

**ARIZONA STATE BOARD OF DISPENSING OPTICIANS
TELECONFERENCE BOARD MEETING MINUTES**

January 6, 2021

The Arizona State Board of Dispensing Opticians held a Teleconference meeting.
The Board meeting commenced at 10:30 am.

BOARD MEMBERS PRESENT: D. Nyblade, Chairman, Licensed Optician
 S. Coleman, Vice-Chairman, Licensed Optician
 S. Mayes, Secretary, Licensed Optician
 E. Pettit, Licensed Optician
 M. Searle, Public Member

BOARD MEMBERS ABSENT: D. Bright, Public Member
 T. Brown, Licensed Optician

OTHERS PRESENT: Megan Darian, Executive Director
 Scott Donald, Assistant Attorney General
 Sunita Krishna, Assistant Attorney General, Independent
 Advisor -Paradise Valley Smoke & Cigar

1. Call to Order and Roll Call

Chairman Nyblade called the telephonic meeting to order at 10:30 a.m. In addition, a roll call was taken. Board members present at this time were, Chairman Nyblade, Vice-Chairman Coleman, Secretary Mayes, Board member Pettit, and Board member Steal.

2. Conflicts of Interest

None.

3. Review, Discussion and Approval of Minutes

Vice-Chairman Coleman moved to approve the minutes of December 2, 2020, telephonically board meeting. Secretary Mayes seconded the motion and unanimously it carried.

MINUTES

4. Paradise Valley Smoke Shop – AZBDO Case Number 20-002:
Vice-Chairman Coleman made a motion to rescind the motion for the Hearing that was previously made in the last month's meeting, case number 20-002.
Secretary Mayes seconded the motion and unanimously it carried.

5. Agency Operations

- A. Executive Director Megan Darian reported on the 2020 License Dispensing Opticians renewals have been completed with more than 94% completion as of today. The late renewal period started on Jan1 and will end on Jan 31.
The notice was sent on Jan 4 to the licensees, who have not renewed yet.
- B. Vice-Chairman Coleman made a motion for the Board to go to an Executive Session for legal advice related to Board interpretation of A.R.S. § 32-1671, 32-1696, 32-1697 with regard to the sale of cosmetic contact lenses.
Secretary Mayes seconded the motion and unanimously it carried.

The Board went to Executive Session at 10:42.

The Board returned from Executive Session at 11:03.

6. Possible Violations

- A. Vice-Chairman Coleman made a motion to dismiss the possible violation of Habitz Smoke Shop, selling non-prescription cosmetic contact lenses due to understanding of the Board's Statute.
Secretary Mayes seconded the motion and unanimously it carried.
- B. Vice-Chairman Coleman made a motion; the Board refers the possible violation of Paradise Valley Smoke Shop & Cigar, case number 20-002, having been rescinded, to forward it to Food and Drug Administration, FDA for possible prosecution under their federal authority.
Secretary Mayes seconded the motion and unanimously it carried.

7. Applications for Licensure

A. Vice-Chairman Coleman made a motion to approve the applications for the following License Opticians:

Aaron Jobe
Jeanene Snell
Makayla Nicole Loper

Secretary Mayes seconded the motion and unanimously it carried.

B. Vice-Chairman Coleman made a motion to accept the Comity application for the following

Kevin Peterson – Kentucky

Secretary Mayes seconded the motion and unanimously it carried.

8. Future Agenda Items

Update Referral to FDA

9. Call to the Public

10. Meeting Adjournment with no further business, the meeting adjourned at 11:13 a.m.

Submitted by:

Megan Darian
Executive Director

Approved: *M. Darian*

Date: 2/3/2021