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FLORIDA | Board of Optometry

MEETING MINUTES

December 4, 2015

Teleconference

Department of Health

4042 Bald Cypress Way

Tallahassee, FL 32399-3257



Timothy Underhill, O.D.
Chair

Stuart Kaplan, O.D.
Vice Chair

Anthony Spivey, DBA
Executive Director

1 **General Board Business started: 9:01 a.m.**

2
3 I. The meeting was called to order by Dr. Underhill, Chair. Those present for all or part of the meeting included the following:

4
5 **MEMBERS PRESENT:**

6 Timothy Underhill, O.D. Chair
7 Stuart Kaplan, O.D., Vice Chair
8 Christopher King, O.D.
9 Tamara Maule, O.D.
10 Carl Spear, O.D.
11 Clarence R. Presnell, R.Ph.

5 **STAFF PRESENT:**

6 Anthony Spivey, DBA, Executive Director
7 Joseph Lesho, Program Operations Administrator
8 Savada Knight, Regulatory Supervisor
9 Kelly Woodard, Regulatory Specialist II
10 Austin Fletcher, Regulatory Specialist II

12
13 **BOARD COUNSEL:**

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

16
17 **PROSECUTION COUNSEL:**

18 Elana Jones, Esq.

19
20 **COURT REPORTER:**

21 For the Record
22 (850) 222-5491

23
24 *Please note the minutes reflect the actual order agenda items were discussed and may differ from the agenda outline.*
25 *AUDIO from this meeting can be found online: <http://floridasoptometry.gov/>*

26
27 **Section II began: 9:03 a.m.**

28
29 **II. MINUTES:**

30
31 **a. July 15, 2015 – West Palm Beach**

32 Dr. King noted that on Page 6, line 6, the word “petition” should be “petitioner.”

33
34 Dr. Underhill requested that the minutes include more details pertaining to his request to prosecution and board staff.

35 **Action:** Motion to approve the minutes with the noted corrections was made by Dr. King. Seconded by Dr. Kaplan.
36
37
38 **Vote:** 6 yeas / 0 opposed; motion carried

39
40 **Section II concluded: 9:07 a.m.**

41 **Section III began: 9:07 a.m.**

42
43 **III. PETITIONS:**

44
45 **a. Variance/Waiver:**

46
47 **i. Clinton Anderson, O.D.**

48 Dr. Anderson was not present and was not represented by counsel.

49
50 Dr. Anderson submitted a Petition for Variance/Waiver from Rule 64B13.5, F.A.C., which was filed on September
51 21, 2015. The petition requested that the board allow Dr. Anderson to apply a 23-hour course given by the Pacific
52 University College of Optometry towards his 2015-2017 biennial renewal. The petition specifically notes that the 23
53 requested hours do not count towards Dr. Anderson’s Transcript Quality hours, as he has already fulfilled that
54 requirement by other means. If granted, the variance/waiver will only apply towards the 2015-2017 biennium.

55
56 **Discussion:**

57 Ms. Guillemette stated that she did not believe the petition met the requirements for a petition pursuant to Rule
58 Chapter 28-104.002, F.A.C.

1 Dr. Underhill agreed, stating that Dr. Anderson should have submitted a request to the continuing education chair,
2 not a Petition for Variance or Waiver to the board.
3

4 **Action:** Motion to dismiss the Petition for Variance/Waiver because it did not meet the requirements for a Petition
5 for Variance/Waiver as stated in Rule Chapter 28-104.002, F.A.C. was made by Dr. King. Seconded by Dr. Maule.
6 Vote: 6 yeas / 0 opposed; motion carried
7

8 **ii. Jonathan Christie, O.D.**

9 Dr. Christie was not present and was not represented by counsel.

10
11 Dr. Christie submitted a Petition for Variance/Waiver from the licensure examination requirements pursuant to Rule
12 64B13-4.001, F.A.C., which was filed on April 8, 2015. On July 31, 2015, Ms. Guillemette responded to the petition
13 and explained that it did not meet the requirements for a petition as outlined in s. 120.542, F.S., and Rule 28-
14 104.002, F.A.C., and requested that additional information be sent to the board office. No additional information
15 was received.
16

