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FLORIDA | Board of Optometry
Probable Cause Panel

DRAFT MINUTES
March 17, 2015

Conference Call
Department of Health
4042 Bald Cypress Way
Tallahassee, FL 32399



C. Rod Presnell, R.Ph.
Chair

Joseph Lesho
Program Operations Administrator

Michele Jackson
Regulatory Supervisor

1 **Conference call started: 1:04 p.m.**

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3 The meeting was called to order by Mr. Presnell, Chair. Those present for all or part of the meeting included the following:

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5 **MEMBERS PRESENT:**

6 C. Rod Presnell, R.Ph., Chair
7 Rebecca Del Moral, OD

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9 **STAFF PRESENT:**

10 Joseph Lesho, Program Operations Administrator
11 Michele Jackson, Regulatory Supervisor/Consultant

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13 **BOARD COUNSEL:**

14 Diane Guillemette, Esq., Assistant Attorney General
15 Office of Attorney General

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17 **PROSECUTION COUNSEL:**

18 Elana J. Jones, Esq., Assistant General Counsel
19 Cheryl Roberts, Esq., Assistant General Counsel

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21 **COURT REPORTER:**

22 Court Reporter: For the Record Reporting
23 Phone: (850) 222-5491
24 Contact: Kay Fitchner

25 *Please note the minutes reflect the actual order agenda items were discussed and may differ from the agenda outline. AUDIO from this meeting can be found online: <http://floridasoptometry.gov/meeting-information/past-meetings/>*

26 Ms. Elana Jones began the meeting by providing the panel with an overview of the agenda.

27 Before the Reconsiderations portion began, Diane Guillemette, esq. asked the panel members if they received all of the required materials in advance of the meeting. Dr. Del Moral and Mr. Presnell each stated yes.

28 Ms. Guillemette asked the panel members if they had sufficient time to review the materials. Dr. Del Moral and Mr. Presnell each stated yes.

29 Ms. Guillemette asked the panel members if they experienced any problems while trying to review the materials. Dr. Del Moral and Mr. Presnell each stated no.

30 Ms. Guillemette asked the panel members if they felt that there were any circumstances that would disqualify or otherwise make it improper for them to hear and deliberate on any cases on the agenda. Dr. Del Moral and Mr. Presnell each stated no.

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33 I. R-01 Tomas D. Leidigh, OD

34 Elana J. Jones, esq. presented case number 2012-05045, an Administrative Complaint filed on August 30, 2013 alleging that the subject violated Rule 64B13-3.007(2), F.A.C. by failing to follow the minimum procedures required for comprehensive eye examinations per the guidelines established by the rule. On December 4, 2014, the subject's counsel notified the department that the subject had deceased on October 20, 2014. In light of this, the department recommended that the case be closed.

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37 **Board action:** Motion to dismiss the case against Tomas D. Leidigh, OD due to the fact that he is deceased made by Dr. Del Moral, seconded by Mr. Presnell.

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52 **Reconsiderations concluded at 1:12 p.m.**

53 The public portion of the meeting was adjourned at 1:12 p.m.