

POLICY ON DIVISION OF RESPONSIBILITIES BETWEEN TEXAS OPTOMETRY BOARD AND STAFF

In compliance with §351.105 of the Occupations Code, the Board adopts the following to separate the policymaking responsibilities of the Board from the management responsibilities of the Executive Director and agency staff.

POLICY-MAKING RESPONSIBILITIES OF THE BOARD

The Board makes policy chiefly through:

- The adoption of the Board's mission,
- The adoption of rules,
- The adoption of the required ethics policy,
- The approval of annual operating budgets and strategic plans, and
- Specific decisions regarding actions placed before the Board for action.

Specific functions of the Board include:

- Reviews agreed orders and renders decisions in contested cases following proceedings at SOAH.
- Hires Executive Director and conducts annual performance evaluation of the Executive Director.
- Appoints committees to work with staff or carry out specific responsibilities on an as needed basis.
- Ensures the agency expends state resources appropriately and efficiently and in accordance with state laws and board approved budget.
- Disciplines licensees and refers cases, when necessary, to Office of Attorney General
- Authorizes filing and settlement of lawsuits and any exceptions to Board policies.
- Evaluate criteria and effectiveness of on-site and remote inspections.
- Ensures transparency in agency operations so that the public has opportunity to provide input where appropriate or required by law.

EXECUTIVE DIRECTOR/STAFF RESPONSIBILITIES

The Executive Director is charged with overseeing all matters necessary to the daily operation of the agency, consistent with law and Commission-established policy. In that regard he or she is assigned responsibility and the attendant authority, subject to law, and Board budget and policy, acting directly or through delegated staff to:

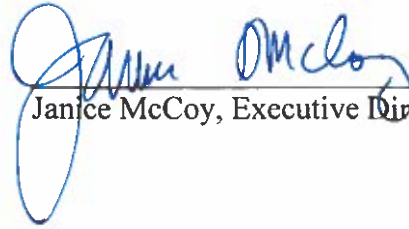
- Approve all personnel actions.
- Approve expenditures.
- Oversee the licensing process to ensure applications for licensure and renewals are processed in a timely manner, and that applicants and stakeholders have reasonable access to agency staff for questions.
- Oversee the enforcement process to ensure complaints are investigated and resolved in a timely manner, and that complainants and respondents have reasonable access to agency staff for questions.
- Report on dismissal of complaints to Board.

- Sign contracts and execute agreements under \$1,000,000.
- Execute Agreed Orders and default Final Orders.
- Oversee the timely submittal of required reports.
- Ensure all requests for information under the Public Information Act are handled in a timely manner.
- Ensure Board members adhere to the Open Meetings Act and Public Information Act, and that the members receive all training required by law.
- Respond to questions and inquiries from elected officials and other state agencies and ensure a system for responding to inquiries from the public.
- Monitors agency revenues and expenditures and assures that all funds, legal records, physical assets and other property and management controls are properly instituted and safeguarded and within established budget.
- Establish procedures to ensure reasonable/adequate statewide inspections are conducted to ensure compliance with state regulations.

Adopted May 9, 2025



Ron Hopping, O.D., M.P.H., Chair



Janice McCoy, Executive Director