

MARYLAND STATE BOARD OF EXAMINERS IN OPTOMETRY

NEWSLETTER

Laura C. Whitfield
Secretary

Fall 2001

ALERT!

Cosmetic Contact Lenses

In May 2001, Georges C. Benjamin, M.D., Secretary of the Department of Health and Mental Hygiene issued a press release regarding the sale of cosmetic, zero powered, "plano" contact lenses by retailers in Maryland and the dangers to the public of purchasing and using these lenses without proper fittings by licensed eye care practitioners. In the press release, the Department stated that any establishment that sells zero powered lenses to a consumer without appropriate prescriptive or dispensing authority is subject to prosecution for violations of federal and state laws. As licensed optometrists, you are already aware that selling these lenses without a valid prescription is a violation and places you in jeopardy of fines and/or license revocation. All violations should be reported to the DHMH Division of Drug Control at (410) 764-2890.

Information Needed

The Board encourages optometrists to submit any anecdotal information that you have about patients who have experienced adverse reactions as a result of wearing contact lenses that were purchased from any of the mail order companies. You can send the information to the attention of the Board Administrator.

CONTINUING EDUCATION NEWS



2000 TPA Topics Test

The QEI Committee's test for the 2000 TPA topics is enclosed with the Newsletter. The test covers the two topics that were issued in 2000; the Treatment of Age-Related Macular Degeneration and Adverse Reactions to Ophthalmic Drugs. You will receive one (1) hour of continuing education credit for the renewal cycle that ends on June 30, 2003 upon receipt and successful completion of the test. You may submit your completed test to the Board office.

Continuing Education Website

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

Renewal Requirements

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;

TPA- Optometrists shall complete 50 hours and 30 of those hours shall be in the use and management of therapeutic pharmaceutical agents.

DPA- Optometrists shall complete 36 hours and 6 of those hours shall be in the use of diagnostic pharmaceutical agents.

Non-certified - Optometrists shall complete 36 hours.

CPR- The Board grants a maximum of 3 hours for CPR re-certification courses biennially.

CPR certification is required for DPA & TPA certified optometrists. They are responsible for maintaining proficiency in current CPR procedures.

Practice Management- Maximum of 6 hours biennially - directly relating to patient care.

The following policies are effective for the period that began on July 1, 2001 and ends June 30, 2003:

Correspondence and Internet Courses: 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 cycle**. 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.

Clinical Observation at a Board Approved Facility: 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 cycle**. The optometrist needs to obtain a letter verifying the number of hours from the person or facility where the observation is done. Facility approval forms are available by contacting staff at the Board office.

Educational Topics Test - The Board will grant 1 hour of continuing education credit to optometrists who successfully complete and pass the posttest.

New Continuing Education Policies

In addition to current requirements and policies, the Board has approved the following policies effective for the cycle that began on July 1, 2001 and ends June 30, 2003:

Presenters of CE 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 up to a maximum of 12 hours in the two year cycle.

Individual Academic Papers: The Board will allow continuing education credit for a maximum of 12 hours in the two-year cycle on a case-by-case basis.

DISCIPLINARY ACTIVITIES

During the past fiscal year, which ended on June 30, 2001, the Board received 17 new complaints of which six (6) were not under the Board's jurisdiction. Of the remaining 11 complaints, there were no formal actions taken. Six (6) of the cases were closed with no violation of the statute. One (1) letter of education was issued and one (1) complaint was referred for investigation.

Common Complaints and Dispositions By the Board

1) An optometrist notified a patient that he would no longer treat her due to missed appointments and patient non-compliance. The patient complained to the Board. Subsequent investigation revealed that the optometrist had provided the patient with a copy of her record, properly notified her by mail, and had recommended other eye care practitioners. There was no violation of the optometry law in this case.

2) The Board received a complaint regarding an optometric ad for refractive

surgery. The Board determined that the ad was ambiguous and may have conveyed the impression that the optometrist was the surgeon. The optometrist was advised to correct this situation.

3) An optometrist treated a patient on an emergency basis for a corneal abrasion. The Board received a complaint from an ophthalmologist that the treatment protocol was beyond the scope of optometric practice. The Board informed the complainant, as well as the optometrist that the treatment was of corneal abrasions is within the scope of practice of a licensed optometrist.

4) The Board has received complaints from patients frustrated by spending long periods of time in the waiting room prior to being seen and short periods of time with the optometrist. While the Board has found that such situations do not present a basis for disciplinary action, it has advised optometrists that such problems could be avoided or diminished by educating staff on more appropriate scheduling techniques.

5) An optometrist discovered that an optician had changed a prescription that he had written for a patient. The Board notified the optician that he was in violation of the optometry law and was instructed to discontinue this practice.

