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**FLORIDA** | Board of Optometry

DRAFT MINUTES

June 2, 2015

Teleconference

Department of Health

4042 Bald Cypress Way

Tallahassee, FL 32399-3257



Timothy Underhill, OD

***Chair***

Stuart Kaplan, OD

***Vice-Chair***

Joseph Lesho

***Program Operations Administrator***

1 **General Board Business started: 12:33 p.m.**

- 2  
3 I. The meeting was called to order by Dr. Underhill, Chair, at approximately 12:33 p.m. Those present for all or part of the  
4 meeting included the following:  
5

6 **MEMBERS PRESENT:**

7 Timothy Underhill, OD Chair  
8 Stuart Kaplan, OD, Vice Chair  
9 Clarence R. Presnell, R.Ph.  
10 Carl Spear, OD  
11 Christopher King, OD

12 **STAFF PRESENT:**

13 Anthony B. Spivey, DBA, Executive Director  
14 Joseph Lesho, Program Operations Administrator  
15 Savada Knight, Regulatory Supervisor  
16 Kelly Woodard, Regulatory Specialist II  
17 Julia Gilyard, Regulatory Specialist II  
18 Zohre Bahrayni, PhD, Management Analyst – Psychometrician  
19 Ashley Falls, Government Operations Consultant II

20 **MEMBERS ABSENT:**

21 Tamara Maule, OD – Excused by the Chair

22 **BOARD COUNSEL:**

23 Diane Guillemette, Assistant Attorney General  
24 Office of Attorney General

25 **COURT REPORTER:**

26 For the Record Reporting  
27 Phone: (850) 222-5491  
28 Contact: Kay Fitchner

29 **ALSO PRESENT:**

30 John Griffin, Esq., Florida Optometric Association

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

33 **II. DISCUSSION**

34 **a. Rule 64B13-4.001, Florida Administrative Code**

35 Ms. Guillemette began by explaining the changes contained in her proposed draft, which change the rule to reflect the  
36 National Board of Optometric Examiners (NBEO) taking over the development and administration of the Florida Laws  
37 and Rules Examination (also referred to as Part IV of the licensure examination).  
38

39 After discussion, the board agreed to make certain changes to Ms. Guillemette’s proposal. First, they added the language  
40 “The board shall approve the content of the laws and rules examination annually” to the end of part (1)(d) of the rule.  
41 The board also agreed to amend part (2) of the rule to state “passing scores on Part I, Part II, ~~and~~ Part III, and Part IV of  
42 the licensure examination must be obtained within the seven (7) year period immediately preceding licensure application  
43 ~~to take Part IV of the licensure examination.~~” Finally, the board agreed to replace “Board of Optometry” with “the  
44 board” in all occurrences of such language because “Board of Optometry” had already been established as “the board”  
45 within the rule chapter.  
46

47 **Board action:** Motion to accept the proposed language of Rule 64B13-4.001, F.A.C. with the noted changes was made  
48 by Dr. Kaplan. Seconded by Mr. Presnell.  
49 Vote: 5 yeas / 0 opposed; motion carried  
50

51 Ms. Guillemette then asked the board to open Rules 64B13-4.002, 4.003, and 4.006, F.A.C. for development to make the  
52 necessary changes to ensure consistency with the new language of Rule 64B13-4.001, F.A.C.  
53

54 **Board action:** Motion to open Rules 64B13-4.002, 4.003, and 4.006, F.A.C. for development was made by Dr. King.  
55 Seconded by Dr. Kaplan.  
56 Vote: 5 yeas / 0 opposed; motion carried  
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2 Ms. Guillemette then asked the board if the proposed changes to Rule 64B13-4.001, F.A.C. would have an adverse  
3 impact on small business, or be likely to directly or indirectly increase regulatory costs in the amount \$200,000 in the  
4 aggregate in the state of Florida within one year of implementation.

5 Dr. Underhill stated that the response is “no,” and asked for a motion.  
6

7 **Board action:** Motion to respond “no” to the question presented by Ms. Guillemette was made by Dr. Kaplan. Seconded  
8 by Dr. Spear.

9 Vote: 5 yeas / 0 opposed; motion carried  
10

11 **The meeting was adjourned at 1:10 p.m.**