



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

January 3, 2023

Jennifer P. Cohen, Executive Director
Maryland Optometric Association
P.O. Box 350
Stevenson, MD 21153
jcohen@marylandoptometry.org

Dear Ms. Cohen:

As you may be aware, the seat formerly held by Dr. Mark Gordon on the State Board of Examiners in Optometry is vacant. In addition, the term of Dr. Mesheca C. Bunyon will expire on May 31, 2023. Dr. Bunyon is not eligible for reappointment.

Health Occupations Article, Sec. 11-202(a)(3) provides, “The Governor shall appoint the optometrist members, with the advice of the Secretary, from a list submitted to the Secretary by the Maryland Optometrist Association. The number of names on the list shall be three times the number of vacancies.” Other requirements for membership can be found at <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gho§ion=11-202&enactments=false>.

The Maryland Department of Health (MDH) requests that the Maryland Occupational Therapy Association submit a list of nominees by **March 1, 2023**.

The State Ethics Commission has rendered an advisory opinion (#87-1), which addresses the issue of whether members of health regulatory boards may serve as elected officials or directors of professional associations whose members are under the Board’s authority. This opinion would be presumed to be a restriction against appointment unless it was clear that their activities would not, in any way, be a conflict of interest. You should be aware that this opinion could be a restriction on the nature of an individual’s activities with the association after they are appointed to a regulatory board. Any officer or board member of a professional association who accepts a nomination for appointment to a regulatory board shall consider resigning from their position with the association prior to accepting the appointment. If the nominee does not wish to resign, their position with the association must be clearly stated with the submission of the nominee’s name to the Secretary of Health and on the Appointee Exemption Disclosure. A determination of eligibility will then be made by the appointing authority.

MDH is committed to creating geographic, gender, and ethnic diversity on each board. This helps to ensure that actions by the board more adequately reflect the viewpoints of all populations being served while continuing to advance the mission of the board. MDH requests

your assistance in this effort and asks that you consider this concern when identifying the most talented nominees.

The Governor's Appointments Office requires all nominees to submit an online application via their website <https://govappointments.maryland.gov>. The applications must be submitted no later than March 1, 2023. Applicants will be required to upload their resume during the online application process.

Thank you for assisting MDH in the appointment process. We look forward to receiving the nominations on or before **March 1, 2023**. If you have any questions, please contact me at (410) 979-8722 or Kimberly.link@maryland.gov.

Sincerely,

Kimberly B. Link

Kimberly B. Link
Senior Advisor to the Secretary for Health Board Matters

cc: Gwendolyn A. Joyner
Michelle Teoli Morningred