



**VIRTUAL/TELECONFERENCE
OPTOMETRY EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
January 20, 2022**

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of September 23, 2021 (4-5)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Board Updates
 - 2) Annual Policy Review **(6-9)**
 - 3) Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities **(10-16)**
 - 4) Board Members – Term Expiration Dates
 - a. Clark, Jeffrey J. – 7/1/2023
 - b. Jenkins, Mark A. – 7/1/2016
 - c. Schulz, Robert C. – 7/1/2020
 - d. Slaby, Lisa L. – 7/1/2023
 - e. Sorce, Peter I. – 7/1/2023
 - f. Sterling, John L. – 7/1/2025
 - g. Wilson, Emmylou – 7/1/2023
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration**
 - 1) Discussion of Draft Rule Proposals for Opt 8, Relating to Continuing Education **(17-20)**
 - 2) Adoption Order for CR 21-004 (Opt 3), Relating to Reciprocal Credentials for Service Members, Former Service Members, and Their Spouses **(21-24)**
 - 3) Pending and Possible Rulemaking Projects

- H. Board Setting of Goals for 2022 to Address Opioid Abuse – Wis Stat. s. 440. (2m) (c) – Discussion and Consideration (25-27)**
- I. Prescription Drug Monitoring Program (PDMP) Update – Discussion and Consideration (28-29)**
- J. Education and Examination Matters – Discussion and Consideration**
 - 1) Continuing Education – Consideration of Association of Schools and Colleges of Optometry’s Diversity and Cultural Competency Initiative **(30-32)**
- K. Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration**
 - 1) Report of Attendance: Association of Regulatory Boards of Optometry (ARBO) 2021 Virtual Annual Meeting, June 19-20, 2021 – Peter Sorce
- L. COVID-19 – Discussion and Consideration**
- M. Discussion and Consideration of Items Added After Preparation of Agenda
 - 1) Introductions, Announcements and Recognition
 - 2) Nominations, Elections, and Appointments
 - 3) Administrative Matters
 - 4) Election of Officers
 - 5) Appointment of Liaisons and Alternates
 - 6) Delegation of Authorities
 - 7) Education and Examination Matters
 - 8) Credentialing Matters
 - 9) Practice Matters
 - 10) Legislative and Policy Matters
 - 11) Administrative Rule Matters
 - 12) Liaison Reports
 - 13) Board Liaison Training and Appointment of Mentors
 - 14) Informational Items
 - 15) Division of Legal Services and Compliance (DLSC) Matters
 - 16) Presentations of Petitions for Summary Suspension
 - 17) Petitions for Designation of Hearing Examiner
 - 18) Presentation of Stipulations, Final Decisions and Orders
 - 19) Presentation of Proposed Final Decisions and Orders
 - 20) Presentation of Interim Orders
 - 21) Petitions for Re-Hearing
 - 22) Petitions for Assessments
 - 23) Petitions to Vacate Orders
 - 24) Requests for Disciplinary Proceeding Presentations
 - 25) Motions
 - 26) Petitions
 - 27) Appearances from Requests Received or Renewed
 - 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports
- N. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b),

and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

- O. Deliberation of Items Added After Preparation of the Agenda
 - 1) Education and Examination Matters
 - 2) Credentialing Matters
 - 3) DLSC Matters
 - 4) Monitoring Matters
 - 5) Professional Assistance Procedure (PAP) Matters
 - 6) Petitions for Summary Suspensions
 - 7) Petitions for Designation of Hearing Examiner
 - 8) Proposed Stipulations, Final Decisions and Orders
 - 9) Proposed Interim Orders
 - 10) Administrative Warnings
 - 11) Review of Administrative Warnings
 - 12) Proposed Final Decisions and Orders
 - 13) Matters Relating to Costs/Orders Fixing Costs
 - 14) Case Closings
 - 15) Board Liaison Training
 - 16) Petitions for Assessments and Evaluations
 - 17) Petitions to Vacate Orders
 - 18) Remedial Education Cases
 - 19) Motions
 - 20) Petitions for Re-Hearing
 - 21) Appearances from Requests Received or Renewed

P. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

- Q. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate
- R. Open Session Items Noticed Above Not Completed in the Initial Open Session
- S. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

ADJOURNMENT

NEXT MEETING: APRIL 7, 2022

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
OPTOMETRY EXAMINING BOARD
MEETING MINUTES
SEPTEMBER 23, 2021**

PRESENT: Mark Jenkins, Robert Schulz, Lisa Slaby, John Sterling, Emmylou Wilson

EXCUSED: Jeffrey Clark, Peter Sorce

STAFF: Valerie Payne, Executive Director; Jon Derenne, Legal Counsel; Katlin Schwartz, Bureau Assistant; Megan Glaeser, Bureau Assistant; and other DSPS Staff

CALL TO ORDER

Robert Schulz, Chairperson, called the meeting to order at 9:00 a.m. A quorum was confirmed with four (4) members present.

(Lisa Slaby disconnected at 9:00 a.m., reconnected at 9:02 a.m.)

ADOPTION OF AGENDA

MOTION: Mark Jenkins moved, seconded by Robert Schulz, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF MAY 27, 2021

MOTION: John Sterling moved, seconded by Emmylou Wilson, to adopt the Minutes of May 27, 2021 as published. Motion carried unanimously.

