

BOARD MEETING MINUTES

May 9, 2025

CALL TO ORDER.

Dr. Hopping called the May meeting of the Texas Optometry Board (TOB) to order at 8:02 a.m.

ROLL CALL. A roll call vote was taken and quorum was present for the meeting.

Ronald L. Hopping, O.D. Chair
Judy Chambers, Public Member
Tory Moore, O.D. Member
Steve Nguyen, O.D. Member
James Oevermann, O.D. Member
Carey Patrick, O.D. Member
Rene Peña, Public Member
Mala Sharma, Public Member
Bill Thompson, O.D. Member
Janice McCoy, Executive Director
Steven Ogle, Assistant Attorney General

MINUTES. The Board reviewed the March 7, 2025, meeting minutes. A motion was made by Dr. Patrick to accept the minutes as drafted and seconded by Mrs. Chambers. The motion passed unanimously (FOR – 9/OPPOSED – 0/ABSTAIN – 0).

PUBLIC COMMENT. Dr. Hopping solicited public comment. No comments were received.

BOARD CHAIR REPORT. Dr. Hopping presented the Board Chair Report. He welcomed the new members to the Board and thanked Mrs. Chambers for returning for a third term. He reported on two issues being raised by licensees on social media and reminded members not to engage. The issues included routine inspections (with nice feedback about investigator Dennis Riggins) and how the Board regulates non-licensed people practicing optometry. He reported that Dr. Thompson, Dr. Patrick and Ms. McCoy will attend the annual ARBO meeting in June. Finally, he stated he and Mrs. Chambers would be working on the evaluation process for the Executive Director and for board members to expect to provide input during that process.

GENERAL MATTERS.

Optometry School Liaison Reports: Dr. Hopping asked Dr. Oevermann to be the new liaison to the University of Houston College of Optometry (UHCO) and Dr. Moore to be the liaison for the Rosenberg School of Optometry (RSO). Dr. Hopping provided an update from UHCO Dean Twa and stated he could not get in touch with acting dean of RSO.

Delegation of Duties: Dr. Thompson and Mr. Peña provided an update on the Delegation of Duties policy. The document presented included language regarding Board and staff duties related to inspections and the budget. Mrs. McCoy laid out an additional change regarding removing the approval of dismissed complaints from the Board's duties and the addition of reporting on dismissed complaints to the Executive Director's duties. A motion was made by Dr. Thompson to adopt the Delegation of Duties policy as outlined and seconded by Mr. Peña. The motion passed unanimously (FOR – 9/OPPOSED – 0/ABSTAIN – 0).

Board Travel Policy: Mrs. McCoy presented the Board Travel Policy with new language that allows the Board Chair to authorize additional Board members to travel to out-of-state events. A motion was made by Dr. Patrick to adopt the Travel policy as presented and seconded by Mrs. Chambers. The motion passed unanimously (FOR – 9/OPPOSED – 0/ABSTAIN – 0).

EXECUTIVE DIRECTOR’S REPORT. Ms. McCoy presented the Executive Director’s Report. She reported that through April 30, 2025, the Board had 39% of its budget remaining with 33% of the year remaining. She reported the agency filed its FY25Q2 Performance Measures on March 27, 2025, and pointed out the agency renewed 2,526 licenses in the first two quarters and resolved 24 complaints in quarter two. She did explain the agency has had fewer expenses than anticipated to date and that the agency will most likely lapse funds at the end of the fiscal year.

She reported that as of April 30, 2025, there were 5,272 total licensees (4,932 active; 330 inactive; 10 retired), of which 4,173 are OGS (4,056 active; 110 inactive, 7 retired) and 118 were military.

Finally, she noted an update to the agency’s website will hopefully be completed by the end of August.

COMMITTEE REPORTS.

ADMINISTRATIVE/LICENSING COMMITTEE.

Dr. Patrick, Chair of the Administrative/Licensing Committee, provided the report. She reported in the first two months of FY25 Quarter 2, 19 new licenses had been issued and 5 licenses had been renewed.

