

President's Column

David D. Reed, O.D., F.A.A.O.

It is with pleasure and pride that I humbly move into the position of President for the Maryland Board of Examiners in Optometry. I have been fortunate to have been involved with wonderful past presidents, Cal Osterman, Beverly Miller, and Tony Glasser, who have maintained objectivity and integrity in following the laws of our profession. I hope that my association with these wonderful professionals, as well as my 5 years as a state Board member and almost ten years as the president of the QEI Committee will serve me well during my term as Board President.

We are entering into an exciting time in optometry in this state with the finalization of a hard fought topical steroids law and protocol. For the benefit of all licensees, the Board has prepared a separate bulletin with this mailing. Included in the bulletin, is the language of the amended statute that permits the use of topical steroids by TPA certified optometrists and requires the completion of an 8 hour steroids course. In addition, the practice protocol that was accepted and approved by the Board of Examiners in Optometry and the Board of Physicians is also a document in the bulletin. As an added convenience to licensees, applicants, and the public, the language of the revised optometry statute and the protocol will be posted on the Board's website at www.mdoptometryboard.org.

I would like to encourage all of my colleagues to practice optometry in the highest professional manner and lead the way in providing the best eye care possible to the citizens of Maryland.

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Welcome New Licensees

There are 810 active licensed optometrists in Maryland. The Board welcomes the following licensees to the state.

Perry Amerine, O.D.

Neha Ashar, O.D.

Kerri Bakker, O.D.

Simi Bhardwaj, O.D.

Claudia Blemard, O.D.

Shealeen Blum, O.D.

Thoai Peter Bui, O.D.

Bradley Catton, O.D.

Janna Chen, O.D.

Caroline Choe, O.D.

Theresa Chung, O.D.

Katarzyna Ciesek, O.D.

Eddy Contreras, O.D.

Andrew Dimattina, O.D.

Thanh-Loan Dorsam, O.D.

Kelly Duffy-Rizzo, O.D.

Laura Frederick, O.D.

Nina Gelfond, O.D.

Robert Gertz, O.D.

Jeremy Goldman, O.D.

Garry Griswold, O.D.

Tahani Hamideh, O.D.

Sheetal Haria, O.D.

Geoffrey Heddle, O.D.

Gregory Jellenek, O.D.

Kevin Johnson, O.D.

Mehrdad Keramati, O.D.

Sadia Khan, O.D.

Joo Kim, O.D.

Lauren Knott, O.D.

Christopher Kollias, O.D.

Jodi Rae Kollias, O.D.

Samantha Le, O.D.

Jenny Lin, O.D.

Mimi Lum, O.D.

An T. Nguyen, O.D.

Jasvinder Pabla, O.D.

Jason Palik, O.D.

Shama Patel, O.D.

Anna Rakhunov, O.D.

Arturo Ramos, O.D.

Phillip Russell, O.D.

Mary Sezer, O.D.

Asifa Shafi, O.D.

Tanya Sharma, O.D.

Mona Shroff, O.D.

Alexander Smith, O.D.

Amanda Stebbins, O.D.

Jung Suh, O.D.

Farnaz Tavassoli, O.D.

Charles Tucker Van Dyck, O.D.

Vu Tran, O.D.

Natalie Velazquez, O.D.

Thuy Mong Vu, O.D.

Scott Weaver, O.D.

Michelle Wilson, O.D.

Katherine Won, O.D.

Board Members and Term Expirations

David D. Reed, O.D.

5/31/06

President

Allan Brull, O.D.

5/31/07

Treasurer

Jeanne Murphy, O.D.

5/31/09

Secretary

Thomas Azman, O.D.

5/31/08

Board Member

Anthony M. Glasser, O.D.

5/31/08

Member

Delores G. Hobbs

5/31/08

Consumer Member

Vacant

Consumer Member

Board Meetings

Regular sessions of Board meetings are open to the public and will be held on the following dates at 4201 Patterson Avenue, room #110, at 9:30 a.m.

3/22/06

5/24/06

7/26/06

9/27/06

11/15/06

Disciplinary Actions

Vernon Reese, O.D. – Case No. 2002-015

The Board suspended licensee's license for 6 months, with conditions, pursuant to Consent Order effective 1/24/05. The Board found that licensee had violated Maryland Health Occ. Code Ann. ("HO") §11-313(2) (fraudulently or deceptively uses a license), (7) (willfully makes or files a false report or record in the practice of optometry), (21) (has violated any provisions of this title) and (23) (commits an act of unprofessional conduct in the practice of optometry), as well as HO §11-404(a)-(f), which prohibits an optometrist from administering topical ocular diagnostic pharmaceutical agents to a patient unless the optometrist is certified by the Board to do so. Additionally, the Board found that licensee had violated Code of Maryland Regulations ("COMAR") 10.28.11.03, which regulates the certification of optometrists qualified to administer diagnostic pharmaceutical agents.