17 **Action:** Motion to dismiss the Petition for Variance/Waiver because it did not meet the requirements for a Petition
18 for Variance/Waiver as stated in Rule Chapter 28-104.002, F.A.C. was made by Dr. King. Seconded by Dr. Spear.
19 Vote: 6 yeas / 0 opposed; motion carried
20

21 **iii. Austin Lifferth, O.D.**

22 Dr. Lifferth was present and was not represented by counsel.

23
24 Dr. Lifferth submitted a Petition for Variance/Waiver from Rule 64B13-4.001, F.A.C., which was filed on
25 September 10, 2015. The petition requested a waiver from the 7-year examination requirement because it has been
26 more than 7 years since Dr. Lifferth has taken and passed parts I-III of the NBEO examination, but he cannot retake
27 any parts of the examination due to his “direct and current involvement” with NBEO examination preparation. In
28 lieu of re-taking parts I-III of the examination, Dr. Lifferth has taken and passed the Advance Competency in
29 Medical Optometry (ACMO) examination offered by NBEO. The passing score for the ACMO and previous passing
30 scores for parts I-III of the national examination were presented to the board for review.
31

32 **Discussion:**

33 Dr. Underhill pointed out that the Florida statutes and rules do not specifically disqualify Dr. Lifferth from taking
34 the examination under these circumstances. Dr. King explained that candidates that sit for the NBEO examinations
35 must sign an attestation stating that they have no prior knowledge of the examination questions; however, Dr. King
36 also told the board that he spoke with Dr. Jack Terry at NBEO, and was told that NBEO does not have a policy
37 would prohibit Dr. Lifferth from sitting for the examination.
38

39 Dr. King then made a motion to waive the requirement for part II of the examination, but not parts I and III.

40
41 After additional discussion, Dr. King withdrew his motion because the board felt that more clarification from NBEO
42 regarding their policies would be needed in order to take action on the petition.
43

44 Dr. Lifferth agreed to waive his 90 days and requested that the board continue the petition.
45

46 **Action:** Motion to accept the 90-day waiver and continue the petition until the next meeting was made by Dr. King.
47 Seconded by Dr. Kaplan.
48 Vote: 6 yeas / 0 opposed; motion carried
49

50 **iv. Long D. Tran, O.D.**

51 Dr. Tran was present and was not represented by counsel.

52
53 Dr. Tran submitted a Petition for Variance/Waiver from Rule 64B13-4.001(2), F.A.C., which was filed on
54 November 9, 2015. The petition requested a permanent waiver from the 7-year examination requirement because it
55 has been more than 7 years since Dr. Tran has taken and passed parts I-III of the NBEO examination, but he cannot
56 retake any parts of the examination because of his involvement with NBEO examination preparation.
57

58 **Discussion:**

1 After brief discussion, the board offered Dr. Tran the same option as Dr. Lifferth.

2
3 Dr. Tran agreed to waive his 90 days and requested that the board continue the petition.

4
5 **Action:** Motion to accept the 90-day waiver and continue the petition until the next meeting was made by Dr. King.
6 Seconded by Dr. Kaplan.

7 Vote: 6 yeas / 0 opposed; motion carried

8
9 **Section III concluded: 9:45 a.m.**

10 **Addendum Item began: 9:45 a.m.**

11
12 **ADDENDUM ITEM:**

13
14 **APPLICATIONS WITH PETITIONS:**

15
16 **a. Jennifer Ferri, O.D.**

17 Dr. Jennifer Ferri was present and was not represented by counsel. The board heard the petition and application of her
18 husband, Dr. Michael Ferri, at the same time.

