Lori Blackmer, O.D. seconded the motion and motion passes as follows.
Steve Edwards, O.D-Aye
Rebecca Patton, O.D. - Aye
Arthur Dampier, O.D.-Aye
Lori Blackmer, O.D. – Aye
Susanne Cunningham, O.D. - Aye
- C. Compliant Docket # 10-03-21
Dr. Arthur Dampier, as investitive Board member, gave a report and recommendation that no further action be taken and the case be closed. The motion was made by Rebecca Cox Patton, O.D. that the Board accepts Dr. Dampier's recommendation. Lori Blackmer, O.D. seconded the motion and the vote was as follows.
Steve Edwards, O.D-Aye
Rebecca Patton, O.D. - Aye
Arthur Dampier, O.D.-Aye
Lori Blackmer, O.D. – Aye
Susanne Cunningham, O.S. - Aye
- D. Complaint Docket # 10-04-21
Dr. Edwards spoke with a representative from the Mississippi Medical Association regarding this complaint against 1-800-contacts. Dr. Edwards informed the Board of that conversation, and the Board agrees at this time to continue to keep a file on every complaint that we receive and submit them the Board of Medical Licensure with the aid of Mississippi Medical Association.
- E. Compliant Docket # 11-05-21

Dr. Dampier, as investigative Board member, gave a report and recommended that no further action be taken and that the case be closed. The motion was seconded by Dr. Rebecca Patton that the Board accepts Dr. Dampier's recommendation. The motion was seconded by Susanne Cunningham, O.D. and passed with the following vote:

Steve Edwards, O.D.-Aye
Rebecca Patton, O.D. - Aye
Arthur Dampier, O.D.-Aye
Lori Blackmer, O.D. – Aye
Susanne Cunningham, O.D.

VI. NEW BUSINESS

- A. The Board approved the applicants for the Primary Eyecare Procedures course for January 2022. The Board President signed a contract with Nate Lighthauzer, O.D. to prepare a PEP Course and review. See attached.
- B. The Board also approved the applicants for licensure for January 2022.
- C. Upon recommendation of Board counsel, Lori Blackmer plans to do an on-site inspection of Superior Optical Lab after they open for business.

VIII. ADJOURNMENT

- A. A motion was made by Susanne Cunningham, O.D. to adjourn the meeting at 06:30 p.m. A second was provided by Rebecca Patton, O.D. and the motion passed unanimously.
- B. The next meeting will be in Jackson on January 15, 2022.

APPROVED:

Steve Edwards, O.D., President

Arthur Dampier, O.D., Secretary