After licensee had complied with the conditions of the Consent Order, the Board issued an Order Lifting Suspension, effective 7/29/05. Licensee is on probation for 3 years, with conditions.

Mark L. Farbman, O.D. – Case No. 2005-010

The Board suspended licensee's license for 60 days, with 30 days stayed, beginning on August 1, 2005, with conditions, pursuant to Consent Order effective 7/27/05. The Board found that licensee had violated HO § 11-313(23) (commits an act of unprofessional conduct) and § 11-404.2(f), which provides that a therapeutically certified optometrist "may remove superficial foreign bodies from the human eye only if: (a) The foreign body may be removed with a cotton-tipped applicator or blunt spatula; and (2) The foreign body has not penetrated beyond the Bowman's membrane of the cornea and is not within 2.5 millimeters of the visual axis."

The Board issued an Order Lifting Suspension, effective 9/1/05. Licensee is on probation for 1 year, with conditions.

Contact Lens Update

COMAR 10.28.16.01—Effective January 16, 2006

.01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Contact lens" means a medical device of any material or power, including plano or zero-powered, that is placed directly on:

- (a) The cornea; or
- (b) The cornea and sclera.

(2) "Contact lens prescription" means "replacement contact lens prescription" as defined in Health Occupations Article, §11-404.4, Annotated Code of Maryland, and any federal statute and regulations that may supersede this Health Occupations citation.

10.28.16.02

.02 Sales and Dispensing of Contact Lenses.

Contact lens prescriptions and contact lenses are prescribed, sold, dispensed, and otherwise regulated as stated in Health Occupations Article, §11-404.4, Annotated Code of Maryland, and any federal statute and regulations that may supersede this Health Occupations

Public Law 109-96
109th Congress

An Act

To amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices, and for other purposes. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REGULATION OF CERTAIN ARTICLES AS MEDICAL DEVICES.

Section 520 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j) is amended by adding at the end the following subsection:

``Regulation of Contact Lens as Devices

``(n) (1) All contact lenses shall be deemed to be devices under section 201 (h).

``(2) Paragraph (1) shall not be construed as bearing on or being relevant to the question of whether any product other than a contact lens is a device as defined by section 210 (h) or a drug as defined by section 201 (g).''

Approved November 9, 2005.

Renewal Requirements

Licenses for Maryland optometrists will expire on June 30, 2007. The following information summarizes Maryland's continuing education requirements for optometrists to renew their licenses. According to COMAR 10.28.02.06 (A), each optometrist is responsible for obtaining proof of hour credits and maintaining this documentation for inspection by the Board for 4 years after the date of renewal. Maryland requires up to 50 hours every two years. Hours taken must be within the time period of July 1, 2003 and June 30, 2005.

TPA Certified optometrists are required to complete 50 hours and 30 of those hours must be in the use and management of therapeutic pharmaceutical agents.

DPA Certified optometrists are required complete 36 hours and 6 of those hours must be in the use of diagnostic pharmaceutical agents.

Non Certified optometrists are required to complete 36 hours.

CATEGORIES OF CONTINUING EDUCATION

- 1. Academic Papers** – The Board will allow continuing education credit for a **maximum of 12 hours in the two-year period for papers which have been either published or peer-reviewed.**
- 2. Clinical Observation** – Observation of clinical procedures (without a corresponding lecture) will be accepted for continuing education credit up to a **maximum of 6 hours in the two-year period.** The site must be pre-approved by the Board. The optometrist needs to obtain a letter verifying the number of hours from the person or facility where the observation is done.
- 3. Correspondence and Internet Programs** – All correspondence courses with a post-test, including internet courses will be accepted for continuing education credit up to a **maximum of 12 hours in the two-year period.** Anyone with a physical handicap or other problem that precludes attendance at continuing education courses can request a waiver of the 12-hour limit from the Board. The Board will allow an additional 2 hours for the completion of the QEI Committee's educational topics review and exam.
- 4. CPR** –Required for renewal of DPA and TPA certification. DPA and TPA certified optometrists are responsible for maintaining proficiency with the current CPR procedures as recommended by the American Heart Association. The Board will grant a **maximum of 3 hours in the two-year period** for CPR recertification. CPR is general CE education.
- 5. Lectures** - There is no limit to the number of hours.
- 6. Practice Management** – The Board will allow a **maximum of 6 hours in the two-year period** for programs directly relating to patient care. Practice Management is general CE education.
- 7. Presented Programs** - Licensees who present approved CE programs will be allowed continuing education hours for the preparation and presentation of the program as follows: for each hour of presentation, the licensee will be allowed one hour for preparation and one hour for presentation up to a **maximum of 12 hours in the two-year period.**

