

FLORIDA | Board of Optometry

DRAFT MINUTES

July 16, 2018

Florida Department of Health
4042 Bald Cypress Way
Tallahassee, FL 32399



Stuart Kaplan, O.D., *Chair*

Christopher King, O.D., *Vice-Chair*

Anthony Spivey, DBA, *Executive Director*

The Florida Board of Optometry held a meeting on Monday, July 16, 2018, commencing at 12:00 p.m. This meeting was held at the Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida, at meet me number (888) 670-3525, participant code **7342425515**, to which all persons were invited to attend. Participants in this public meeting were made aware that these proceedings were being recorded and that an audio file of the meeting will be posted to the board's website.

AGENDA

Section I began: 12:02 p.m.

1 **I. CALL TO ORDER (Roll Call):**
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3 Dr. Stuart Kaplan, O.D., Chair
4 Dr. Christopher King, O.D., F.A.A.O., Vice Chair
5 Dr. Katie Spear, O.D.
6 Dr. Stephen Kepley, O.D.
7 Dr. David Rouse, O.D.
8 Mr. John Griffin, J.D.
9 Ms. Lucille Turner, J.D.

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11 **Board Staff Present:**
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13 Dr. Anthony Spivey, DBA, Executive Director
14 Ms. Gail Curry, Program Operations Administrator
15 Ms. Kelly Woodard, Regulatory Supervisor
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17 **Board Counsel:**
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19 Lawrence Harris, Assistant Attorney General
20 Michael Williams, Assistant General Counsel
21

22 **Court Reporter:**
23

24 For the Record
25 (850) 222-5491
26

27 **Section I ended: 12:04 p.m.**

28 **Section II began: 12:04 p.m.**
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30 **II. SETTLEMENT DISCUSSION**
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32 **Settlement Agreement**
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34 Mr. Harris explained that there has been litigation over the Sunshine Law regarding a public
35 records request. The complainant alleged that the department failed to comply with public
36 records request. The complainant is requesting that board reimburse attorney's fees and has
37 entered into a proposed settlement agreement. Discussion ensued with the board members.
38

39 **Action:** Motion to reject settlement agreement made by Ms. Turner. Second made by Mr.
40 Griffin. Motion withdrawn.

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42 **Action:** Motion amended to defer approval of settlement agreement and to grant the department
43 attorney's request for a shade meeting to discuss the settlement negotiations; meeting to be
44 scheduled as soon as possible made by Ms. Turner. Second made by Dr. King.

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46 **Vote:** 6 yeas/0 opposed. Motion Carried.

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48 **Section II ended: 12:59 p.m.**
49 **Section III began: 12:59 p.m.**

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51 **III. ADJOURNMENT**

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53 **Action:** Motion to adjourn at 12:59 p.m. made by Dr. Kaplan. Second made by Dr. Kepley.

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55 **Vote:** 6 yeas/0 opposed. Motion Carried.

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