

930062

BIENNIAL REPORT OF EXAMINING AND LICENSING BOARDS

(M.S. Section 214.07)

BOARD: OPTOMETRY

LOCATION: 2700 University Avenue West, Suite 103

St. Paul, MN 55114

STATUTORY AUTHORITY: 148.52 - 148.62

REPORT PERIOD: July 1, 19 90 To: June 30, 1992

SUBMITTED BY:	<u>Laurel Mickelson</u>	<u>Executive Director</u>	<u>01-20-93</u>
	<u>Name</u>	<u>Title</u>	<u>Date</u>

Copies of this report shall be delivered to: (A) the Legislature in accordance with Section 3.195 (1 copy to the Secretary of the Senate, 1 copy to the Chief Clerk of the House of Representatives and 10 copies to the Legislative Reference Library); (B) the Governor;- Each health-related board shall also deliver a copy of their report to the Board of Health.

Clause a: GENERAL STATEMENT OF BOARD ACTIVITIES

This description should cover both FY91 and FY92 and include any changes (additions/deletions) in activities between those years.

The Board of Optometry serves the public need for quality vision care by enforcement of state statutes and rules and regulations relating to the optometric profession. The Board annually examines 40-50 applicants as to fitness and qualifications; monitors continuing education requirements; re-evaluates and determines the need for changes or additional rules and regulation; investigates 5 to 10 complaints received each year.

Clause b: TOTAL NUMBER MEETINGS HELD FY 91 4 FY 92 4 FY 91 AND 92 8

APPROXIMATE TOTAL NUMBER OF HOURS SPENT BY BOARD MEMBERS IN MEETINGS AND ON OTHER BOARD ACTIVITIES.

BOARD MEMBER'S NAME	MEETING	HOURS			OTHER ACTIVITIES	HOURS		
	TYPE	FY 91	FY 92	FY 91 & 92	TYPE	FY91	FY 92	FY91 & 92
Mary Laconic, O.D. Minneapolis Professional Member	regular	12	9	21	national	48		48
	committee	6	2	8	examinations	20	20	40
					N.B.E.O.	10		10
Dean Stensrud, O.D. Coon Rapids Professional Member	regular	12	12	24	examinations	20	20	40
	committee	4	2	6				
Joseph Powell Waseca Public Member	regular	12	12	24	examinations	20	20	40
Alan Paymar, O.D. Eagan Professional Member	regular	12	12	24	examinations	20	20	40
	committee	2		2	N.B.E.O.	10		10

Clause b: TOTAL NUMBER MEETINGS HELD FY 91 4 FY 92 4 FY91 AND 92 8

APPROXIMATE TOTAL NUMBER OF HOURS SPENT BY BOARD MEMBERS IN MEETINGS AND ON OTHER BOARD ACTIVITIES.

BOARD MEMBER'S NAME	MEETING	HOURS			OTHER ACTIVITIES	HOURS		
	TYPE	FY 91	FY 92,	FY 91 & 92	TYPE	FY 91	FY 92	FY 91 & 92
James Hess, O.D. Robbinsdale Professional Member	regular	12		12	examinations	20		20
	committee	4		4				
Jean Lemberg Shoreview Public Member	regular	12	12	24	national	48	48	96
	committee	2		2	examinations	10	20	30
Don Sealock, O.D. Plymouth Professional Member	regular		12	12	national		48	48
					N.B.E.O.	10		10
					examinations		20	20
Jon S. Walker, O.D. Detroit Lakes Professional Member	regular		12	12	N.B.E.O.	10		10
					examinations		20	20
					FARB		48	48

Clause b: TOTAL NUMBER MEETINGS HELD FY 91 4 FY 92 4 FY 91 AND 92 8

APPROXIMATE TOTAL NUMBER OF HOURS SPENT BY BOARD MEMBERS IN MEETINGS AND ON OTHER BOARD ACTIVITIES.

BOARD MEMBER'S NAME	MEETING TYPE	HOURS			OTHER ACTIVITIES TYPE	HOURS		
		FY 91	FY 92	FY 91 & 92		FY 91	FY 92	FY 91 & 92
Marlane Brown, O.D. St. Paul Professional Member	regular		3	3				
Lee A. Nelson, O.D. Duluth Professional Member	regular	12		12	examination	20		20

Clause c: THE RECEIPT AND DISBURSEMENT OF BOARD FUNDS

	FY 91	FY 92	FY'S 91 & 92
Total State Appropriations	74,920	78,457	153,377
Total Non-Dedicated Fee Receipts	79,264	77,252	156,516
Total Disbursements	73,021	76,532	149,553

COMMENTS (Optional)

Clause d: LIST OF BOARD MEMBERS WHO SERVED DURING FY 91 AND FY 92

FOR EASY REFERENCE PLEASE GIVE:

- (A) Number of Board members required by statute: 7.
- (B) The statutory length of term: 4 years.