QEI Committee News

Educational Topics—The Board's Quality Enhancement and Improvement (QEI) Committee has designed, developed and continues to manage a unique quality assurance program. As a component of the program, committee members who are all TPA certified optometrists, draft educational newsletters on topics that are of interest and relevance to optometric practice. The first topic for 2006 entitled, "Introduction to Steroids and Dry Eye", will be disseminated in the spring and the second topic, "Allergies" is scheduled for summer distribution. The third topic, "Anterior Segment" will go out in the fall and the last topic, "Uvetitis" will be sent out during the winter. For the renewal cycle ending June 30, 2007, the Board voted to grant 2 hours of continuing for the completion of a multiple-choice exam that will cover the subject matter from the 4 topics. These hours will be permitted in addition to the 12 hours allowed for correspondence and internet courses. The exam will be sent out with the fourth newsletter in December 2006 and will include questions that cover material from each of the 4 topics.

Welcome New Committee Members—The Board wishes to welcome its newest QEI Committee members, Michele Kupfer, O.D. and Ryan Beveridge, O.D. Some of Dr. Kupfer's experiences include serving as Director of Contact Lens and Low Vision Services at the Krieger Eye Institute and Optometric Consultant for the Optometry Board. Dr Beveridge has been in private practice for several years and has also worked in the commercial practice setting.

Committee Members Needed—As the Board welcomes new members to the committee, it also extends farewell to Robert Stutman, O.D., who has served on the committee since its inception. The Board thanks Dr. Stutman for his dedication and contribution to the committee over the years. **The QEI Committee is continuing the development of a pool of TPA certified optometrists who are interested in serving as members.** The expectations of committee members are as follows: Ability to attend scheduled evening meetings; complete peer record reviews; draft educational topics and other related tasks. As a committee of the Board, QEI members receive a per diem of \$ 100.00 for attending meetings. Please submit your letters of interest and CVs to the Board office.

Record Review—The Board's QEI Committee has completed its annual record review for the period, October 1, 2003—September 30, 2004, which included the review of 600 patient records furnished by 60 TPA certified optometrists. Plans have begun for the current audit cycle. Optometrists who have been selected received notification in December 2005 to submit patient logs to the committee. Upon receipt, the committee will select the patient records that the licensees must copy and submit for review.

Complaint Issues

The Board has received numerous complaints alleging rudeness by optometrists. Licensees should be aware that patients expect and deserve dignified, professional and courteous behavior when being treated. Incivility rarely requires sanction by the Board, but it causes the public to perceive optometrists in a negative manner.

The Board reminds optometrists to instruct their staffs in triaging. Complaints have been received where patients have made appointments expecting to be seen by an ophthalmologist. Although the public is occasionally unaware of the distinction between optometry and ophthalmology, office staff should not be ignorant of the differences.

Optometrists should be aware that replying to a complaint often yields a patient record that will be scrutinized by the Board. If the record is substandard, the Board may request additional patient records to determine if a pattern of poor record keeping or standard of care exists. Optometrists should strive to maintain records that are accurate, complete, legible, and consistent with accepted standards of care. Failure to do so can result in disciplinary action.

Continuing Education

ARBO (Association of Regulatory Boards of Optometry) continues to maintain the website that includes continuing education activities. This site is available to optometrists who can locate continuing education offerings quickly and efficiently. The site is continuously updated to add new meetings. The address is www.OptometryCE.org.

Maryland Board of Examiners in Optometry

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Board Regulation, COMAR 10.28.03.08, requires that an optometrist report a change of address within 30 days of beginning a practice in a new location. Please complete and mail or fax the following as required:

CHANGE OF ADDRESS NOTIFICATION

Name: _____ License # _____

Old Address: _____

City State Zip Code

Telephone Number: _____

New Address: _____

City State Zip Code

Effective date of change: _____

Optometrist Signature: _____ Date _____

Mail to: Maryland Board of Examiners in Optometry
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