

ARIZONA STATE BOARD OF DISPENSING OPTICIANS REGULAR BOARD MEETING MINUTES

June 5, 2019

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 10:33 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
Heather Hickson, Clear Vision Express
Joel Wakefield, the Nelson Law Group
Debbie Shutts

1. Call to Order and Roll Call

Chairman Nyblade called the meeting to order at 10:33 am. In addition, roll call was taken. Board members present at this time were, Chairman Nyblade, Vice-Chairman Coleman, Secretary Mayes, Board member Pettit, and Board member Searle,

2. Conflicts of Interest

Secretary Mayes recused herself from item 5. B.

3. Review, Discussion and Approval of Minutes

Board member Pettit moved to approve the minutes of May 1, 2019, regular board meeting. Board member Searle seconded the motion and it carried.
Vice-Chairman Coleman moved to approve the minutes of May 2, 2019, teleconference board meeting. Secretary Mayes seconded the motion and it carried.

4. Agency Operations

Ms. Darian reported renewal of establishment is continuing until June 30, 2019, with a completion of 35% at this stage.

5. Possible Violations

A. Clear Vision Express – No Licensed Optician – Oro Valley

Chairman Nyblade made a motion for The Board go to an Executive Session for legal advice and confidential information. Vice-Chairman Coleman seconded it and it carried.

The Board went to Executive Session at 10:37.

The Board returned from Executive Session at 10:50.

Vice-Chairman Coleman made a motion that Clear Vision Express is not exempt under The AZ State Board of Dispensing Opticians' Statutes and Rules in regards to other employees are being licensed. Board member Pettit seconded the motion and it carried.

Vice-Chairman Coleman made a motion that the Board works with Clear Vision Express in a Consent Agreement to resolve the outstanding violation of first- time offense fine of \$250 in 30 days in which time for them to find a licensed Optician for their establishment. Vice-Chairman Coleman amended the motion that was currently on the floor that the Licensed Optician be found by no later than June 30. Secretary Mayes seconded the motion and it carried.

B. Compliant against JCP/Nationwide Vision - Debbie Shutts

Vice-Chairman Coleman made a motion to dismiss Debbie Shutts complaints based on the lack of actionable violations on the eyewear she had made at JCP/Nationwide Vision. Board member Searle seconded the motion and it carried.

General Discussion:

Rule changes overview:

Docket opening, Notice of Rulemaking was published in Arizona Administrative Register in May 3, 2019, Vol. 25, Issue 18.

In addition, further clarification of amending Rule R4-20-120 A. was filed with the Governor's office and waiting for the approval.

Contact lens selling overview – keeping due diligence

Applications for Licensure

- A. Vice-Chairman Coleman made a motion to approve the application for the License Optician Reinstatement for Gwen A. May LDO-002319. Secretary Mayes seconded the motion and it carried.

- B. Vice-Chairman Coleman made a motion to approve the application for the License Establishment for National Vision Inc. dba Eyeglass World #8349 – Gilbert. Secretary Mayes seconded the motion and it carried.

- C. Vice-Chairman Coleman made a motion to approve the applications for the License Opticians for the following 13 applicants. Secretary Mayes seconded the motion and it carried
 - 1. Alexandra Nicole Marquez
 - 2. Bhavna Patadia
 - 3. David H. Lee
 - 4. Don Berner
 - 5. Jamie Inda
 - 6. Jeri Jo Fay
 - 7. Lucinda Michelle Brewer-Tarango
 - 8. Kayla Dunning
 - 9. Kelly Michelle Peters
 - 10. Melanie Shanae Spearman
 - 11. Nicole Marie McBride
 - 12. Raquel Villanueva
 - 13. Sarah Lacouette

MINUTES
June 5, 2019
Page Four

6. Future Agenda Items

Clear Vision Express – No Licensed Optician – Oro Valley

7. Call to the Public

8. Meeting Adjourned

With no further business, the meeting adjourned 11.50 am.

Submitted by:

Approved: *M. Darian*

Megan Darian
Executive Director

Date: 8/7/19