OPTOMETRY EXAMINING BOARD REPORT ON OPIOID ABUSE

Proposals for 2021 Report

MOTION: Mark Jenkins moved, seconded by Lisa Slaby, to delegate authority to John Sterling to work with Department Staff to develop and approve the 2021 Opioid Report to the legislature and Governor and to delegate authority to the Chair to approve the final report for submission. Motion carried unanimously.

(Lisa Slaby was briefly disconnected from the meeting.)

CLOSED SESSION

MOTION: Mark Jenkins moved, seconded by Robert Schulz, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Robert Schulz, Chairperson, read the language of

the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Mark Jenkins-yes; Robert Schulz-yes; Lisa Slaby-yes; John Sterling-yes; and Emmylou Wilson. Motion carried unanimously.

The Board convened into Closed Session 9:59 a.m.

DELIBERATION ON DEPARTMENT OF LEGAL SERVICES AND COMPLIANCE MATTERS

Case Closings

20 OPT 005 – L.S.T.

MOTION: Mark Jenkins moved, seconded by John Sterling, to close DLSC Case Number 20 OPT 005, against L.S.T., for Prosecutorial Discretion (P2). Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: John Sterling moved, seconded by Robert Schulz, to reconvene in Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 10:05 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: John Sterling moved, seconded by Lisa Slaby, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND RATIFICATION OF LICENSES AND CERTIFICATES

MOTION: Emmylou Wilson moved, seconded by Robert Schulz, to delegate ratification of examination results to DSPS staff and to delegate and ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: John Sterling moved, seconded by Robert Schulz, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:08 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Kimberly Wood, Program Assistant Supervisor-Adv. on behalf of Division of Policy Development Executive Directors		2) Date when request submitted: 12/13/2021 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date: First Meeting of 2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: Please be advised of the following Annual Policy Review items: <ol style="list-style-type: none"> 1. Attendance/Quorum: Thank you for your service and for your commitment to meeting attendance. If you cannot attend a meeting or if you have scheduling conflicts impacting your attendance, please let us know ASAP. Timely notification is appreciated as quorum is required for our Boards, Sections and Councils to meet pursuant to Open Meetings Law. 2. Walking Quorum: Board/Section/Council members must not collectively discuss the body's business outside of a properly noticed meeting. Should several members of a body do so, the members could be violating the open meetings law. 3. Agenda Deadlines: Please communicate agenda topics to your Executive Director before the agenda submission deadline which is at 12:00 pm, 8 business days prior to a meeting. (Attachment: Timeline of a Meeting) 4. Travel Voucher and Per Diem Submissions: Please submit all Per Diem and Reimbursement claims to DSPS within 30 days of the close of each month in which expenses are incurred. (Attachments: Per Diem Example, Travel Voucher Example) 5. Lodging Accommodations/Hotel Cancellation Policy: Lodging accommodations are available to eligible members. Standard eligibility: member must leave home before 6:00 a.m. to attend a meeting by the scheduled start time. <ul style="list-style-type: none"> • If a member cannot attend a meeting it is their responsibility to cancel their reservation within the applicable cancellation timeframe. If a meeting is changed to occur remotely or is cancelled or rescheduled DSPS staff will cancel or modify reservations as appropriate. 6. Inclement Weather Policy: In the event of inclement weather the agency may change a meeting from an in-person venue to one that is executed remotely. 			
11) Authorization			
Kimberly Wood		12/13/2021	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: <ol style="list-style-type: none"> 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 			

Timeline of a Meeting

8 business days prior to the meeting: All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

7 business days prior to the meeting: The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

5 business days prior to the meeting: The approved agenda is returned to the Bureau Assistant for agenda packet production and compilation.

4 business days prior to the meeting: Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

Agenda Item Examples:

- Approval of the Agenda and Minutes (from the last meeting)
- Open Session Items
 - Public Hearings (on Admin Rules)
 - Administrative Matters
 - Legislation and Policy Matters
 - Administrative Rules Matters
 - Credentialing Matters
 - Education and Exam Issues
 - Public Agenda Requests
 - Current Issues Affecting the Profession
 - Public Comments
- Closed Session items
 - Deliberations on Proposed Disciplinary Actions
 - Stipulations
 - Administrative Warnings
 - Case Closings
 - Monitoring Matters
 - Professional Assistance Procedure (PAP) Issues
 - Proposed Final Decisions and Orders
 - Orders Fixing Costs/Matters Relating to Costs
 - Credentialing Matters
 - Education and Exam Issues

Thursday of the Week Prior to the Meeting: Agendas are published for public notice on the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

1 business day after the Meeting: "Action" lists are distributed by staff detailing board actions on closed session business.

5 business days after the Meeting: "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the Department's website.

Department of Safety and Professional Services

PER DIEM REPORT

INSTRUCTIONS: Claimant records board-related activities by entering the date of an activity, the duration of time spent in that activity, the relevant purpose code (see purpose code descriptions below), where the activity is conducted, and the type of activity performed. Only one (1) \$25.00 per diem payment can be issued on any given calendar day.

