

ARIZONA STATE BOARD OF DISPENSING OPTICIANS

REGULAR BOARD MEETING MINUTES

December 5, 2018

The Arizona State Board of Dispensing Opticians and held a regular meeting at 1740 W. Adams Suite 3001, Phoenix, Arizona 85007. The Board meeting commenced at 10:32 am.

BOARD MEMBERS PRESENT: D. Nyblade, Chairman, Licensed Optician
S. Mayes, Vice-Chairman, Licensed Optician
S. Coleman, Secretary, Licensed Optician
E. Pettit, Licensed Optician (Appeared Telephonically)
T. Brown, Licensed Optician
D. Bright, Public Member (Appeared Telephonically)
M. Searle, Public Member

OTHERS PRESENT: Megan Darian, Executive Director
Scott Donald, Assistant Attorney General
Mike Mott- Associate General Counsel – Luxottica
(Appeared Telephonically)

1. Call to Order and Roll Call

Chairman Nyblade called the meeting to order at 10: 32 am. In addition, roll call was taken. Board members present at this time were, Chairman Nyblade, Vice-Chairman Mayes, Secretary Coleman, Board member Searle, and Board member Brown. Board member Bright and Board member Pettit appeared telephonically.

2. Conflicts of Interest

None noted

3. Review, Discussion and Approval of Minutes

A. Vice-Chairman Mayes moved to approve the minutes of November 7, 2018. Board member Searle seconded the motion, and it carried.

4. Agency Operations

Director's Report

1. Ms. Darian reported Regulatory Review Council- GRRC has approved the Rules immediately effective as of 12/4/18. The Rules been filed with the Secretary of State.
2. Ms. Darian reported on the Consent agreement with Sears Optical #1719 and #1127.

The Board went to an Executive Session at 10:52.
The Board returned from Executive Session at 11:08.

Board member Pettit recused herself from this matter.

Vice Chairman Mayes made a motion to revise the consent agreement; to remove the Sears Optical #1127 (the penalty would be dropped) and to keep Sears Optical #1719 in the consent agreement (the penalty would be assessed). Board member Brown seconded the motion and it carried.
This matter will be extended and be revisited until Jan 2, 2019 meeting if further action is essential at that time.

5. Possible Violations

Responded to the Board. No Longer Selling Contact Lenses:

- A. Bob's vape & smoke shop – Selling contacts – Litchfield Park
- B. Mini mart smoke shop Selling contacts – Avondale
- C. Roll over smoke shop – Selling contacts - Mesa
- D. Sandy smoke shop – Selling contacts – Glendale
- E. Sierra Hair Beauty Supply – Selling contacts – Mesa
- F. Waves smoke & vapes – Selling contacts – Mesa
- G. Zuzu Beauty Supply – Selling contacts – Tempe

Not yet responded to the Board yet - moving to January 2, 2019 Agenda:

- A. Blood'N Dirt smoke shop – Selling contacts – Mesa
- B. Bob's vape & smoke shop – Selling contacts – Phoenix
- C. Casablanca smoke shop – Selling contacts – Litchfield Park
- D. Sun City smoke & cigar – Selling contacts – Sun City

General Discussion:

- A. Board member Searle reported at the Tattoo Convention, AZ State Fair made aware of the rules and regulation in place for dispensing any cosmetic contact lenses. They spoke with the promoter to notify all of the vendors and to insure that no lenses were dispensed. There were no case of selling contact lenses at the convention.
- B. Selling contact lenses in general event without a license will always stay at the agenda.

6. Applications for Licensure

Vice-Chairman Mayes moved to approve the following Establishments. Secretary Coleman seconded the motion and it carried.

- A. Clear Vision Express – Establishment – Tucson
- B. Northern Avenue Eye Care – Establishment – Phoenix

7. Future Meeting Dates

2019 schedule – January 2nd, February 6th, March 6th, April 3rd, May 1st, June 5th, August 7th, September 4th, October 2nd, November 6th, December 4th

8. Future Agenda Items

Sears Optical #1719 – No Licensed Opticians – Prescott
Rule changes overview
Contact lens selling overview
Blood'N Dirt smoke shop – Selling contacts – Mesa
Bob's vape & smoke shop – Selling contacts – Phoenix
Casablanca smoke shop – Selling contacts – Litchfield Park
Sun City smoke & cigar -Selling contacts – Sun City

9. Call to the Public

10. Meeting Adjourned

- A. With no further business, the meeting adjourned at 11:21 a.m.

Submitted by:
Megan Darian

Approved: *M. Darian*
Date: 1/2/2019

Executive Director