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Governor

# New Jersey Office of the Attorney General

Division of Consumer Affairs  
State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians  
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## STATE BOARD OF EXAMINERS OF OPHTHALMIC DISPENSERS AND OPHTHALMIC TECHNICIANS

THOMAS R. CALCAGNI  
Director

### PUBLIC SESSION MINUTES October 12, 2011

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The October meeting of the Board was convened in accordance with its notice to the Lt. Governor, the Bergen Record, the Record of Hackensack, the Trenton Times, the Courier Post and the Star-Ledger and was conducted in accordance with the provisions of the Open Public Meetings Act.

President Michael Higgins convened the meeting at 9:00 a.m. A roll call was taken and the following attendance was recorded for these minutes:

**PRESENT:** Michael Higgins, Peter Goetz, Gary Iavarone, Jerry McMullin, and Norman Schleiffer

**EXCUSED OR ABSENT:** NONE

**PUBLIC ATTENDEES:** NONE

Also in attendance: Dorcas K. O'Neal, Executive Director, Susan Berger, Deputy Attorney General, and Monica Carrington, staff.

#### **I. APPROVAL OF MINUTES FOR SEPTEMBER 14, 2011**

The Board reviewed the Public Session Minutes for September 14, 2011. **On a motion by Jay McMullin, seconded by Peter Goetz, the minutes were unanimously approved as submitted.**

#### **II. OLD BUSINESS**

NONE

#### **III. APPRENTICE MATTERS**

NONE

#### IV. NEW BUSINESS

- a. The Board reviewed a letter from Daniel Banks seeking clarification on the changes made to the Rule readoptions and Amendments N.J.A.C. 13:33 that became effective March 7, 2011. **On a motion by Gary Iavarone seconded by Norman Schleiffer, the Board unanimously determined to invite Mr. Bank to the next scheduled meeting to make a presentation on Camden County College work study program.**
- b. The Board reviewed a letter from Janine Bruce regarding online prescription eyewear. **It was the consensus of the Board to thank Mrs. Bruce for her concerns and to advise that the regulations governing the practice of ophthalmic dispensing require that measurements be taken before dispensing eyewear. Specifically, pursuant to N.J.A.C. 13:33-5.7 (a) upon request of a patient, a licensed ophthalmic dispenser may mail completed eyeglasses to the patient provided that the Ophthalmic Dispenser has personally measured the patient for the eyeglasses to be dispensed; maintains a record of the prescription requirements and lens specifications; and assumes full responsibility for the accuracy and fit of the completed eyeglasses.**

**If querist has specific information regarding online optical companies the Board is requesting that she provide that information.**

#### VI. STATUTES AND REGULATIONS

NONE

#### VII. OTHER BUSINESS/INFORMATIONAL

- a. The Board approved the Fee Credit - For the 2012-2013 biennial renewal period as proposed. **The issuance of a partial credit of \$80.00 for Ophthalmic Dispensers, \$60.00 for Ophthalmic Technicians, and \$40.00 for Branch Ophthalmic Dispensers. The renewal fee will be \$340.00 instead of the full \$420.00; \$260.00 for Technicians instead of \$320.00 and \$190.00 instead of \$230.00 for branches.**
- b. The Board reviewed the discussion guideline from Matthew Halpin of the Opticians Association of New Jersey for the November 6, 2011 seminar as informational.

#### VIII. PUBLIC COMMENTS

There being is no other business to come before the Board in Public Session, on a motion by Gary Iavarone seconded by Peter Goetz, the Public Session was adjourned and the Board convened in Executive Session for the purpose of receiving counsel, to review three matters of old business.

The Board reconvened in Public Session. The next scheduled meeting is November 9, 2011. There being no other business to come before the Board, on a motion by Norman Schleiffer and seconded by Gary Iavarone, the meeting was adjourned at 3:00 p.m.

Respectfully submitted,

Dorcas K. O'Neal  
Executive Director

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