Purpose Codes:

- A. Official meetings including video/teleconference calls** (automatic day of per diem): i.e., board, committee, board training or screening panels; **Hearings**, i.e., Senate Confirmation, legislative, disciplinary or informal settlement conferences; **Examinations and Test Development Sessions**, i.e., test administration, test review or analysis events, national testing events, tour of test facilities, etc.)
- B. Other** (One (1) per diem will be issued for every five (5) hours spent in category B, per calendar month): i.e., review of disciplinary cases, consultation on cases, review of meeting materials, board liaison work e.g., contacts regarding Monitoring, Professional Assistance Procedure, Credentialing, Education and Examinations

NAME OF EXAMINING BOARD OR COUNCIL EXAMPLE EXAMINING BOARD			BOARD OR COUNCIL MEMBER'S NAME MARY SUNSHINE	
Activity Date MM/DD/YY	Duration of Activity Hours/Minutes	Purpose Code A or B	Where Performed City/Location (Home, Work, DSPS)	Activity Describe Activity Performed (see purpose codes)
12/2/20	2 hrs	B	Pleasant Prairie/Home	Review of screening panel materials
12/3/20	2 hr / 30 mins	B	Pleasant Prairie/Home	Review of screening panel materials
12/10/20	1 hr	A	Pleasant Prairie/Home	Screening Panel Meeting - Teleconference
12/12/20	1 hr / 30 mins	B	Pleasant Prairie/Home	Case consultation
12/13/20	1 hr	B	Pleasant Prairie/Home	Liaison: Application Review
12/16/20	6 hrs	A	Madison/DSPS	Board Member Training
				<p>The 5-hour rule applies to "B" code activities. Add the 'B' codes within the calendar month and then divide by five (5) hours to calculate your per diem payment. In this case the total is seven (7) hours which equals one (1) day of per diem.</p> <p>Each 'A' code is an automatic day of per diem regardless of time spent in that activity. Ms. Sunshine is eligible for two (2) additional days of payment.</p> <p>Department staff completes the fields titled "Total Days Claimed".</p>
CLAIMANT'S CERTIFICATION			Comments:	
The undersigned certifies, in accordance with § 16.53, Wis. Stats., that this account for per diem, is just and correct; and that this claim is for service necessarily incurred in the performance of duties required by the State, as authorized by law.				
<i>Mary Sunshine</i> Claimant's Signature		1/4/2021 Date		
			Supervisor	Date

EMPL ID: 100012345-0

To be completed by Department staff: **TOTAL DAYS CLAIMED: 3 @ \$25.00 = 75.00**

Travel Voucher

Staple Receipts Face Up On Backside

For Agency Use Only

Safety & Professional Services											
Department/ Division <u>Example Examining Board</u>				Emp ID 100012345		Z					
State Officer/Employee Name <u>Mary Sunshine</u>				Address 2424 Happy Road							
Mo/Yr <u>From/To:</u>				City Pleasant Prairie		State WI		Zip-Code 53158			
FY	FUND	BUSINESS UNIT	DEPART	APPR CLASS	OBJECT	PROJECT	BALANCE SHEET ACCT	REPORTING CATEGORY	PROJECT NUMBER	AMOUNT	
2021	10000	16500	1651300200	12100	7340000	16500P1<BRD ID>				DEBIT	CREDIT
				12800		16500P2<TRD ID>					
				22100							
TOTALS											

Official Business		Travel Points		HDQS-TIME		Personal Vehicle	Meals, including tips			Other Allowable Expenses		Total Allowable Expenses		
Date	Purpose of Trip	From	To	Depart	Return	Miles	Lodging	Morning	Noon	Evening	Item	Amount	Taxable	Non-Taxable
Use	Board Meeting	Home base	Madison	Report times you left		Miles	P-card	\$8.00	\$10.00	\$20.00			Report	Report
separate		Madison	Home base	and returned home if		must be		Maximum in-state amounts					meal cost	meal cost
lines for	You must identify			meals are claimed		split.	Enter		or				here if there	here if there
each leg	the purpose of					Cannot	"P-card"	\$10.00	\$15.00	\$25.00			is NO	IS an
of your	your trip.					place	when hotel	Maximum out-of-state amounts					overnight	overnight
trip.						roundtrip	is provided						stay.	stay.
						total on	by DSPS	Must leave	Must leave	Must return				
						one line.		home	home	home after				
								before	before	7:00 p.m.				
								6:00 a.m.	10:30 a.m.					
									and return					
									home after					
									2:30 p.m.					
LEGEND:		Staff can fill in these areas.				Board Member MUST fill in these areas								

*Item billed directly to the state agency

Sub-Totals														
											Mileage Costs			
							Miles at	0.510 cents/mile			Totals			
											Total Expenditure			
											Less Travel Advance			
											Net Amount Due			

Claimant's Statement § 16.53 Wisconsin Statutes

I declare, under penalties, that all claimed travel expenses are true and correct and are in conformity with Wisconsin statute 16.53 and related agreements. This claim represents reasonable and actual expenses necessarily incurred by me personally in the performance of official duties and no portion was previously reimbursed to me by the State or any other source.

I certify that all expenses on this voucher conform to statutory, departmental or applicable collective bargaining provisions, and were necessary in the official performance of duties required by the State Expenditures are determined to be reasonable and proper, and that sufficient funds are available to pay this claim.