19
20 Dr. Ferri submitted an application for licensure as an Optometrist, which was received by the board office on October 13,
21 2015. Upon review, board staff discovered that Dr. Ferri did not meet the 7-year examination score requirement as
22 outlined in Rule 64B13-4.001(2), F.A.C. After board staff informed her of that fact, Dr. Ferri submitted a Petition for
23 Variance/Waiver from Rule 64B13-4.001(2), F.A.C., which was filed on November 6, 2015. Dr. Ferri is also licensed in
24 the State of New York, and has worked as a licensed optometrist since 2009.

25
26 **Discussion:**

27 Dr. Underhill stated that he was not in support of the petition. Ms. Guillemette asked Drs. Ferri to explain why they feel
28 enforcement of the rule would create a hardship.

29
30 Dr. J. Ferri specified that they only require a waiver for part I of the examination because that was the only part that was
31 older than 7 years at the time the application for licensure was submitted. Dr. M. Ferri explained that retaking part I
32 would be difficult for them financially. Dr. J. Ferri followed up by explaining that they have a newborn child, which
33 would make it difficult to commit the time and money necessary to successfully complete the examination.

34
35 Dr. Underhill asked Drs. Ferri to explain how a waiver of the rule would achieve the underlying purpose of the statute by
36 other means. He explained that the purpose of the rule and underlying statute is to measure the competence of potential
37 licensees.

38
39 Dr. M. Ferri pointed out that they are only 1 year outside of the 7-year requirement, and that they practice safely at the
40 highest level of licensure in the State of New York.

41
42 After additional discussion, a motion was made.

43
44 **Action:** Motion to deny Dr. Jennifer Ferri's Petition for Variance/Waiver because she could not prove that the purpose
45 of the underlying statute has been achieved by other means was made by Dr. King. Seconded by Dr. Spear.

46 Vote: 6 yeas / 0 opposed; motion carried

47
48 **Action:** Motion to deny Dr. Michael Ferri's Petition for Variance/Waiver because he could not prove that the purpose of
49 the underlying statute has been achieved by other means was made by Dr. King. Seconded by Dr. Kaplan.

50 Vote: 6 yeas / 0 opposed; motion carried

51
52 Ms. Guillemette then asked about the doctors' applications for licensure that were also before the board. She suggested
53 that they waive their 90-day requirements in order to keep the applications open so that the 7-year clock does not restart
54 and possibly disqualify their passing scores on parts II and III of the NBEO examination.

55
56 Drs. Jennifer and Michael Ferri each agreed to waive the 90 days.
57
58

1 **b. Michael Ferri, O.D.**

2
3 Dr. Ferri submitted an application for licensure as an Optometrist, which was received by the board office on October 12,
4 2015. Upon review, board staff discovered that Dr. Ferri did not meet the 7-year examination score requirement as
5 outlined in Rule 64B13-4.001(2), F.A.C. After board staff informed him of that fact, Dr. Ferri submitted a Petition for
6 Variance/Waiver from Rule 64B13-4.001(2), F.A.C., which was filed on November 6, 2015. Dr. Ferri is also licensed in
7 the State of New York, and has worked as a licensed optometrist since 2009.

8
9 **Discussion:**

10 Dr. Michael Ferri's petition and application were discussed in conjunction with part a. of this section.

11 **Addendum Item concluded: 10:17 a.m.**

12 **Section IV began: 10:17 a.m.**

13
14
15 **IV. APPLICATIONS**

16
17 **a. Continuing Education Courses**

18
19 **i. The Eye Institute of West Florida: "Refractive Cataract Surgery Update 2015 – Part II"**
20 **Course #20-507803**

21
22 **Discussion:**

23 Dr. Maule explained that The Eye Institute of West Florida was seeking approval to offer 2 credit hours for
24 observing a live refractive cataract surgery. She explained that part I of the course, which is a 2-hour classroom
25 lecture, was already approved for CE credit, and that part II was meant to serve as a follow-up to the lecture. She
26 stated that she believes the observation would be informative, but that she wasn't sure it met the requirements of the
27 CE rule.

