



LOUISIANA STATE BOARD OF OPTOMETRY EXAMINERS

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Meeting Agenda for February 4, 2022
Baton Rouge Marriott
9:30am-1:00pm

- I. Roll Call/Call to Order
- II. Adoption of Agenda
- III. Approval of Minutes from December 10, 2021 Meeting
- IV. Secretary's Report
 - a. Finance and Budget Report
 - b. License Activity
 - i. Renewals
 - ii. Retirement requests
 - iii. Inactive requests
 - iv. Hardship requests

OLD BUSINESS

- V. State Audit Update
 - a. Sharing of public funds discussion
 - b. Ethics training status
 - c. Sexual harassment policy and training status
- VI. ABC Complaint/Secret Shopper
- VII. Barthelemy's Optical
- VIII. Procedure manual update
- IX. Telehealth Rules Promulgation Status
- X. Dispensing of Pharmaceuticals Status
- XI. LSBOE Secretary Salary Discussion
- XII. State Board Examination Date Selection

NEW BUSINESS

- XIII. New Member Orientation
- XIV. Professional Services Contract Discussion and Review
- XV. Next Meeting
- XVI. Adjourn

Jeff M. Anastasio, O.D.
Covington, LA
President

Gary Avallone, O.D.
Ruston, LA
Secretary

Christopher W. Wroten, O.D.
Denham Springs, LA
Member

Dale Benoit
Belle Chasse, LA
Member

Gerald Gerdes, O.D.
Lafayette, LA
Member

David Heitmeier, O.D.
New Orleans, LA
Member

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I. Roll Call/Call to Order

The roll was called at 9:57am with present: Drs. Anastasio, Avallone, Gerdes, Wroten, Heitmeier and Mr. Dale Benoit. Declaring a quorum was present, Dr. Anastasio called the meeting to order.

II. Adoption of Agenda

The agenda was adopted upon motion by Wroten/Gerdes. Passed unanimously.

III. Approval of Minutes from September 10, 2021, Meeting

The minutes of the December 10, 2021, meeting was adopted upon motion by Benoit/Heitmeier. Passed unanimously.

IV. Secretary's Report

a. Finance & Budget Report

Dr. Avallone presented a financial report including a P&L statement, Balance Sheet for year 2021

A draft budget for 2022 was presented and discussed, amended
Motion to accept proposed budget by Avallone/Heitmeier
Passed unanimously

The former office lease in Oakdale was discussed.

Motion to terminate lease and pay outstanding term balance
By Anastasio/Wroten - Passed unanimously

b. License Activity

Renewals for 2022 continue, only about half licensees have renewed so far. ARBO provided several continuing education (CE) verification reports. ARBO will issue a final report to include the proper TPA credit for those attendees in later this month.

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License by Endorsement-Dr. Selvin Gnanakkan, needs only to pass law test for license approval. Dr. Avallone to contacted Dr. Lewis for testing coordination and scheduling. TBD

Hardship cases – Following discussion it was decided by the board on a motion by Avallone/Heitmeier which passed by 4 -2 (Benoit/Gerdes voting Nay) to grant Hardship CE waivers for 2021 to all who have applied for lack of required CE for 2021. Motion by Avallone/Benoit to charge Dr. Alison Miller a delinquent fee of \$500 plus \$300 renewal fee to renew her license. Passed unanimously

V. State Audit Update

Dr. Anastasio reported that the audit has concluded.

Legislative Auditor (LA) recommended the board seek legal counsel regarding two issues:

1. Inappropriate use of funds – Dr. Avallone reported an estimate of expenses paid by the board determined by the board CPA. Dr. Anastasio presented a memo from board attorney (Mr. Graves Theus) recommending a look back period of four years. After discussion a motion was made by Heitmeier/Anastasio to solicit CPAs to conduct a financial audit to determine the actual expenses shared and paid by the LSBOE. Passed unanimously

A separate motion was made by Anastasio/Benoit to solicit the names of 3 attorneys to choose from so the LSBOE can determine an appropriate look back period of shared expenses. . Passed unanimously

Ethics training was discussed and Dr. Anastasio informed the board that this training is an annual requirement.

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Sexual Harassment Prevention training by the board is also an annual requirement. All certificated should be sent to the board Secretary for record keeping.

VI. ABC Complaint/Secret Shopper

Dr. Avallone reported Dr. Stephen Lewis can supply an appropriate shopper. After discussion the board determined the shopper should be supplied by a Private Investigator.

VII. Barthelemy's Optical

Deep South Investigations has been unable to locate Barthelemy to handle service of fine or subpoena. The board authorized Deep South to continue efforts to locate and serve subpoena. Once Barthelemy is located the Jefferson Parish DA will be consulted.

VIII. Procedure Manual Update

Dr. Avallone pointed out that the Policy & Procedure Manual is currently being updated.

IX. Telehealth Rules Promulgation Update

Dr. Anastasio reports the Telehealth rule has answered the comment raised during the comment period. The rule is expected to be published without change by February 20, 2022.

X. Dispensing of Pharmaceuticals

Dr. Anastasio after consulting with the board attorney distributed model text of a new rule for review. Following board discussion, the board suggested changing the wording of #8 from "Pharmacy" to reflect the Optometry office/clinic dispensing the medication.

XI. LSBOE Secretary Salary

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A discussion was held regarding the amount paid to the LSBOE Secretary as a 1099 worker. Following the discussion, a motion was made by Heitmeier/Wroten to authorized \$3500.00 per month plus board expenses. Passed unanimously (Avallone abstained from voting).

XII. State Board Examination Date

Following discussion, it was determined that July 15-16 was the best dates available for the candidates who may need the advanced procedures/laser certification course before applying for a Louisiana Optometry license. The Board agreed that only exam related business and matters of urgency would be discussed during the concurrent board meeting due to the expected absence of Dr. Heitmeier and Mr. Benoit.

XIII. New Member Orientation

Dr. Anastasio distributed materials and information to the newest board member Dr Heitmeier, et al.

XIV. Professional Services Contract Discussion and Review

Dr. Anastasio reported that the LSBOE is not on any non-current or non-compliant list maintained by the Boards & Commissions Office.

Dr. Anastasio reported the board attorney contract expired in 2016.

A discussion incurred regarding legal counsel, and it was determined to seek names of a possible replacement for current counsel. Dr. Heitmeier was charged with contacting LDH to seek information on proper procedures to start the search.

XV. Next Meeting

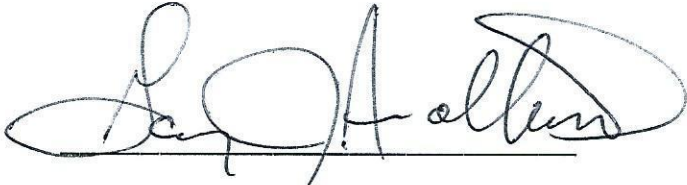
March 18, 2022 – Baton Rouge Marriott

Adjourn – 1:30pm

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A handwritten signature in black ink, appearing to read "Gary Avallone", written over a horizontal line.

Gary Avallone, O.D., Secretary

A handwritten signature in black ink, appearing to read "Jeffrey Anastasio", written over a horizontal line.

Jeffrey Anastasio, O.D., President