Date _____ Claimant's Signature _____

I certify that this travel claim is reasonable, proper, and in conformity with applicable statutes, travel schedule amounts, and/or collective bargaining agreements.

Agency Head or Authorized Representative _____

Date _____ Supervisor's Signature _____

Audited in accordance with S. 16.53 Wisconsin Statutes and allowed by the provisions of chapter 20.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Katlin Schwartz, Bureau Assistant		2) Date when request submitted: 12/13/2021 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting																
3) Name of Board, Committee, Council, Sections: Optometry Examining Board																		
4) Meeting Date: 1/20/2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters <ul style="list-style-type: none"> • Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities 																
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A																
10) Describe the issue and action that should be addressed: <ol style="list-style-type: none"> 1) The Board, Council or Section should conduct Election Officers: Chairperson, Vice Chairperson & Secretary 2) The newly elected Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate 3) The Board should review and then consider its existing delegated authorities including any modification of these delegations and any proposals for additional delegations. <ol style="list-style-type: none"> a. Credentialing Delegations b. Monitoring Delegations 																		
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; vertical-align: top;">11)</td> <td style="width: 60%; text-align: center; vertical-align: top;">Authorization</td> <td style="width: 30%;"></td> </tr> <tr> <td style="border-top: 1px solid black; border-bottom: 1px solid black; vertical-align: bottom;">Katlin Schwartz</td> <td style="border-top: 1px solid black; border-bottom: 1px solid black; vertical-align: bottom;"></td> <td style="border-top: 1px solid black; border-bottom: 1px solid black; vertical-align: bottom; text-align: right;">12/13/2021</td> </tr> <tr> <td style="border-top: 1px solid black; border-bottom: 1px solid black; vertical-align: bottom;">Signature of person making this request</td> <td style="border-top: 1px solid black; border-bottom: 1px solid black; vertical-align: bottom;"></td> <td style="border-top: 1px solid black; border-bottom: 1px solid black; vertical-align: bottom; text-align: right;">Date</td> </tr> <tr> <td style="border-top: 1px solid black; border-bottom: 1px solid black; vertical-align: bottom;">Supervisor (Only required for post agenda deadline items)</td> <td style="border-top: 1px solid black; border-bottom: 1px solid black; vertical-align: bottom;"></td> <td style="border-top: 1px solid black; border-bottom: 1px solid black; vertical-align: bottom; text-align: right;">Date</td> </tr> <tr> <td style="border-top: 1px solid black; border-bottom: 1px solid black; vertical-align: bottom;">Executive Director signature (Indicates approval for post agenda deadline items)</td> <td style="border-top: 1px solid black; border-bottom: 1px solid black; vertical-align: bottom;"></td> <td style="border-top: 1px solid black; border-bottom: 1px solid black; vertical-align: bottom; text-align: right;">Date</td> </tr> </table>				11)	Authorization		Katlin Schwartz		12/13/2021	Signature of person making this request		Date	Supervisor (Only required for post agenda deadline items)		Date	Executive Director signature (Indicates approval for post agenda deadline items)		Date
11)	Authorization																	
Katlin Schwartz		12/13/2021																
Signature of person making this request		Date																
Supervisor (Only required for post agenda deadline items)		Date																
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Directions for including supporting documents: <ol style="list-style-type: none"> 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 																		

OPTOMETRY EXAMINING BOARD

2021 Elections and Liaison Appointments

ELECTION RESULTS	
Chairperson	Robert Schulz
Vice Chairperson	John Sterling
Secretary	Jeffrey Clark

- Appointment of Liaisons:

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	John Sterling <i>Alternate: Lisa Slaby</i>
Education and Exams Liaison(s)	John Sterling
Monitoring Liaison(s)	Jeffrey Clark <i>Alternate: Mark Jinkins</i>
Professional Assistance Procedure (PAP) Liaison(s)	Jeffrey Clark <i>Alternate: Peter Sorce</i>
Legislative Liaison(s)	Peter Sorce <i>Alternate: Robert Schulz</i>
Travel Liaison(s)	Robert Schulz <i>Alternate: Lisa Slaby</i>
Prescription Drug Monitoring Program Liaison(s) (PDMP)	Robert Schulz <i>Alternate: Emmylou Wilson</i>
SCREENING PANEL APPOINTMENTS	
January-December 2021	Emmylou Wilson, Mark Jinkins, Jeffrey Clark

- Delegations

Document Signature Delegations

- **MOTION:** Peter Sorce moved, seconded by John Sterling, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.
- **MOTION:** Mark Jinkins moved, seconded by John Sterling, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

- **MOTION:** John Sterling moved, seconded by Lisa Slaby, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Loss of Quorum

- **MOTION:** Jeffrey Clark moved, seconded by Peter Sorce, to delegate the review of disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

Monitoring Delegations

Delegation of Authorities for Monitoring

- **MOTION:** Peter Sorce moved, seconded by Emmylou Wilson, to adopt the "Roles and Authorities Delegated for Monitoring" document as presented in the January 21, 2021 agenda materials on pages 13-14. Motion carried unanimously.

