

MARYLAND BOARD OF EXAMINERS IN OPTOMETRY



Minutes

General Session Board Meeting

Wednesday, January 29, 2025 9:30 AM – 11:00 AM

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A. Call to Order (Dr. Burgos at 9:36 am)

Board Members in Attendance: Francisco Burgos, O.D., Tracey Boss, O.D., Dominic Brown, O.D., Adel Ebraheem, O.D., Aidin Gogerchi, O.D.; Consumer Members: Margaret Hubbard and Catherine Carter.

Staff Members: Gwendolyn Joyner - Executive Director; Andrea Russell-Tate, Licensing Coordinator; Nyah Smith - Intern, Lillian Reese - Legislative and Regulations Coordinator;

Board Counsel: Rhonda Edwards - AAG Deputy Counsel/Board Counsel

Guests: Jennifer Cohen - Executive Director, Maryland Optometric Association, Zakiyyah Holmes, MDH

Dr. Burgos read the Board's opening statement into the record as well as the Board's Mission Statement and noted public attendance.

Maryland Board of Examiners in Optometry Mission Statement

The Board of Examiners in Optometry was created in 1914. The Board of Examiners in Optometry is composed of five **Optometrist members:** Francisco Burgos, O.D,

President, Tracey Boss, O.D., Aidin Dean Gogerdchi, O.D., Adel Ebraheem, O.D., Dominic Brown, O.D., and two **Consumer members**: Margaret Hubbard and Catherine Carter. All members are appointed by the Governor with the advice and consent of the Secretary of Health.

The Board is mandated to regulate the practice of optometry in Maryland and protect the public health and welfare of its citizens by ensuring the delivery of vision services by qualified optometrists. It is the responsibility of the Board to:

- Credential and license applicants
- Certify optometrists to use-diagnostic pharmaceutical agents and therapeutic pharmaceutical agents in practice of optometry
- Promulgate and adopt regulations to govern the practice of optometry in Maryland
- Monitor continuing education programs and continuing education compliance
- Investigate complaints against licensees concerning alleged violations of the law
- Conduct hearings concerning these violations
- Discipline licensees found to be in violation of the law

COMAR 10.01 14.02 Public Attendance

The public may attend and observe an open session of a public body within or established by the Maryland Department of Health. Except in instances when a public body expressly invites public testimony, questions, comments, or other forms of public participation, or when public participation is otherwise authorized by law, a member of the public attending an open session may not participate in the session.

B. Approval/Corrections to Agenda (January 29, 2025)

- Corrections: updated link for agenda's general session meeting needed
 - A motion was made by Dr. Boss and seconded by Mrs. Carter to approve the update the link for the General Session Board Meeting

C. Review and Approval of General Session Minutes (November 13, 2024)

- A motion was made by Dr Boss and seconded by Ms. Hubbard to approve the November 13, 2024 General Session Meeting minutes as written.

D. Lillian Reese, Legislative and Regulations Coordinator

- **Regulations update**
 - Board has 2 regulations proposals that have been signed by the Secretary and have been sent to the Governor's office - there is a delay as we are in the middle of Session
 - COMAR 10.28.02
 - COMAR 10.28.03/05/07/08/11/12
- **Legislation update**

- HB482- Occupational Licensing and Certification -Criminal History Predetermination Review Process - Letter of Concern
 - Previously introduced at least once last year as HB175
 - Sponsored by Delegate Harrison
 - 9 boards joined letter of concern
 - Goal: established predetermination review process of occupational licenses and certificates, and authorize departments to charge a criminal history review fee or waive if income is <300% of poverty level
- Discussion
 - Can put additional administrative burden on staff for review, notably in staffing hours required
 - Can create multiple unintended obstacles for the issuance of health occupations credentials
 - Presumes all occupational licensing and certifications boards operate the exact same way, and avoids the nuisance of various that impacts licensing and certifications decisions
 - Boards may be forced to reject applications due to convictions that could potentially result in a denial of licensure that might otherwise have been approved
 - A motion was made by Ms Hubbard and seconded by Mrs. Carter to ratify the letter of concern.
- SB458 Health Occupations - Structural Racism Training - Support with Amendment
 - Clarified during the general session that this is a Senate Bill and not a House Bill
 - Will require renewal applicants to attest to both implicit bias and structural racism training programs for the first-time renewal
 - Amendment to allow Office of Minority and Health Disparities to decide appropriate courses, not the Boards
 - A motion was made by Dr Boss and seconded by Mrs. Carter to ratify the decision to support the amendment
- HB231-Constitutional Amendment -Fee or Tax Increase Yea and Nay Vote - General Assembly Required Taxpayer Disclosure and Protection Act
 - Clarified during the general session that this is a House Bill and not a Senate Bill
 - Fee changes require going through General Assembly vs current regulatory processes
 - A motion was made by Dr Gogerdchi and seconded by Dr Boss to ratify the letter of concern.
 - Hearing has taken place - no position required from the Board at this time
- Other bills proposed: no discussion / action taken on these at this time
 - SB277
 - SB67