28
29 **Action:** Motion to deny the course application because it did not meet the requirements of the CE rule was made by
30 Dr. Maule. Seconded by Dr. Kaplan.

31 **Vote:** 5 yeas / 1 opposed (Underhill); motion carried

32
33 **Section IV concluded: 10:27 a.m.**

34 **Section V began: 10:27 a.m.**

35
36 **V. RATIFICATION LIST:**

37
38 **b. Continuing Education:**

39
40 **i. CE Providers and Courses Approved by Committee Chair**

41
42 **Action:** Motion to ratify the CE Providers and Courses Approved by Committee Chair and Board Staff was made by
43 Dr. Maule. Seconded by Dr. King.

44 **Vote:** 6 yeas / 0 opposed; motion carried

45
46 **ii. CE Providers and Courses Approved by Board Staff**

47 **Action:** was taken on these providers and courses in conjunction with subsection i.

48
49 **Section V concluded: 10:29 a.m.**

50 **Section X began: 10:29 a.m.**

51
52 **X. COMMITTEE REPORTS:**

53
54 **b. Continuing Education – Dr. Maule:**

55 Dr. Maule had a question about transcript quality courses, and the possibility that the provider requirements could
56 potentially prevent a licensee from renewing by the end of the biennium.

57
58 After discussion, the board decided to address the issue via rulemaking, which will be conducted at a future meeting.

1 **Section X concluded: 10:38 a.m.**

2 **Section V resumed: 10:38 a.m.**

3
4 **V. RATIFICATION LIST:**

5
6 **a. Licensure:**

7
8 **i. Optometrist**

9
10 **Action:** Motion to ratify the issuance of Optometrist license numbers 5064 through 5155 was made by Dr. Kaplan.
11 Seconded by Dr. Maule.
12 Vote: 6 yeas / 0 opposed; motion carried
13

14 **Section V concluded: 10:39 a.m.**

15 **Section VI began: 10:39 a.m.**

16
17 **VI. PROSECUTION REPORT:**

18 Ms. Jones explained to the board that prosecution had 9 cases under legal review, 13 cases awaiting Probable Cause, and 2
19 cases where Probable Cause was found; totaling 24 open, active cases. She also explained that contrary to the report provided
20 in the agenda materials, there were 7 open cases from 2014, giving them a total of 12 cases older than 1 year. She then
21 requested that the board motion to continue prosecution of cases older than 1 year.
22

23 Dr. Underhill asked why the cases older than 1 year were taking so long to prosecute. Ms. Jones provided a number of
24 reasons, but assured the board that many of them will be resolved shortly.
25

26 Mr. Presnell then gave his Probable Cause Panel (PCP) report. Ms. Jones informed the board that prosecution will attempt to
27 schedule a PCP meeting in the middle of January 2016.
28

29 Dr. Underhill asked if Dr. McClain was involved in determining legal sufficiency. After a brief discussion of the complaint
30 and prosecution processes, Dr. Underhill stated that he would like to know how many complaints are being dismissed due to
31 lack of legal sufficiency. Ms. Jones assured the board that she will do what she can to provide them with that information.
32

33 **Action:** Motion to allow continued prosecution of cases older than 1 year was made by Dr. King. Seconded by Dr. Maule.
34 Vote: 6 yeas / 0 opposed; motion carried
35

36 **Section VI concluded: 10:48 a.m.**

37 **Section VII began: 10:48 a.m.**

38
39 **VII. CHAIR/VICE CHAIR REPORT:**

40
41 **a. Future Agenda Items:**

42 Dr. Underhill briefly discussed the department's Chair/Vice Chair meeting that was held on September 24, 2015. He then
43 asked about the board's Probable Cause appointments. He requested that board staff add Dr. Terrance Naberhaus to the
44 Probable Cause Panel rotation of former members.
45

46 Dr. Kaplan discussed his attendance of Florida Optometric Association meetings.
47

48 **Section VII concluded: 10:55 a.m.**

49 **Section X resumed: 10:55 a.m.**

50
51 **X. COMMITTEE REPORTS:**

52
53 **a. Budget – Mr. Presnell:** Nothing to report.