Dr. Patrick provided the remainder of the report in the form of a motion. The Committee moved to accept one application for Licensure without Examination (McCown). The motion passed unanimously (FOR-9/AGAINST 0/ABSTAIN-0).

COMMITTEE ON PEER ASSISTANCE.

Mrs. Chambers provided an update on the PRN program. She reported that the Board has three optometrists (two volunteer enrollments and one Board ordered) in the Professional Recovery Network (PRN) program. Additionally, the Board is working with the Comptroller’s office on issuing a Request for Proposal.

CONTINUING EDUCATION COMMITTEE. Dr. Nguyen provided the report in the form of a motion. The Committee moved to approve the five reviewed courses (comprising 6 DT hours, 2 controlled substance hours, and 1 general hour). The motion passed unanimously (FOR-9/AGAINST 0/ABSTAIN-0).

INVESTIGATION-ENFORCEMENT COMMITTEE.

2025-00012: Dr. Hopping requested Ms. McCoy summarize the recommendations of the Investigation-Enforcement Committee for Case No. 2025-00012. Ms. McCoy reported the following

In case Number 2025-00012, the Investigation-Enforcement Committee recommends that the Respondent shall pay an administrative monetary fine of \$1,500.00 no later than one month from the date of the fully executed Order.

Mrs. Chambers moved to accept the recommendations of the Investigation-Enforcement Committee related to Case Number 2025-00012. The motion was seconded by Dr. Moore. The motion passed unanimously. Dr. Thompson and Dr. Patrick abstained from the vote. (FOR-7/AGAINST-0/ABSTAIN-2).

Ms. McCoy provided a summary of investigative activity to the Board regarding complaints and investigations for the first two months of FY25 Q2: Total Number of Cases Closed: 12 / Average Days to Close in Quarter: 96 / Total Number of Inspections Conducted: 42 / Penalties Assessed: 4.

She reported there were 21 cases currently open: 9 at SOAH (2 awaiting final PFD and 7 awaiting hearing), 1 with Board action today, and 11 under investigation, including 1 glaucoma related complaint.

She reported as Executive Director she issued the following administrative fines:

- 2025-00019 – \$750 for violations of §351.353 found during Board review
- 2025-00033 - \$500 for violations of §351.353 found during Board review

A motion was made by Dr. Patrick to approve the administrative fines and seconded by Mrs. Chambers. The motion passed unanimously (FOR – 9/OPPOSED – 0/ABSTAIN – 0).

RULES COMMITTEE. Dr. Thompson updated the Board on the Rules Committee. He noted the committee was considering rules related to the definition of initial visit and updates to the rule related to disciplinary action by the Board. He noted the committee would develop a policy on best practices for when an optometrist closes a practice.

RESOLUTIONS. Dr. Hopping read a resolution honoring Dr. Meghan Schutte and moved to adopt the resolution. The motion was seconded by Judy Chambers, Tory Moore, O.D., Steve Nguyen, O.D., James Oevermann, O.D., Carey Patrick, O.D., Rene Peña, Mala Sharma, and Bill Thompson, O.D. The motion passed unanimously. (FOR-9/AGAINST-0/ABSTAIN-0).

Dr. Hopping read a resolution honoring Dr. John Todd Cornett and moved to adopt the resolution. The motion was seconded by Judy Chambers, Tory Moore, O.D., Steve Nguyen, O.D., James Oevermann, O.D., Carey Patrick, O.D., Rene Peña, Mala Sharma, and Bill Thompson, O.D. The motion passed unanimously. (FOR-9/AGAINST-0/ABSTAIN-0).

ANNOUNCEMENTS. Dr. Hopping reminded members the next Board meeting would be held in Austin on August 14-15, 2025.

ADJOURNMENT. Dr. Thompson moved to adjourn the meeting at 9:00 am. Dr. Patrick seconded. The motion passed unanimously (FOR – 9/OPPOSED – 0/ABSTAIN – 0).

Approved:

Ronald L. Hopping a.n.

Presiding Officer

8-15-2025

Date

Janet Smiley

Executive Director

8-15-25

Date