NAME & ADDRESS	OCCUPATION	GIVE BEGIN AND END DATE OF APPOINTMENT AND EACH RE-APPOINTMENT
Mary Laconic Minneapolis	optometrist	1/84 - 1/88
Dean Stensrud Coon Rapids	optometrist	1/88 - 1/92 1/85 - 1/89
Joseph Powell Waseca	retires	1/89 - 1/93 1/85 - 1/89
Alan Paymar Eagan	optometrist	1/90 - 1/94 1/86 - 1/90
Jim Hess Robbinsdale	optometrist	1/87 - 1/91
Jean Lemberg Shoreview		1/90 - 1/93
Don Sealock Plymouth	optometrist	6/91 - 1/95
Jon Walker Detroit Lakes	optometrist	6/91 - 1/95
Marlane Brown St. Paul	optometrist	2/92 - 1/96
Lee Nelson Duluth	optometrist	1/83 - 1/87 1/87 - 1/91

Clause f: BRIEF SUMMARY OF BOARD RULES PROPOSED OR ADOPTED DURING THIS REPORTING PERIOD, FY ⁹¹ AND FY ⁹². GIVE APPROPRIATE CITATIONS TO THE STATE REGISTER AND PUBLISHED RULES FOR THOSE ADOPTED.

NONE

Clauses i, j, k: MINNESOTA RESIDENTS BY TYPE OF LICENSE/REGISTRATION

List the number of Minnesota Residents only who were (1) examined and either (2) Licensed/Registered or (3) Not licensed/registered after being examined for the type of license/registration noted. Use a separate page for each type of license or registration

TYPE OF LICENSE/REGISTRATION Optometry

AGE GROUP	FY 91									FY 92									FY 91 AND FY 92											
	EXAMINED			LIC/REGIS			NOT LIC/REGIS			EXAMINED			LIC/REGIS			NOT LIC/REGIS			EXAMINED			LIC/REGIS			NOT LIC/REGIS					
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T			
Under 18																														
18-25	2	3	5	2	3	5				3	2	5	3	2	5				5	5	10	5	5	10						
26-34	37	10	47	33	8	41	4	2	6	15	16	31	13	16	29	2		2	52	26	78	46	24	70	6	2	8			
35-59	5	1	6	3	1	4	2		2	2	1	3	2	1	3				7	2	9	5	2	7	2		2			
60-65																														
66 & Over																														
Total	44	14	58	38	12	50	6	2	8	20	19	39	18	19	37	2		2	64	33	97	56	31	87	8	2	10			
Calculate % of Male and % of Female to the Total of Each Category																														
% of Total	76	24	100	76	24	100	75	25	100	51	49	100	49	51	100	100		100	66	34	100	64	36	100	80	20	100			

Clauses i, j, k: NON-MINNESOTA RESIDENTS BY TYPE OF LICENSE/REGISTRATION

List the number of Non-Minnesota Residents only who were (1) examined and either (2) Licensed/Registered or (3) Not licensed/registered after being examined for the type of license/registration noted. Use a separate page for each type of license or registration.

TYPE OF LICENSE/REGISTRATION Optometry

AGE GROUP	FY 91									FY 92									FY 91 AND FY 92														
	EXAMINED			LIC/REGIS			NOT LIC/REGIS			EXAMINED			LIC/REGIS			NOT LIC/REGIS			EXAMINED			LIC/REGIS			NOT LIC/REGIS								
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T			
Under 18																																	
18-25	2	3	5	2	3	5				1	2	3	1	2	3				3	5	8	3	5	8									
26-34	24	7	31	21	5	26	3	2	5	6	10	16	5	10	15	1		1	30	17	47	26	15	41	4	2	6						
35-59	3	1	4	2	1	3	1		1										3	1	4	2	1	3	1		1						
60-65																																	
66 & Over																																	
Total	29	11	40	25	9	34	4	2	6	7	12	19	6	12	18	1		1	36	23	59	31	21	52	5	2	7						

Calculate % of Male and % of Female to the Total of Each Category

% of Total	73	28	100	74	26	100	67	33	100	37	63	100	33	67	100	100	-	100	61	39	100	60	40	100	71	29	100
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State