54
55 **b. Continuing Education – Dr. Maule:** This section was taken earlier in the agenda.

56
57 **c. Complaints, Investigations, and Enforcement – Dr. Kaplan:** Nothing to report.
58

- 1 d. **Disciplinary Compliance:** Dr. Kaplan was appointed as Disciplinary Compliance chair.
2
3 e. **Examination – Dr. King:** Nothing to report.
4
5 f. **FOA – Dr. Kaplan:** This section was addressed during the Chair/Vice Chair report.
6
7 g. **Healthiest Weight – Dr. King:**
8
9 i. **Healthiest Weight Liaison Strategy Development:**
10 Dr. King discussed the strategy development document that was included in the agenda, and stated that he will work
11 with board staff to help implement the strategies.
12
13 h. **Legislative – Dr. Underhill:** Nothing to report.
14
15 i. **Probable Cause – Mr. Presnell**
16
17 i. **Stats:** This section was addressed during the Prosecution Report.
18
19 j. **Rules – Dr. Kaplan:** Dr. Underhill asked Dr. Kaplan if he was involved in the proposed rule changes on the agenda. Dr.
20 Kaplan stated no.
21
22 k. **Unlicensed Activity – Dr. Kaplan:** Nothing to report.
23

24 **Section X concluded: 11:00 a.m.**

25 **Section VIII began: 11:00 a.m.**

26
27 **VIII. EXECUTIVE DIRECTOR’S REPORT:**

- 28
29 a. **MQA SWOT Analysis:**
30 Dr. Spivey discussed the SWOT Analysis presentation that was initially given at the Chair/Vice Chair meeting. He
31 explained that one of the challenges facing the department is garnering interest from consumers to serve on the boards.
32 He told the board that if they have any recommendations for consumer board members, they should be referred to the
33 governor’s office.
34

35 **Section VIII concluded: 11:02 a.m.**

36 **Section XI began: 11:02 a.m.**

37
38 **XI. BOARD COUNSEL REPORT:**

- 39
40 a. **Rules Report – November 2015:** Ms. Guillemette presented the Rules Report that was included in the agenda materials.
41
42 e. **Anti-Trust Dental North Carolina Board Presentation:**
43 Ms. Guillemette discussed the anti-trust presentation that was originally given at the Chair/Vice Chair meeting. She
44 reiterated the Supreme Court ruling that state regulatory boards are not exempt from federal anti-trust laws.
45
46 Dr. Spear noted that the North Carolina regulatory boards are created and structured differently than the Florida boards,
47 and questioned why the ruling is applicable. Ms. Guillemette explained that despite the differences, the court has
48 determined that Florida boards would still be liable.
49
50 Dr. King argued that the Florida boards are actively supervised, and should be protected under Parker Immunity. Ms.
51 Guillemette stated that such an argument could possibly be made if the board were to be challenged, but that the Office
52 of the Attorney General is still reviewing the ruling, and that she will keep the board apprised of any updates. She
53 emphasized that all board business could be subject to anti-trust, not just rulemaking.
54
55 f. **FTC Staff Guidance: Active Supervision:** This item was discussed in conjunction with section e.
56
57 g. **Rule Reduction Project:**

1 Ms. Guillemette presented her rule reduction recommendations, in addition to the OFARR rules identified for repeal as
2 outlined in section b.
3

4 After discussion of the Rule Reduction Project, the board decided not to repeal Rule 64B13-10.001, F.A.C., but accepted
5 all of the other proposed changes.
6

