



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

**WASHINGTON STATE BOARD OF OPTOMETRY**  
**March 12, 2021 Meeting Minutes**

A meeting of the Washington State Board of Optometry was called to order at 9:01 a.m. on Friday, March 12, 2021, by Chair Glen Owen, OD. The meeting was held via webinar.

**Board Members Present:**

Glen Owen, OD, Chair  
Anna Wells, OD, Vice Chair  
William Prothero, OD  
Robert Davis, OD  
Anna Wells, OD  
Beth Rollinger, Public Member

**DOH Staff Present:** Lorelei Walker, Program Manager  
Christopher Wright, Acting AAG (sitting in for Kelsey Martin)  
Maggie Pagel, Staff Attorney  
Brad Burnham, Executive Director  
Chelsea French, Program Support

**Others Present:** Jennifer Crown, OPW  
Mike Burgess, OPW  
Bill Clarke, 1-800 Contacts  
Kandi Moller, OD  
Lorin Park, OD  
Wayne Serin, OD

**Open Session**

**Call to Order**

Dr. Owen called the meeting to order at 9:01 a.m.

**1. Approval of agenda**

Dr. Owen asked for a vote of approval of agenda. Dr. Davis made a motion to accept the agenda as amended. Ms. Rollinger seconded the motion. The motion carried unanimously.

**2. Approval of minutes – December 4 meeting minutes**

Question by Mrs. Rollinger – should not be neutral vs should be neutral. Dr. Owen concurred removal of “not”. Dr. Davis made a motion to approve the March 12 meeting minutes as amended by Beth Rollinger. Dr. Wells seconded the motion. The motion carried unanimously.

## **Reports (Information)**

### **3. Glen Owen, OD, Chair**

Dr. Owen had no report to give. Welcome and introductions for new board member, Dr. Keren Yang. Thanked DOH Staff and Dr. Prothero and Board for work during COVID-19 pandemic year. Thanked Maggie Pagel for joining. Dr. Owen, Dr. Wells and Ms. Walker will be attending ARBO – noted for Dr. Yang.

### **4. Brad Burnham, Executive Director and Lorelei Walker, Program Manager, Office of Health Professions**

A written summary of program updates was provided with the opportunity for board members to ask questions. Credentialing supervisors are currently unable to provide presentations to boards and commissions due to workload. New budget analyst: Miceal Carnahan Miceal and Mr. Burnham/Ms. Walker to meet monthly, where Miceal will provide budget expertise to help run reports and trends/graphs requested by board.

Staff asked the board what its priority would be for the next report. The board asked for comparative budget trends to include the prior three years of revenue and expenses. Discussion upon charges to accounts for HELMS. Board meetings will continue to be virtual until safe to meet in person.

### **5. Christopher Wright, Interim AAG**

Chris Wright, AAG, will provide coverage while Kelsey Martin, the board's AAG, is on leave. She plans to return in early April. Mr. Wright previously served the board and is familiar with its policy issues.

**Open forum** – Dr. Serin: optometrists should be allowed to administer vaccines (item 7), as long as ownership is done ethically it should be ok (item 9), clarifying what mobile practice is (item 11). Dr. Moller, question on online “refractions”. Ms. Walker informed board will touch on this when going over the bill on this topic.

## **Board Business**

### **6. New Member Orientation Process**

The board will discuss the orientation and mentorship approach to support Dr. Yang as she learns about the role of a board member. Ms. Walker led discussion. Dr. Davis informed Dr. Yang she is able to contact anyone on the board if she has questions. Dr. Owen suggested a motion to adopt mentorship timeline as outlined by vet board and use for optometry board. Dr. Davis, seconded the motion. The motion carried unanimously.

### **7. Continuing Education During the COVID-19 Emergency**

Item on CE will be standing discussion for future meetings. Dr. Prothero referred to RCW optometrists can only administer epinephrine. Mr. Wright explained HHS PREP Act declaration surrounding scopes of practice administering COVID vaccine. Documentation of additional training needed in order to qualify for administering vaccine. Ms. Pagel will discuss policy with Ashley Maxwell. Dr. Owen asked if the board should create policy

during June board meeting. Ms. Walker confirmed policy creation will be added to June agenda.