PLEASE LIST THE TOTAL NUMBER OF NON-RESIDENTS BY STATE

ND.	5	5	10	5	3	8		2	2	2	2	4	2	2	4				7	7	14	7	5	12			2	2	
NE	1		1	1		1					1	1			1	1				1	1	2	1	1	2				
IL	2		2	1		1	1		1		1	1			1	1				2	1	3	1	1	2	1		1	
SD	4		4	3		3	1		1	1	1	2			1	1	1		1	5	1	6	3	1	4	2		2	

CONTINUATION SHEET:

Clauses i, j, k: NON-MINNESOTA RESIDENTS BY TYPE OF LICENSE/REGISTRATION

List the number of Non-Minnesota Residents only who were (1) examined and either (2) Licensed/Registered or (3) Not licensed/registered after being examined for the type of license/registration noted. Use a separate page for each type of license or registration.

TYPE OF LICENSE/REGISTRATION Optometry

State	FY 91									FY 92									FY 91 AND FY 92											
	EXAMINED			LIC/REGIS			NOT LIC/REGIS			EXAMINED			LIC/REGIS			NOT LIC/REGIS			EXAMINED			LIC/REGIS			NOT LIC/REGIS					
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T
WI	8	2	10	8	2	10				1	3	4	1	3	4				9	5	14	9	5	14						
MI	2	1	3	2		2	1												2	1	3	2		2	1			1		1
IA	3	2	5	3	2	5				2	2	4	2	2	4				5	4	9	5	4	9						
CA	1		1				1		1										1		1				1		1			
IN	1		1	1		1													1		1	1		1						
LA	1		1	1		1													1		1	1		1						
FL	1		1	1		1													1		1	1		1						
MT	1		1	1		1					1	1		1	1				1	1	2	1	1	2						
OR										1		1	1		1				1		1	1		1						
UT											1	1		1	1				1	1		1	1							

Clause 1: THE NUMBER OF PERSONS NOT TAKING EXAMINATIONS WHO WERE LICENSED OR REGISTERED BY THE BOARD OR WHO WERE DENIED LICENSING OR REGISTRATION WITH THE REASONS FOR THE LICENSING OR REGISTRATION OR DENIAL THEREOF ,

TOTAL NUMBER OF PERSONS <u>NOT</u> TAKING EXAMS AND GRANTED LICENSES OR REGISTRATION	FY	FY	FY	&
TOTAL NUMBER OF PERSONS <u>NOT</u> TAKING EXAMS AND DENIED LICENSES OR REGISTRATION	_____	_____	_____	

FOR EACH PERSON GIVE:

Type of lic./Regis.;	State of Res.	AGE GROUP						SEX		* Method of Lic./Regis.			** Reasons for Granting or Denial
		0-18	18-25	26-34	35-59	60-69	66-	M	F		Grant	Deny	
Optometric	SD			X				X		Application		X	Did not meet board requirements
"	MN			X				X		"		X	"
"	SD			X				X		"		X	"
"	MN				X			X		"		X	"
"	MI			X				X		"		X	"
"	ND			X					X	"		X	"
"	CA				X			X		"		X	"
"	IL			X				X		"		X	"

* IDENTIFY METHOD: e.g. Application, Reciprocity, Endorsements, Credential Evaluation, Comity, etc.
 ** REASONS FOR GRANTING OR DENIAL: Attach Additional Sheets if necessary.

Clause m: PERSONS PREVIOUSLY LICENSED OR REGISTERED BY THE BOARD
WHOSE LICENSES OR REGISTRATIONS WERE REVOKED, SUSPENDED
OR OTHERWISE ALTERED IN STATUS, WITH BRIEF STATEMENTS OF
THE REASONS FOR THE REVOCATION, SUSPENSION OR ALTERATION.

TOTAL number of revocations
 TOTAL number of suspensions
 TOTAL number of other status changes

FY 91	FY 92	FY's 91&92
8	9	17
17	38	55

TYPE OF LICENSE OR REGISTRATION (By case)	TYPE OF STATUS CHANGE			REASONS FOR EACH CHANGE IN STATUS FOR EACH CASE
	Revoked	Suspended	Other (Specify)	
Optometric	17			Failure to renew
"			40	Voluntary Drop
"			10	Emeritus Registration
"			5	Deceased

Clause n: LIST THE NUMBER OF COMPLAINTS AND OTHER COMMUNICATIONS RECEIVED BY THE EXECUTIVE SECRETARY, EACH BOARD MEMBER, EMPLOYEE OR OTHER PERSON PERFORMING SERVICES FOR THE BOARD

IN FY 91	4	Written
	No.	
	0	Oral
	No.	