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders Newly Proposed

- **MOTION:** Mark Jinkins moved, seconded by Robert Schulz, to delegate to Board Legal Counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Board Chairperson. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison (Denial Decisions)

- **MOTION:** Lisa Slaby moved, seconded by Peter Sorce, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between DSPS and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications, except that potential denial decisions shall be referred to the full Board for final determination. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

- **MOTION:** John Sterling moved, seconded by Emmylou Wilson, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

- **MOTION:** Mark Jenkins moved, seconded by Robert Schulz, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

Delegation of Authority for Conviction Reviews

- **MOTION:** Mark Jenkins moved, seconded by Lisa Slaby, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of optometry. Motion carried unanimously.

Delegation of Authority for Endorsement Reviews

- **MOTION:** John Sterling moved, seconded by Peter Sorce, to delegate authority to the Department Attorneys to review and approve endorsement applications in which the out of state license requirements are substantially similar to the Board's requirements for licensure. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

- **MOTION:** Lisa Slaby moved, seconded by John Sterling, to delegate authority to the Department's Attorney Supervisors to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Voluntary Surrenders

- **MOTION:** Peter Sorce moved, seconded by Jeffrey Clark, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Education and Examination Liaison(s) Delegation

- **MOTION:** Mark Jenkins moved, seconded by Peter Sorce, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education, continuing education, and examinations. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

- **MOTION:** Mark Jenkins moved, seconded by Peter Sorce, to authorize DSPS staff to provide national regulatory related bodies with all board member contact information that DSPS retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

- **MOTION:** Robert Schulz moved, seconded by Jeffrey Clark to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Legislative Liaison(s) Delegation

- **MOTION:** John Sterling moved, seconded by Peter Sorce, to delegate authority to the Legislative Liaison(s) to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Travel Liaison(s) Delegation

- **MOTION:** Emmylou Wilson moved, seconded by Robert Schulz, to delegate authority to the Travel Liaison(s) to approve any board member travel. Motion carried unanimously.

Prescription Drug Monitoring Program (PDMP) Liaison(s) Delegation

- **MOTION:** John Sterling moved, seconded by Jeffrey Clark, to delegate authority to the PDMP Liaison(s) for all matters relating to PDMP. Motion carried unanimously.

Roles and Authorities Delegated for Monitoring

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors (“Monitor”) to enforce Board/Section orders as explained below.

Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/disciplinary/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing/disciplinary/remedial education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant a maximum of one extension, if warranted and requested in writing by Respondent, to complete a Board/Section-ordered evaluation or exam.
8. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain written authorization from the Liaison to sign on their behalf.
9. Grant or deny a request to appear before the Board/Section in closed session.
10. The Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
11. *(Except Pharmacy and Medical)* Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.

12. Grant Respondent's petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison. Orders that do not start at 49 screens will still follow the same standard schedule.
 - a. Initial: 49 screens (including 1 hair test, if required by original order)
 - b. 1st Reduction: 36 screens (plus 1 hair test, if required by original order)
 - c. 2nd Reduction: 28 screens plus 1 hair test
 - d. 3rd Reduction: 14 screens plus 1 hair test
13. (*Dentistry only*) Ability to approve or deny all requests from a respondent.
14. The Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.

Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

- 1) Grant full reinstatement of licensure if education is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
- 2) Suspend the license if Respondent has not completed Board/Section-ordered education and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof of completion and/or payment have been received.
- 3) Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
- 4) **Grant or deny approval when Respondent proposes treatment providers [, mentors, supervisors, etc.] unless the Order specifically requires full-Board/Section or Board designee approval.**

Authorities Delegated to Board Legal Counsel

Board Legal Counsel may take the following actions on behalf of the Board/Section:

1. Sign Monitoring orders that result from Board/Section meetings on behalf of the Board/Section Chair.
-

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Jon Derenne, Attorney, DPD		2) Date when request submitted: January 10, 2022 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Optometry Examining Board			
4) Meeting Date: January 20, 2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative rule matters – discussion and consideration 1. Discussion of draft rule proposals for Opt 8 relating to continuing education. 2. Adoption order for CR 21-003 relating to reciprocal credentials for service members, former service members, and their spouses. 3. Pending and possible rulemaking projects.	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <Appearance Name(s)> <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed:			
11) Authorization			
<i>Jon Derenne</i>		1/10/2022	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin
Department of Safety & Professional Services**

STATEMENT OF SCOPE

Optometry Examining Board

Rule No.: Opt 8

Relating to: Continuing Education

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to clarify the number of in person continuing education hours required to renew an optometry license. The optometry board will also review Opt 8 in its entirety to ensure that continuing education requirements reflect current best practices in the field.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Updating the continuing education requirements will clarify the number of in person, continuing education hours required to renew an optometry license. Reviewing and updating the continuing education requirements will create clarity, utilize current technological methods of delivery of continuing education, and ensure required topics reflect the current practice of optometry.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

15.08(5)(b) Each examining board shall promulgate rules for its own guidance and for the guidance of the profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the profession.