**8. Stakeholder Question about Records Retention**

The board discussed a question on how long optometrist records must be retained. The board could not come to a definitive conclusion. They discussed several regulations as well as Medicare and pediatric patient record requirements. The board needs to do more research. The answer appears to depend on each patient's situation. Dr. Owen asked board thoughts on adding topic to meeting in June. Dr. Yang seconded revisiting topic in June.

**9. Stakeholder Question about Corporate Practice Ownership, Structure and Practices**

The board reviewed a question about legalities of certain corporate practices. The board determined that WAC 246-851-370 prohibits an OD employee's salary from being contingent on the number of exams and eyewear sold. WAC 246-851-300 relates practices that rent space in which to practice. They must establish themselves as a distinct business, and not in connection with the larger commercial setting.

**10. Stakeholder Letter of Concern Regarding Public Health Risk with Certain Tonometers**

The board reviewed a letter from Falck Medical raising public health concerns in relation to use of different types of tonometers. Dr. Owen postulated this topic should go to the FDA, not to Board of Optometry. Ms. Rollinger suggested letter is sales pitch. Dr. Owen asked if the board needs to respond. Ms. Walker confirmed the board needs to draft a response. Ms. Walker to draft simple letter thanking sender for public health awareness and will reference other proven safety measures in place. Dr. Owen asked for a motion to reply to sender. Dr. Prothero made the motion to reply to Mr. Falck with a response drafted by Ms. Walker. Ms. Rollinger seconded the motion. The motion carried unanimously.

**11. Stakeholder Question about Mobile Practice**

The board reviewed questions related to requirements for a mobile practice, equipment requirements and the use of telemedicine. The board determined that an optometrist does not need a physical location but need to make sure patients have an easy way to contact them for records and continuing care. Optometrists must have minimum equipment cited in WAC 246-851-250 available during an examination in case it is needed. Having equipment on hand in a vehicle is an option. There are no specific regulations for home-based care; the same standard of care must be provided as would be in a clinic setting. Optometrists must use professional judgement when providing telemedicine to ensure safe and competent care.

**12. Review of Frequent Optometry Policy questions and Review of Regulations**

The board reviewed common topics that have previously been discussed, including requirements for: two-year contact lens prescriptions, post-exam release of prescriptions, filling of eye wear prescriptions using medical records in lieu of transmittal of a prescription. The information was for board education only. Ms. Rollinger suggested that points outline would be good to have in new member orientation packet.

**13. Jurisprudence Exam**

The department is ready to transfer the paper-based jurisprudence (JP) exam to an online format. Staff will provide a demonstration at the June meeting. The board reviewed a summary of jurisprudence exams by subject to evaluate how to approach an update to exam content. Dr. Owen asked if board has legal authority to ask questions out of jurisdiction related to federal law on state administered exam. The federal law questions on the exam have relevance to state laws and can be asked of new applicants. Dr. Owen asked for a vote. Dr. Prothero made a motion to adopt current exam with grammatical correction. Dr. Davis seconded the motion. The motion carried unanimously.

#### **15. Agenda-building**

Priority items for the June 11, 2021 agenda:

- Update on online jurisprudence exam
- Update content in jurisprudence exam
- Revisit mentorship document – staff update section
- Follow up on COVID vaccine administration
- Consult staff attorneys on COVID violations and repeat offenders
- Records retention – review Washington Medical Commission guideline

#### **Adjournment of Open Session**

Dr. Owen asked for a motion to adjourn meeting. Dr. Davis made the motion to adjourn meeting. Ms. Rollinger seconded the motion. The motion carried unanimously.

Meeting adjourned at 11:29 a.m.

Next Board of Optometry meeting is June 11, 2021