7 After discussion of the OFARR rules identified for repeal, the board agreed to the following changes:
8

- 9 • Do not repeal Rule 64B13-3.005, F.A.C.
- 10
- 11 • In Rule 64B13-3.012, F.A.C., delete (2), and change “Federal” to “Food and” in (3)
- 12
- 13 • Do not repeal Rule 64B13-3.015, F.A.C., but make the changes recommended in the Rule Reduction Project
- 14
- 15 • Do not repeal Rule 64B13-4.005, F.A.C.
- 16
- 17 • Do not repeal Rule 64B13-4.007, F.A.C., but make the changes recommended in the Rule Reduction Project
- 18
- 19 • Do not repeal Rules 64B13-16.001, .003, and .004 for the time being, but discuss possibly repealing at a future
20 meeting
21

22 The board agreed with all other changes in the OFARR rules identified for repeal.
23

24 **Action:** Motion to approve the proposed changes from the Rule Reduction Project and OFARR Rules Identified for
25 Repeal with the noted amendments was made by Dr. Kaplan. Seconded by Dr. Maule.

26 Vote: 6 yeas / 0 opposed; motion carried
27

28 **Action:** Motion to find that the proposed rule amendments will not have an adverse impact on small business; or be
29 likely to directly or indirectly increase regulatory costs to any entity, including the government, in excess of \$200,000 in
30 the aggregate in the State of Florida within 1 year of implementation was made by Dr. King. Seconded by Dr. Kaplan.

31 Vote: 6 yeas / 0 opposed; motion carried
32

33 **b. OFARR Identified Rules for Repeal**

- 34
- 35 i. **64B13-2.009, F.A.C.**
- 36 ii. **64B13-2.017, F.A.C.**
- 37 iii. **64B13-3.001, F.A.C.**
- 38 iv. **64B13-3.005, F.A.C.**
- 39 v. **64B13-3.006, F.A.C.**
- 40 vi. **64B13-3.012, F.A.C.**
- 41 vii. **64B13-3.015, F.A.C.**
- 42 viii. **64B13-4.003, F.A.C.**
- 43 ix. **64B13-4.005, F.A.C.**
- 44 x. **64B13-4.007, F.A.C.**
- 45 xi. **64B13-4.009, F.A.C.**
- 46 xii. **64B13-6.003, F.A.C.**
- 47 xiii. **64B13-7.007, F.A.C.**
- 48 xiv. **64B13-7.008, F.A.C.**
- 49 xv. **64B13-16.001, F.A.C.**
- 50 xvi. **64B13-16.003, F.A.C.**
- 51 xvii. **64B13-16.004, F.A.C.**
52

53 These rules were discussed in conjunction with section g.
54

55 **d. JAPC Letter**

56 Ms. Guillemette presented a letter from the Joint Administrative Procedures Committee (JAPC) containing objections to
57 the board’s proposed changes to Rule 64B13-4.002, F.A.C. She explained that JAPC questioned the removal of a
58 specific timeframe for an applicant to re-take the Florida Laws and Rules examination in the event of failure because

1 removing such language removes the definition of a “reasonable timeframe” as required by s. 456.017(2), F.S. She then
2 suggested that the board amend the proposal to reinstate the language stating that reexamination “shall be limited to two
3 (2) retakes within a twelve (12) month period from the date of original failure. The board may grant an extension of time
4 of one additional year to allow a second retake based on medical disability substantiated by documentation from the
5 applicant’s physician.”
6

7 After discussion, the board agreed that there should be no limit to the amount of times an applicant can retake the
8 examination, and that the timeframe should be extended to 18 months. They also agreed to change the phrase “a second
9 retake” to “additional retakes.”
10

11 **Action:** Motion to approve the language as amended was made by Dr. Kaplan. Seconded by Dr. Maule.
12 Vote: 6 yeas / 0 opposed; motion carried
13

14 **Action:** Motion to find that the proposed rule amendment will not have an adverse impact on small business; or be likely
15 to directly or indirectly increase regulatory costs to any entity, including the government, in excess of \$200,000 in the
16 aggregate in the State of Florida within 1 year of implementation was made by Dr. Maule. Seconded by Dr. Kaplan.
17 Vote: 6 yeas / 0 opposed; motion carried
18

