

BOARD OF OPTICIANRY
GENERAL BUSINESS MEETING AGENDA
Telephone Conference Call
Tuesday, August 9, 2011 beginning at 2:00 p.m.

CALL TO ORDER/ROLL CALL

The meeting was called to order at 2:02 p.m. by Mr. Calvo, Chair. Those present for all or part of the meeting included the following:

Members present:

David Calvo, Chair
Barney Goodman, Vice-Chair
Margaret Slattery
Amy Arcand
Antonio Feroce

Staff present:

Rachel Clark, Assistant Attorney General
Sue Foster, Board Director
Robin McKenzie, Program Administrator
Sharon Carraway, Regulatory Specialist
Court Reporter: For the Record 850-222-5491

Member absent:

Irene Stavros, RDH

PETITIONS FOR VARIANCE OR WAIVER OF RULE

Lucindo Fidalgo, Rule 64B12-9.016, F.A.C.

Mr. Fidalgo's petition was filed with the Department of Health Deputy Clerk on May 23, 2011 and noticed in the July 22, 2011 Florida Administrative Weekly. Mr. Fidalgo is asking the Board to consider an exception to the requirement that he has actively practiced in another state for more than three years of the last five years immediately preceding application.

Following discussion, the Board took the following action:

Motion: by Ms. Slattery to deny request for variance or waiver.

Second: by Mr. Feroce.

Vote: unanimous.

Reasons given were that petitioner had never applied for apprenticeship; it had been beyond the 2 years since he had relocated from Massachusetts.

Rebecca Law, Rule 64B12-9.0015, F.A.C.

Ms. Law's petition was filed with the Department of Health Deputy Clerk on July 5, 2011 and noticed in the July 22, 2011 Florida Administrative Weekly. Ms. Law is requesting a variance or waiver of Rule 64B12-9.0015, F.A.C., to allow her to sit for the October Opticianry Examination prior to passing the National Contact Lens Examination (NCLE). Ms. Law plans to sit for the NCLE in November.

Following discussion, the Board took the following action:

Motion: by Mr. Goodman to approve this variance.

Second: by Ms. Arcand.

Vote: motion passes with Mr. Feroce opposed.

Frank Loiercio, Rule 64B12-9.0015, F.A.C.

Mr. Loiercio's petition was filed with the Department of Health Deputy Clerk on July 11, 2011 and noticed in the July 22, 2011 Florida Administrative Weekly. Mr. Loiercio is requesting a variance or waiver of Rule 64B12-9.0015, F.A.C., to allow him to sit for the October Opticianry Examination prior to passing the National Contact Lens Examination (NCLE). Mr. Loiercio plans to sit for the NCLE in November.

Following discussion, the Board took the following action:

Motion: by Ms. Slattery to deny variance as hardship is not identified in this petition.
Second: by Mr. Feroce.
Vote: unanimous.

CONTINUING EDUCATION HOME STUDY COURSE

CEDO, Inc.: Florida Laws and Rules Homestudy

Following review of this home study course, the Board took the following action:

Motion: by Ms. Slattery to approve this course.
Second: by Ms. Arcand.
Vote: unanimous.

TOPIC DISCUSSIONS

SB 146: Applicants With Previous Criminal Convictions

Following discussion, the following action was taken by the Board:

Motion: by Ms. Slattery that the Board does not have any laws in Chapter 484, Part I, F.S., or rules in 64B12, F.A.C., that would deny licensure for previous criminal conviction.
Second: by Ms. Arcand.
Vote: unanimous.

HB 155 Privacy of Firearm Owners

It was determined that at this time no additional rules or disciplinary guidelines were required.

REPORTS

Executive Director

The cash balance report (March 31, 2011) was included for the board member's information and review. Board meeting dates for 2012 will be sent out by email for review.

Board Members

It was requested that the Examination and Long Range Planning be placed on the November agenda for discussion.

INFORMATIONAL ONLY – NO ACTION TAKEN

St Petersburg Times Article

ADJOURNMENT

The meeting was adjourned at 3:00 p.m.