449.06(2m) The examining board shall promulgate rules requiring a person who is issued a license to practice optometry to complete, during the 2-year period immediately preceding the renewal date specified in s. 440.08(2)(a), not less than 30 hours of continuing education. The rules shall include requirements that apply only to optometrists who are allowed to use topical ocular diagnostic pharmaceutical agents under s. 449.17 or who are allowed to use therapeutic pharmaceutical agents or remove foreign bodies from an eye or from an appendage to the eye under s. 449.18.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

80 hours

6. List with description of all entities that may be affected by the proposed rule:

Optometrists

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

None to minimal. It is not likely to have a significant economic impact on small businesses.

Contact Person: Jon Derenne, Attorney, (608) 266-0955

Approved for Implementation:



Chair, Optometry Examining Board

January 10, 2022

Date Submitted

STATE OF WISCONSIN
OPTOMETRY EXAMINING BOARD

IN THE MATTER OF RULEMAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	OPTOMETRY EXAMINING BOARD
OPTOMETRY EXAMINING BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 21-004)

ORDER

An order of the Optometry Examining Board to amend Opt 3.02 (intro.) and to create Opt 3.025, relating to reciprocal credentials for service members, former service members, and their spouses.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Section 440.09(5), Stats.

Statutory authority: Sections 15.08(5)(b) and 440.09(5), Stats.

Explanation of agency authority:

Section 15.08(5)(b), Stats., states that the examining board, “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 440.09(5), Stats., provides “[t]he department or credentialing board, as appropriate, may promulgate rules necessary to implement this section.”

Related statute or rule:

Section 440.09, Stats., specifies the requirements for issuing reciprocal credentials to service members, former service members, and the spouses of service members and former service members.

Plain language analysis:

The proposed rule creates a provision to implement s. 440.09, Stats., as amended by 2019 Wisconsin Act 143. Section 440.09, Stats., specifies the requirements for issuing reciprocal credentials to service members, former service members, and the spouses of service members and former service members.

Summary of, and comparison with, existing or proposed federal regulation:

None.

Comparison with rules in adjacent states:

Illinois:

The Illinois Statutes provide for the expedited licensure of service members and their spouses (20 ILCS 5/5-715). “Service member” includes a person whose active duty service concluded within the 2 years preceding application for licensure. A license issued to a service member or the spouse of a service member may be renewed.

Iowa:

Rules of the Professional Licensure Division of the Iowa Department of Public Health provide for the expedited reciprocal licensure of a veteran or a spouse of an active duty service member (645 IAC 645.20.3). A reciprocal license issued to a veteran or a spouse of an active duty service member may be renewed.

Michigan:

The Michigan Statutes provide for temporary licensure of the spouse of an active duty service member (MCL 339.213). A temporary license is valid for 6 months and may be renewed for one additional 6-month term if it is determined the licensee continues to meet the requirements for temporary licensure and needs additional time to fulfill the requirements for initial licensure.

Minnesota:

The Minnesota Statutes provide for temporary licensure of an individual who is an active duty military member, the spouse of an active duty military member, or a veteran who has left service in the 2 years preceding the date of license application (2019 Minnesota Statutes, Section 197.4552). A temporary license allows a qualified individual to perform regulated professional services for a limited length of time as determined by the applicable licensing board. During the temporary license period, the individual must complete the full application procedure as required by applicable law.

Summary of factual data and analytical methodologies:

The proposed rule was developed by reviewing the provisions of s. 440.09, Stats., as created by 2019 Wisconsin Act 143, and obtaining input and feedback from the Optometry Examining Board.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules were posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals. No comments were received.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator may be contacted by email at Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Jon Derenne, Attorney, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-266-0955; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

A public hearing was held on March 25, 2021.

TEXT OF RULE

SECTION 1. Opt 3.02 (intro.) is amended to read:

Opt 3.02 (intro.) Application. Except as provided in s. Opt 3.025, A an applicant for licensure as an optometrist shall submit all of the following:

SECTION 2. Opt 3.025 is created to read:

Opt 3.025 Reciprocal credentials for service members, former service members, and their spouses.

Opt 3.025 Reciprocal credentials for service members, former service members, and their spouses. A reciprocal license to practice optometry shall be granted to a service member, former service member, or the spouse of a service member or former service member who meets the definitions under s 440.09 (1) and who the board determines meets all of the requirements under s. 440.09 (2), Stats. Subject to s. 440.09 (2m), Stats., the board may request verification necessary to make a determination under this section.

SECTION 3. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

This Order of the Optometry Examining Board is approved for submission to the Governor and Legislature.

Dated _____

Chair
Optometry Examining Board

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:		2) Date When Request Submitted: 11/29/2021	
Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting			
3) Name of Board, Committee, Council, Sections: Optometry Examining Board			
4) Meeting Date: 1/20/2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Board Setting of Goals for 2022 to Address Opioid Abuse – Wis. Stat. s. 440. (2m) (c)	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: <p>Wis. Stat s. 440.035 (2m) (c) 1 requires the Optometry Examining Board to set goals for addressing the issue of opioid abuse, as that issue pertains to or implicates the practices of professionals regulated by the board. The proposed goals for 2022 are:</p> <ol style="list-style-type: none"> 1. Evaluate the 2-credit Continuing Education Requirement Relating to Prescribing Controlled Substances 2. Take Enforcement Action When Appropriate 3. Track and Monitor Optometrist Prescribing of Controlled Substances 4. Review and Update the Best Practices for Prescribing Controlled Substances Guidelines as Necessary 5. Educate Licensees Registered with the ePDMP <p>The Board should consider a motion to adopt these goals for 2022.</p>			
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
<p>Directions for including supporting documents:</p> <ol style="list-style-type: none"> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 			