19 **c. Review of Application**

20 Mr. Lesho presented the proposed amendments to the Application for Licensure as Certified Optometrist. He explained
21 that the changes were made to reflect the new process for the Laws and Rules Examination, which is being administered
22 by NBEO as of August 2015.
23

24 Dr. King noted that “Part IV” should be added to the section of instructions on page 2 pertaining to NBEO examination
25 scores.
26

27 Ms. Guillemette noted that on page 3, “money” should be changed to “check or money order.”
28

29 **Action:** Motion to approve the amended application with the noted changes was made by Dr. Maule. Seconded by Dr.
30 King.
31 Vote: 6 yeas / 0 opposed; motion carried
32

33 **Section IX concluded: 12:47 p.m.**

34 **Section XI began: 12:47 p.m.**
35

36 **XI. OLD BUSINESS:**
37

38 Dr. Spear stated that he received correspondence requesting that certain information be stricken from the record pertaining to
39 the Petition for Variance or Waiver from Dr. Dara Martin, which was discussed at the July 2015 meeting. He asked board
40 counsel and board staff if they had received the same request. Board counsel and board staff stated no.
41

42 **Section XI concluded: 12:49 p.m.**

43 **Section XII began: 12:49 p.m.**
44

45 **XII. NEW BUSINESS**
46

47 **a. Letter from Timothy Hamilton, O.D.**
48

49 Ms. Guillemette presented a letter from Dr. Hamilton to the board which was included in the agenda materials. She
50 explained to the board that no action could be taken because Dr. Hamilton did not submit an application for licensure or
51 petition to the board.
52

53 Dr. Hamilton addressed the board to explain the circumstances and reasoning behind the letter. Ms. Guillemette
54 recommended that he contact the Department of Health to discuss renewal of his Null & Void license, and Mr. Lesho
55 explained that he must submit an application for licensure and Petition for Variance and Waiver in order for the board to
56 consider accepting his old NBO examination scores.
57

58 **Section XII concluded: 1:07 p.m.**

1 **Section XIII began: 1:07 p.m.**
2

3 **XIII. 2016 CHAIR/VICE CHAIR ELECTIONS**
4

5 **Action:** Dr. King nominated Dr. Kaplan for 2016 Chair. Seconded by Dr. Maule.
6 Vote: 6 yeas / 0 opposed; motion carried
7

8 Dr. Maule nominated Dr. Spear for 2016 Vice Chair. Dr. Spear stated he would be more comfortable with Drs. Maule or
9 King serving as Vice Chair because they have more board experience. The nomination was not seconded.
10

11 **Action:** Dr. King nominated Dr. Maule for 2016 Vice Chair. Seconded by Dr. Spear.
12 Vote: 6 yeas / 0 opposed; motion carried
13

14 **Section XIII concluded: 1:11 p.m.**

15 **Section XIV began: 1:11 p.m.**
16

17 **XIV. 2016 BOARD MEETING DATES**
18

- 19 a. **February 26, 2016**
- 20 b. **May 13, 2016 – Conference Call**
- 21 c. **July 29, 2016**
- 22 d. **October 14, 2016 – Conference Call**
23

24 Mr. Lesho requested that the board review the proposed 2016 meeting dates and notify the board office if there were any
25 conflicts. The board asked that the July 29, 2016 meeting be re-scheduled, possibly for mid-June 2016.
26

27 **Section XIV concluded: 1:16 p.m.**

28 **Section XV began: 1:16 p.m.**
29

30 **XV. NEXT MEETING DATE**
31

- 32 a. **February 26, 2016**
33

34 **Section XV concluded: 1:16 p.m.**

35 **Section XVI began: 1:16 p.m.**
36

37 **XVI. ADJOURNMENT**

38 Dr. Maule motioned to adjourn.
39

40 **The meeting was adjourned at 1:17 p.m.**