



**Arizona State Board of Dispensing Opticians**  
1740 W. Adams, Suite 3001, Phoenix, Arizona 85007  
(602) 542-8158

**NOTICE AND AGENDA OF TELECONFERENCE MEETING  
OF THE ARIZONA BOARD OF DISPENSING OPTICIANS**

**NOTICE**

Pursuant to A.R.S, § 38-431.02, notice is hereby given to the members of the Arizona Board of Dispensing Opticians (Board) and to the general public that the Board will hold a meeting open to the public on:

**Wednesday, January 6, 2021, at 10:30 a.m.**

**DUE TO THE ONGOING PUBLIC HEALTH EMERGENCY REGARDING COVID-19,  
THE MEETING WILL BE COMPLETELY TELEPHONIC. MEMBERS OF THE  
PUBLIC ARE WELCOME TO ATTEND THE MEETING TELEPHONICALLY  
THROUGH THE FOLLOWING CALL-IN NUMBER:**

PHONE NUMBER  
**402-647-0319**  
**PIN: 495 839 845#**

Title 2 of the Americans with Disability Act (ADA) prohibits the Board from discriminating on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation by calling Megan Darian, Executive Director, at the Board office at 602-542-8158. Requests should be made as early as possible (preferably at least 72 hours prior to the scheduled time) to allow time to arrange the accommodation.

During the course of the meeting, the Board, upon a majority vote of a quorum of the members, may hold an executive session for the purposes of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3). The executive session will be held immediately after the vote and will not be open to the public.

The agenda is subject to change up to 24 hours prior to the meeting. The Board Chairperson reserves the right to change the order of the items on the agenda, except for matters set for a specific time.

**AGENDA**

**The Agenda for the meeting is as follows:**

- 1. Call to Order and Rollcall**
- 2. Declaration of Conflicts of Interest**
- 3. Review, Discussion, and Approval of Minutes**
  - A. December 2, 2020 Telephonic Board Meeting Minutes**

**4. Cases Requiring an Independent Advisor**

- A. Paradise Valley Smoke Shop and Cigar – AZBDO Case Number 20-002: Board to consider whether to grant or deny State’s Motion to Rescind.

**5. Agency Operations (Review, Discussion, and Possible Legal Action)**

(Upon a vote of the majority of a quorum, the Board may go into Executive Session, pursuant to A.R.S. § 38-431.03(A)(2) to review and discuss records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.)

- A. Director’s Report: Dispensing Opticians License Renewal for 2020.
- B. Board interpretation of A.R.S. §§ 32-1671, 32-1696, 32-1697 with regard to the sale of cosmetic contact lenses.

**6. Possible Violations (Review, Discussion, and Possible Legal Action)**

(Upon a vote of the majority of a quorum, the Board may go into Executive Session, pursuant to A.R.S. § 38-431.03(A)(2) to review and discuss records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

- A. Habitz Smoke Shop – Selling contacts – Phoenix.
- B. [If Motion to Rescind under Agenda Item 4(A) is granted] Paradise Valley Smoke Shop and Cigar – AZBDO Case Number 20-002.

**7. Applications for Licensure (Review, Discussion, and Possible Legal Action)**

(Upon a vote of the majority of a quorum, the Board may go into Executive Session, pursuant to A.R.S. § 38-431.03(A)(2) to review and discuss records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.)

- A. Application for License Optician:
  - Aaron Jobe
  - Jeanene Snell
  - Makayla Nicole Loper
  
- B. Application for Comity License:
  - Kevin Peterson - Kentucky

**8. Future Meeting Dates (Review and Discussion)**

**2021 Schedule:** February 3<sup>rd</sup>, March 3<sup>rd</sup>, April 7<sup>th</sup>, May 5<sup>th</sup>, June 2<sup>nd</sup>, August 4<sup>th</sup>, September 1<sup>st</sup>, October 6<sup>th</sup>, November 3<sup>rd</sup>, December 1<sup>st</sup>.

**9. Future Agenda Items**

**10. Call to the Public**

The Board may make an open call to the public during the meeting, subject to reasonable time, place, and manner restrictions, to allow individuals to address the Board on any issue within its jurisdiction. Those wishing to address the Board should fill out a speaker request form. Pursuant to A.R.S. § 38-431.01 (H), members of the Board are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, the Board may ask staff to review a matter or may ask that a matter be placed on a future agenda.

**10. Adjournment**