Wisconsin Enhanced Prescription Drug Monitoring Program Awarded \$1.6 million to Combat Opioid Abuse, Expand Access

Grant will primarily benefit providers in rural and underserved areas of Wisconsin

MADISON, Wis. – Wisconsin Department of Safety and Professional Services Secretary Dawn Crim announced today that the Wisconsin Enhanced Prescription Drug Monitoring Program will receive \$1,648,500 from a competitive U.S. Department of Justice grant program. The award is part of DOJ's [Harold Rogers Prescription Drug Monitoring Program](#), which is administered by the Bureau of Justice Assistance.

The [Wisconsin Controlled Substances Board](#) and DSPS introduced the award-winning ePDMP in partnership with NIC Wisconsin, a subsidiary of [Tyler Technologies](#), in 2017. This replaced a previous version of the platform that launched in 2013. The ePDMP was designed to be a clinical tool to help inform healthcare providers, including physicians, dentists, advanced practice nurses and others, when they are making decisions about prescribing opioids, benzodiazepines, and other potentially addictive drugs.

This year's Harold Rogers Prescription Drug Monitoring Program grant will fund enhancements designed to expand adoption of the ePDMP's direct workflow integrations and to make ePDMP data more accessible within providers' existing electronic health record systems. The primary focus of the funding is to benefit providers in rural and underserved areas of Wisconsin.

"Since its inception, the ePDMP has been an invaluable tool in the state's multi-faceted effort to address the opioid epidemic," Secretary Crim said. "It has already transformed prescribing culture, and it continues to generate important data about prescribing trends in Wisconsin. This additional funding will make it more functional for and more accessible to more providers throughout the state."

Since the launch of the ePDMP, DSPS, the CSB, and NIC Wisconsin have partnered to continually enhance the ePDMP to provide healthcare providers with simple efficient access to the vital data about controlled substance dispensing in Wisconsin. These enhancements include data analytics that provide insight into a provider's own prescribing patterns and data-driven alerts about potentially unsafe patient prescription histories, such as overlapping opioids and benzodiazepines and potentially dangerous levels of opioid usage. Additionally, there is an ongoing multiyear project using previously awarded grant funds to overhaul the data capabilities of the ePDMP that is expected to complete in 2023.

"We are excited to see DSPS and the CSB being awarded funding to expand upon the successful ePDMP," said Nicole Randol, general manager of NIC Wisconsin. "As we look ahead, our partnership with DSPS on this critical tool will continue to focus on satisfying the needs of the healthcare providers across Wisconsin who use the ePDMP."

About the Wisconsin Department of Safety and Professional Services (DSPS)

In addition to operating the ePDMP and administering the CSB, DSPS issues more than 240 unique licenses, supports dozens of boards and councils, enforces state building codes, and runs the state fire prevention program. A fee-based agency, the DSPS is self-sustaining and receives no general fund tax dollars for its day-to-day operations.

About Tyler Technologies and NIC

Acquired by Tyler Technologies (NYSE: TYL) on April 21, 2021, NIC is a leader in digital government solutions and payments, partnering with government to deliver user-friendly digital services that make it easier and more efficient to interact with government. NIC and Tyler are united in their mission to empower public sector entities to operate more efficiently and connect more transparently with their constituents and with each other. Tyler has more than 27,000 successful installations across more than 11,000 sites, with clients in all 50 states, Canada, the Caribbean, Australia, and other international locations. Tyler has been named to Government Technology's GovTech 100 list five times and has been recognized three times on Forbes' "Most Innovative Growth Companies" list. More information about Tyler Technologies, an S&P 500 company headquartered in Plano, Texas, can be found at tylertech.com.

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Jennifer Garrett, Director of Public Affairs, Wisconsin Department of Safety and Professional Services, (608) 576-2491, Jennifer.garrett@wisconsin.gov

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Marjorie Liu Program Lead, PDMP		2) Date when request submitted: 1/10/2022 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Controlled Substances Board			
4) Meeting Date: 1/20/2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Prescription Drug Monitoring Program (PDMP) Update	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Opioid Prescribing in Optometry			
11) Authorization <div style="display: flex; justify-content: space-between; border-top: 1px solid black; border-bottom: 1px solid black; padding: 5px;"> <div style="width: 60%;"><i>Marjorie Liu</i></div> <div style="width: 35%; text-align: right;">1/10/2022</div> </div> <div style="display: flex; justify-content: space-between; border-top: 1px solid black; border-bottom: 1px solid black; padding: 5px;"> <div style="width: 60%;">Signature of person making this request</div> <div style="width: 35%; text-align: right;">Date</div> </div> <div style="display: flex; justify-content: space-between; border-top: 1px solid black; border-bottom: 1px solid black; padding: 5px;"> <div style="width: 60%;">Supervisor (if required)</div> <div style="width: 35%; text-align: right;">Date</div> </div> <div style="display: flex; justify-content: space-between; border-top: 1px solid black; border-bottom: 1px solid black; padding: 5px;"> <div style="width: 60%;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</div> <div style="width: 35%; text-align: right;">Date</div> </div>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