IN FY 92	6	Written
	No.	
	0	Oral
	No.	

THAT ALLEGE OR IMPLY A VIOLATION OF A STATUTE OR RULE WHICH THE BOARD IS EMPOWERED TO ENFORCE. THESE TOTALS INCLUDE CASES REFERRED TO THE ATTORNEY GENERAL'S STAFF WHO ARE ASSIGNED TO ASSIST YOUR BOARD.

IN FY 91	0	Written
	No.	
	0	Oral
	No.	

IN FY 92	0	Written
	No.	
	0	Oral
	No.	

WHICH ARE FORWARDED TO OTHER AGENCIES AS REQUIRED BY M.S. 214.10.

Please indicate the number of complaints referred to each other governmental agency (Federal, State, and Local) in each fiscal year:

Case o: SUMMARIZE, BY SPECIFIC CATEGORY, THE SUBSTANCE OF THE COMPLAINTS AND COMMUNICATIONS REFERRED TO IN CLAUSE (n) OF M.S. 214.07 AND AND, FOR EACH SPECIFIC CATEGORY, THE RESPONSES OR DISPOSITIONS THEREOF PURSUANT TO M.S. 214.10 and 214.11 (INDICATE AUTHORITY/CITATIONS FOR DISPOSITION).

(Dispositions occurring during this period of complaints and communications received prior to July 1, 19... , and complaints and communications received but not disposed of as of June 30, 19... should be included).

SUMMARY OF COMPLAINTS AND COMMUNICATIONS BY SPECIFIC CATEGORY (Give number in each specific category)	SUMMARY OF RESPONSES AND DISPOSITIONS FOR EACH SPECIFIC CATEGORY (Give number in each specific category)
2) inappropriate behavior 1) appropriate therapy 3) incompetent 1) examination procedure 1) sexual misconduct 1) improper diagnosis 1) inappropriate threatment	2) no violation 1) resolved with explanation to patient 3) no violation 1) no violation 1) dismissed after investigation 1) no violation 1) resolved with required continuing education

Clause p: STATE ANY OTHER OBJECTIVE INFORMATION WHICH THE BOARD MEMBERS BELIEVE WILL BE USEFUL IN REVIEWING BOARD ACTIVITIES:

(For Example: In what other states do your licensees hold licenses? Number of Minnesota licenses verified/certified to other states? Number of inspections? Comparisons with past Biennial Reports?)

The Minnesota Board of Optometry participates annually in a regional meeting of Boards of Optometry of the North Central Region of States. The Minnesota Board of Optometry participates in a national meeting of the International Association of Boards of Optometry annually.

Currently there is no mechanism to exchange information regarding disciplinary proceedings against licensees in other states. Information is exchanged between health boards when disciplinary jurisdiction is alleged to violate statutes or rules of another Board or agency.

A meeting of the health boards are conducted on a monthly basis.

Clause p: (Continuation Sheet)

ANNUAL COMPARISON REPORT OF LICENSEES AS OF AUGUST 1, 1992

	<u>1991</u>	<u>1992</u>
Total licensed	814	806
Living in state	526	535
Living outside of state	262	247
Voluntary drops	9	31
Emeritus Registrations	5	5
Deceased	3	2
Revoked for non-compliance	8	9
Applicants for licensure	64	41
Licensed by examination	50	37

Item q: For all health related boards except the Board of Veterinary Medicine, per M.S. 1985 Supplement, Section 214.10, Subd. 8(b): Provide a summary of each individual case (complaint or other communication) that involved possible sexual contact of a licensee with a patient or client.

Each summary must include:

- 1) a description of the alleged misconduct;
 - 2) the general results of the investigation;
 - 3) the nature of board activities relating to that case;
 - 4) the disposition of the case;
- and
- 5) the reasons for board decisions concerning the disposition of the case.

The information disclosed must not include the name or specific identifying information about any person, agency, or organization. Include cases received prior to July 1, 1990, but disposed of in FY '91 and FY '92, as well as cases received prior to June 30, 1992, but not yet disposed of.

- 1) patient said that "Dr. talked to me kinda funny
- 2) got too close physically when it wasn't necessary
- 3) Dr. said he was examining eyes 'to see what you were doing last night'
- 4) Dr. touched cheek and commented about shaving
- 5) final handshake held long than normal

Discipline committee based on attorney general investigation, dismissed the allegations. It was determined that comments made by Dr. were to relax and befriend patients. Letter was drafted reminding Dr. of conduct that may be misperceived by patients.

Item q: (Continuation Sheet)

none