- SB372
- SB72

E. Committee Reports

- **President's Report - Francisco Burgos, O.D.**
 - Email (NBEQ Scoring)
 - 1/26/25 letter: Part II PAM/TMOD scores “did not reflect candidates’ true scores on the exam due to an error in the publication process”
 - Scores released 3pm Friday 1/24 and re-released 5pm same day
 - No Board action taken at this time
 - Email (Lisa Fennell ARBO - Member Query About Medical Records)
 - Question on how to handle records maintenance during practice closure
 - “COMAR 10.01.16.04 - Maintenance of Medical Records” reviewed
 - Letter to be sent to reference pre-existing procedures
 - Discussed Case-by-case acceptance to accept DEA coursework as CE
 - Discussed record keeping in context of California wildfires
 - Would refer inquirers to outside expertise (national association, legal counsel)
 - Board is not to be a repository for practice information
 - Discussed Case-by-case acceptance to accept 8hr DEA coursework as CE via “COPE - Ethics/Jurisprudence”
 - Adel Ebraheem, O.D. - email to Board
 - Discussion on mismanagement by “urgent care” practices and of pediatric cases, as well as medical billing
 - Board will plan to return to topic following additional work on examination definitions by legs/regs committee to help minimum standard of care in the state of MD
 - A motion was made by Mrs. Carter and seconded by Mrs. Hubbard to direct legislation / regulation to clarify comprehensive eye exams versus other forms of vision screenings
 - Discussed scope expansion
 - Requires legislation, not independent action of this Board
 - Board can introduce bills for scope expansion, and regulate what is currently approved
 - MOA was advised to refrain from additional legislation proposal for ~5-7 years (soon approaching)
 - A motion was made by Mrs. Carter and seconded by Mrs. Hubbard to direct legislation / regulation to initiate exploration of scope expansion in comparison to other States
- **Continuing Education - Adel Ebraheem, O.D./Aidin Gogerdchi, O.D.**
 - Maryland Optometric Association – “Seeing Too Much or Not Enough” -
 - In person – 1 hour approved.

- Krieger Eye Institute – “Clinical Challenges in the Diagnosis and Treatment of Eye Disease 2025”
 - 7 hours approved.
- **Treasurer’s Report** – Catherine Carter, Consumer Member/Gwendolyn Joyner
 - RE: Agency Budget Report 01/28/25
 - Money is planned to be pulled from the Board to cover State deficits
 - HB231 reflects Boards money will be pulled from effective July 1, 2025
 - [HB231 Constitutional Amendment - Fee or Tax Rate Increases January 8 2025 respond by Jan 14 2025.pdf](#)
 - Current FY summary is incomplete and is subject to change by the end of the year
 - Lillian previously reported that we are on a letter of concern regarding this
 - Letter may need to be sent to secretary of dept of health to advise on impact on the Board if the bill is passed
 - A motion was made by Dr Boss and seconded by Mrs. Carter to send a letter to the Secretary of Health regarding the budgetary status and future detriment of the board
 - Discussion: this is to be a letter of concern to the Secretary, and not a position on the bill proposed; other associations can be asked to be joint on the letter at an open board meeting

F. Old Business

- Nothing to Report

G. Executive Director’s Report – Gwendolyn Joyner

- Board Vacancy as of May 31, 2025
 - Dr Burgos’ term ends 05/31/25
- Email sent to licensees for application
 - Governors apppt link may be broken
 - Deadline to be extended to end of 02/2025, email to be sent
- ARBO Annual Conference Meeting June 22-24, 2025
 - Dr Boss will attend
- 2025 Renewal -505 (1 Inactive Status total 504)
- 04/30 is financial disclosure deadline

H. New Business

- New Licensees – Francisco Burgos, O.D.
 - A motion was made to approve by Mrs. Hubbard and seconded by Dr Boss to approve the following licensees:

# of Licensee	Name	Certification	License #
1	April Kongmanich	N/A	3051
2	Argjenta Orana	TA	3052
3	Tammy Truc Tran	TA	3053
4	Jodi Ann Bergstrom	N/A	3054
5	Harjot Kaur	TA	3055
6	Rachel Currin Druga	TA	3057
7	Erica Chae Heffner	TA	3058
8	Janna Lambson	TA	3059

I. Adjournment

- A motion was made by Dr. Boss and seconded by Ms. Hubbard adjourn the meeting at 12:06 P.M.
- The next Board meeting will be held on March 26, 2025, at 9:30 A.M. virtually.

Respectfully submitted by:

Dominic Brown, O.D. Secretary