WISCONSIN | ePDMP

Wisconsin Prescription Drug Monitoring Program (PDMP) Update

PDMP Registration and Use – Optometry (as of 08/31/2021)

	Aug 2020	Aug 2021
Total Number of Licensed Optometrists	1,175	1,255
Total Number of Optometrists Registered with the WI ePDMP	205	212
Optometrists that have logged in to the PDMP in 2021	42	95
Number of Optometrist Users with Queries in 2021	2	3
Total Queries in 2021	109	146

Prescribing of Controlled Substances Q2 2021 – Optometry

	Total Unique Prescribers		Total Prescriptions		Prescriptions Longer than Three Days	
	2020	2021	2020	2021	2020	2021
Optometrists with Controlled Substances Prescriptions	3	3	48	4	1	3
Optometrists with Opioid Prescriptions	3	2	46	3	1	2
Optometrists with Benzo Prescriptions	1	1	1	1	0	0

Most Common Drug Dispensed Q2 2021 – Optometry

	Total Prescriptions	Total Doses	Total Days Supplied	Doses per Prescription
Hydrocodone-Acetaminophen	2	40	10	20
Acetaminophen w/Codeine	1	1	1	1
Diazepam	1	6	1	6

Opioid Prescribing Trend 2020-2021 – Optometry

	Q2 2020	Q3 2020	Q4 2020	Q1 2021	Q2 2021
Opioid Prescriptions	3	13	3	4	2
Change from prev. Q	-96%	333%	-77%	33%	-50%

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Robert Schulz		2) Date When Request Submitted: 11/15/2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Optometry Examining Board			
4) Meeting Date: 1/20/2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Continuing Education – Consideration of Association of Schools and Colleges of Optometry’s Diversity and Cultural Competency Initiative	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (<u>Fill out Board Appearance Request</u>) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: Board Discussion and Possible Action.			
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



Via Email
valerie.payne1@wisconsin.gov

April 19, 2021

Ms. Valerie Payne
Executive Director
Wisconsin Optometry Examining Board
DSPS
PO Box 8366
Madison, WI 53708-8366

Dear Ms. Payne,

The Association of Schools and Colleges is the national the academic leadership organization committed to advancing optometric education and research to enhance the health and well-being of the public. Since 1941, ASCO has pursued this mission by representing the interests of institutions of optometric education and by enhancing the efforts of these institutions as they prepare highly qualified graduates for entrance into the profession of optometry in order to best serve the public's eye and vision needs. ASCO proudly represents all accredited schools and colleges of optometry in the United States.

Like most organizations looking to find new ways to address our nation's call for the removal of racial disparities in all parts of society, ASCO has been very engaged the last few months in developing educational programs to build awareness of the important of cultural competency and racial bias within our organization and member institutions. We are dedicated to developing an applicant pool, student community, faculty body, and profession that reflects the diversity of the U.S. population, while preparing future optometric clinicians for practicing in a multicultural and global society.

One of the important initiatives ASCO is working to achieve is requiring Cultural Competence Continuing Education training for all practicing optometrists. According to the Department of Health & Human Services, several [states](#) (i.e. California, Washington, Indiana, New Jersey) requires mandatory cultural competency training for some health professions and several other states have proposals for such mandates. Unfortunately, most states that have a cultural competency training mandate do not require this of the optometric profession. Currently, [Oregon](#) serves as a great model for such an initiative. The Oregon Board of Optometry, as mandated by the Oregon Health Authority, requires 1 hour of culturally competency education each year for license renewal.

We are reaching out to you today, at the request of ASCO's Diversity and Cultural Competency Committee (DCCC) and with the full support of the ASCO Board of Directors, to request that the Wisconsin Optometry Examining Board do what it can to help alleviate the burden of racial inequities in the practice of optometry by requiring diversity training be a component of required continuing education needed for licensure/re-licensure in your state.

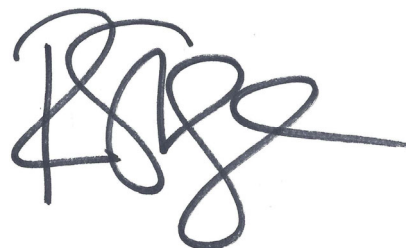
We realize that proposing mandatory cultural competency training for the optometric profession is a huge undertaking, but it is not impossible. Many other health professions (medicine, nursing, and dentistry) are fully aware that cultural competence only enhances the patient care experience and improves health outcomes, and are moving to put these mandates in place. We all must play a part in reducing health care disparities. We need to excel as technically, cognitively, and culturally competent and sensitive clinicians.

We hope that you will join us in making this important initiative a reality for our profession.

Respectfully,



John Flanagan, PhD, DSc(hon), FCOptom, FAAO, FARVO
ASCO President
and
Dean
University of California at Berkeley School of Optometry
University



Ruth Shoge, OD, MPH
Chair, ASCO Diversity & Cultural Competency
Committee (DCCC)
Assistant Professor
Pennsylvania College of Optometry at Salus



Dawn Mancuso, MAM, CAE, FASAE
Executive Vice President and CEO
Association of Schools and Colleges of Optometry