LEGISLATION

There was no legislation proposed by the Board during the past legislative session however, the Board underwent a preliminary evaluation of its operation as mandated by the Maryland Program Evaluation Act. This activity is more commonly known as sunset review because the first cycle of evaluations served as a tool to

eliminate or "sunset" obsolete agencies. In addition, the agencies are automatically terminated unless legislative action is taken to re-authorize them. The Board, as one of the agencies specified in statute, must be evaluated every ten years to determine the accountability, efficiency, and effectiveness of its operations and finances. Based on the results of the preliminary report, the Board of Optometry was waived from a full evaluation and was extended by the Legislature until 2012. In addition, because of the existence of archaic language in its statute, the Board has formed a Task Force to Revise the Optometry Law. The purpose of the task force is to review, update, and revise, as appropriate, its practice act. The task force is comprised of Board members, representatives of the Maryland Optometric Association, and other interested practitioners. The Board plans to introduce this legislation during the 2003 legislative session.

WEB SITE

The Board recently posted its website address: www.dhmf.state.md.us/boopt. The site is still under construction. However, general information is currently available. In the future, licensees and the public visitors will be able to get information about Board and committee activities, download documents, e.g. applications and complaint forms, and link to other sites, such as relevant state legislation and regulations, as well as professional associations. The Board is working collaboratively with other health occupation boards to develop an electronic licensing program that meets the requirements of the

state's Electronic Initiative which requires that 80% of the Board's business is done electronically by 2004.

ASK THE BOARD

Question: Where can an optometrist purchase an anaphylaxis emergency kit?

The subject of where and how optometrists may obtain Epi-pens for anaphylaxis kits has recently been brought before the Board. A pharmacist refused an optometrist when he attempted to obtain an anaphylaxis kit for his office. COMAR 10.28.12.04 (H) indicates that TPA certified optometrists shall have a medical kit to treat anaphylactic emergencies available at each location where patients are seen. Dr. Glasser made calls to different pharmacies around Baltimore and found that the optometrist's experience was an aberration. The pharmacists that he spoke to indicated that they would gladly sell optometrists Epi-pens and anaphylaxis kits and knew of no reasons not to sell them. Dr. Glasser also spoke to a few optometrists to find out where they were obtaining their kits. Many of them stated that they purchased their kits from the same source where they buy their diagnostic pharmaceuticals.

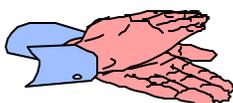
If you do experience a problem obtaining a kit and need assistance, please notify the Board so that we can help resolve the situation. Optometrists are fortunate to have many very helpful colleagues here in Maryland and answers are usually just a phone call away. Dr. Glasser wants to thank all of the optometrists who took time out of their busy day to respond to his phone call.

Question: Are TPA certified optometrists Permitted to order conjunctival cultures?

Answer: Section 11-404.2(g)(2) of the Optometry statute states that a therapeutically certified optometrist may order a conjunctival culture. However, the Board determined that most optometrists would refer the patient when a culture is needed. Again, if you do experience problems or need information about ordering cultures, please contact the Board for assistance.

KUDOS TO BEVERLY B. MILLER, O.D.

The Board is pleased to congratulate Dr. Miller on the recent honor she received during the 104th AOA Congress that was held in Boston, MA in June 2001. Beverly was recognized as "Optometrist of the Year" and spoke at the opening program. Here in Maryland, we are no strangers to her achievements because in December 2000, the MOA selected her as Maryland's "Optometrist of the Year". Dr. Miller was a Board member from 1993 through August 2001. She served as Chair of the Board's Quality Enhancement and Improvement Committee and while under her leadership, the Board devised a more robust Quality Assurance Program. Beverly served as Board President for the past year and has again led the Board in the task of revising its practice statute. Dr. Miller is truly a visionary and a practitioner who is concerned about her profession and her patients. In her own words, Beverly states that she sees herself as a diligent private practice optometrist doing what she can to enhance her profession. Dr. Miller's practice, Eye Associates, has offices in Columbia and Greenbelt, MD. The Board will miss Beverly's effervescent personality, sense of humor, and way with words. We know that she will be successful in all future endeavors.



RECORDKEEPING REMINDERS

Patient records should follow the SOAP format. History and examination findings should support the diagnosis, which in turn should support the management and follow-up.



The Board is currently functioning with the full complement of its membership. The Board consists of 7 members. Five (5) of the members are licensed optometrists and two (2) are consumer members. This summer, Governor Parris N. Glendening filled the Board's two vacancies. He appointed Ms. Delores G. Hobbs as a consumer member to the Board. Ms. Hobbs is a retired educator and has affiliation with several civic, professional, and service organizations. Jeanne A. Murphy, O.D. was appointed to replace Beverly B. Miller, O.D. whose term expired 5/31/01. Dr. Murphy practices in Wicomico County. In September 2000, the Governor appointed two optometrists to fill Board vacancies. Anthony M. Glasser, O.D., who was elected as Board President in July 2001, is a private practitioner in Baltimore County. Dr. Glasser replaced Calvin Osterman, O.D. David D. Reed, O.D. F.A.A.O., replaced Pamela Ellis, O.D. Dr. Reed practices in Harford County and currently serves as the Chairperson of the Board's Quality Enhancement and Improvement Committee.

*BOARD
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Irwin Azman, O.D. 5/31/04
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Member

Allan Brull, O.D. 5/31/03
Member

David D. Reed, O.D. 5/31/04
Member

Delores G. Hobbs 6/30/04
Consumer Member

Listed above are the term expiration dates
for each Board member.

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