

ARIZONA STATE BOARD OF DISPENSING OPTICIANS

REGULAR BOARD MEETING MINUTES

November 7, 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 10:33 am.

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

OTHERS PRESENT: Megan Darian, Executive Director
Scott Donald, Assistant Attorney General
Steve Rens – Sears Optical (Appeared Telephonically)

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 Mayes, Secretary Coleman, Board member Bright, Board member Pettit, Board member Searle, and Board member Brown.

2. Conflicts of Interest

None noted

3. Review, Discussion and Approval of Minutes

A. Vice-Chairman Mayes moved to approve the minutes of October 3, 2018. Secretary Coleman seconded the motion, and it carried.

4. Agency Operations

Director's Report

1. Ms. Darian reported there has been progressive communication with Regulatory Review Council- GRRC. This rulemaking will review for the November 27 study session and on December 4 regular meeting.
2. Ms. Darian reported Target Optical has taken action to comply with The Statutes and Rules of AZ Dispensing Opticians Board. Board member Pettit made a motion to dismiss the compliant, Vice Chairman Mayes seconded the motion and it carried.

5. Possible Violations

Sears Optical #1719 – No Licensed Opticians – Prescott
Sears Optical #1127 – No Licensed Opticians – Chandler
Vice-Chairman Mayes made the motion to authorized Executive Director and the Counsel, Mr. Donald to engage in a discussion with the representative of Luxottica to resolve the issue, Board member Pettit seconded the motion and it carried.

Ms. Darian reported a physical visit to the following shops, which no longer sell contact lenses.

- A. A&N – Selling contacts – Phoenix
- B. AZ 1 Smoke Shop – Selling contacts – Phoenix
- C. Moody's Smoke Shop– Selling contacts – Phoenix
- D. Rob's Smoke Shop– Selling contacts – Phoenix
- E. Star Smoking– Selling contacts – Phoenix
- F. The Joint Smoke and Vape – Selling contacts – Phoenix
- G. Gaslight Theatre – Selling contact – Tucson

Not yet responded to the Board 1st notice:

Will move to October 3, 2018 agenda. Second notice would be sent to the stores.

- A. Blood'N Dirt smoke shop – Selling contacts – Mesa
- B. Bob's vape & smoke shop – Selling contacts – Phoenix
- C. Bob's vape & smoke shop – Selling contacts – Litchfield Park
- D. Casablanca smoke shop – Selling contacts – Litchfield Park
- E. Mini mart smoke shop – Selling contacts – Avondale

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- F. Mojo smoke place – Selling contacts – Mesa (Responded, No longer selling)
- G. Roll over smoke shop – Selling contacts - Mesa
- H. Sandy smoke shop – Selling contacts – Glendale
- I. Sierra Hair Beauty Supply – Selling contacts – Mesa
- J. Sun City smoke & cigar – Selling contacts – Sun City
- K. Waves smoke & vapes – Selling contacts – Mesa
- L. Zuzu Beauty Supply – Selling contacts – Tempe

7. Applications for Licensure

Vice-Chairman Mayes moved to approve the following Reinstatement and Establishments. Board member Brown seconded the motion and it carried.

- A. Davina Couturier - Reinstatement – Expired 2017
- B. Vision Center – Establishment – Chandler
- C. America’s Best Contacts & Eyeglasses #5608 – Establishment - Glendale

8. Future Meeting Dates

2018 schedule – December 5.

9. Future Agenda Items

- A. Blood’N Dirt smoke shop – Selling contacts – Mesa
- B. Bob’s vape & smoke shop – Selling contacts – Phoenix
- C. Bob’s vape & smoke shop – Selling contacts – Litchfield Park
- D. Casablanca smoke shop – Selling contacts – Litchfield Park
- E. Mini mart smoke shop – Selling contacts – Avondale
- F. Roll over smoke shop – Selling contacts - Mesa
- G. Sandy smoke shop – Selling contacts – Glendale
- H. Sierra Hair Beauty Supply – Selling contacts – Mesa
- I. Sun City smoke & cigar – Selling contacts – Sun City
- J. Waves smoke & vapes – Selling contacts – Mesa
- K. Zuzu Beauty Supply – Selling contacts – Tempe
- L. TATTOO Convention – Board member Searle report

10. Call to the Public

Re-Visitation of Agend:

4. Agency Operation

Director's Report

3. Scott Donald, Assistant Attorney General stated a new legislation effecting in January 1, 2019, specifically dealing with recording of the meetings and posting on the website.

5. Possible Violations

Sears Optical #1719 – No Licensed Opticians – Prescott
Sears Optical #1127 – No Licensed Opticians – Chandler
This would be the third violation of Luxottica in 2018; therefore, the Board recommended a consent agreement of \$750 for each Optical.

11. Meeting Adjourned

- A. With no further business, the meeting adjourned at 11:04 a.m.

Submitted by:
Megan Darian
Executive Director

Approved: *M. Darian*
Date: 12/5/18