



OHIO OPTICAL DISPENSERS BOARD

77 SOUTH HIGH ST. 16TH FLOOR
COLUMBUS, OHIO 43215-6108
(614) 466-9709 FAX (614) 995-5392

WWW.OPTICAL.OHIO.GOV

Email: odb@odb.ohio.gov

MINUTES OF MEETING

June 19, 2014

At 9:09 AM, the Board conducted a hearing on adoption of new rules. (See Addendum 2.0)

REGULAR MEETING OF THE OHIO OPTICAL DISPENSERS BOARD JUNE 19, 2014

The regularly scheduled meeting of the Ohio Optical Dispensers Board (Board) began on Thursday, June 19, 2014 at 9:16 A.M. at 77 South High Street, 31st Floor, Columbus, Ohio.

President Thomas Barracato called the meeting to order in open session.

BOARD MEMBERS IN ATTENDANCE:

Present: President, Thomas Barracato; Vice President, Susan Robus; Treasurer, Brian J Miller; Jeffrey R. Rohlf; James Ashenhurst; Jeffrey Hutchison, D.O.; Timothy Fries, O.D.

Absent: Paul R. King

STAFF MEMBERS IN ATTENDANCE:

Present: Nancy L. Manns, Executive Director; William Lehman, Investigator; J. T. Wakley, Assistant Attorney General; Wilma Simmons, Administrative Professional.

ADMINISTRATIVE MATTERS

Ordering of the Agenda

The President and Executive Director reviewed the consent agenda prior to the meeting.

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY SUSAN ROBUS THAT THE CONSENT AGENDA FOR THE JUNE 19, 2014 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

The President and Executive Director reviewed the regular agenda prior to the meeting.

IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY JAMES ASHENHURST THAT THE REGULAR AGENDA FOR THE JUNE 19, 2014 MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

President's Report

President Barracato welcomed the guests in the gallery. President Barracato thanked the Board for their support and confidence in electing him as President for the next year. President Barracato informed the Board that in accordance with Robert's Rules, he was announcing that he would not, as was the custom of the Board, vote on issues unless to break a tie vote.

Approval of Minutes

IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY BRIAN J MILLER THAT THE MINUTES OF THE APRIL 10, 2014 BOARD MEETING BE APPROVED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Executive Director's Report

Director Manns reported that there have been no updates on our Board's scheduled implementation for the E-Licensing 2.0 system. The first four Boards of the original 19 Boards are expected to be on-line in November, 2014.

Director Manns informed the Board that due to accounting problems and changes the Boards and Commissions have not been billed for rent for the entire FY '14. Rent is generally billed on a quarterly basis; however, a Federal mandate from Health and Human Services, from which the state received federal monies, the methodology for previously billing rent was declared invalid. The Board was billed for rent in the last quarter for all 4 quarters of the year at a higher per square footage rate than was planned for in the FY'14 Budget. Because Director Manns had calculated rent at a higher rate than Directors were told to use for planning purposes, the increase to the rent amounted to only about an additional total of \$2,258 for the year and, therefore, had no adverse impact on the Board's budget.

Director Manns informed the Board that the budget allotments for FY '15 have been submitted to the Office of Budget and Management (OBM). The allotments for BY'15 are very similar to the FY'14 allotments except for an increase in the 520 category to cover the increase in rent. not much difference from FY '14 allotments except more money has been placed in the 520 category to cover the additional rent costs. Director Manns informed the Board that she had been scheduled for a 2-hour webinar provided by OBM on July 10, 2014 in anticipation of the FY '16-'17 budget planning process.

Issuance of Licenses: Director Manns reported the following statistics:

Application	REC'D TO COMPLETE/# DAYS	COMPLETE TO APPROVED/ #DAYS	REC'D TO APPROVED/DAYS
Average	10.8	1.24	13.98

Director Manns informed the Board that due to the Board meeting was being held in late June, and close to the end of the fiscal year, reimbursement for travel expenses would be delayed due to "end-of-fiscal-year" restrictions. All receipts for travel expenses cannot be submitted for reimbursement until after July 1, 2014 therefore creating a longer than average delay for the reimbursement checks to be issued.

Director Manns informed the Board that she had completed a 4 hour class on the electronic rule filing system as a review prior to submitting the proposed rules for licensure of veterans and members of the armed forces. In accordance with JCARR guidelines, the rules were filed with JCARR and the Secretary of State on May 13, 2014, 30 days prior to the scheduled hearing date. Within 41-65 days of the Board's Public Rules Hearing, the Rules Hearing by the Joint Committee on Agency Rule Review (JCARR) will be conducted. The final filing of the rules will be no sooner than 66 days from the original filing making the earliest possible final file date between July 26th-28th, 2014. The earliest effective date will be August 5, 2014.

Director Manns informed the Board that the applications for licensure have been changed to ask the question whether the applicant is a veteran or a spouse of a veteran. The new applications are available on the Board's webpage.

Director Manns informed the Board that we received notification from Veterans Services that the Board has been granted SAA-9 Approval for the exam (ABO/NCLE) required for licensure. This means that veterans or members of the armed forces who take this exam may receive reimbursement for the expense of the exam from their respective branch of the military.

Director Manns informed the Board that the Board office was instrumental in getting the distribution/selling of colored contact lenses at the Columbus Convention Center the weekend of June 7-8, 2014 stopped before the vendors were able to set up their booths. This was accomplished with the excellent help of the Board's AAG, James Wakley, and Prevent Blindness of Ohio.

Special Orders:

President Barracato abstained from voting on the following orders:

Review and Approval of Policy: Access to Confidential Personal Information:

After discussion,

IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE AS AMENDED THE POLICY "ACCESS TO CONFIDENTIAL PERSONAL INFORMATION." MOTION ADOPTED BY UNANIMOUS VOTE OF THE VOTING BOARD MEMBERS PRESENT.

Review and Approval of Policy: Protecting Privacy:

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY JEFFREY R. ROHLF THAT THE BOARD APPROVE AS AMENDED THE POLICY "PROTECTING PRIVACY." MOTION ADOPTED BY UNANIMOUS VOTE OF THE VOTING BOARD MEMBERS PRESENT.

Review and Approval of Policy: Public Records:

After discussion,

IT WAS MOVED BY JAMES ASHENHURST AND SECONDED BY SUSAN ROBUS THAT THE BOARD APPROVE AS AMENDED THE POLICY "PUBLIC RECORDS." MOTION ADOPTED BY UNANIMOUS VOTE OF THE VOTING BOARD MEMBERS PRESENT.

Review and Approval of Draft Rules: Board Member Overnight Accommodations:

After discussion,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY JEFFREY R. ROHLF THAT THE BOARD APPROVE AS WRITTEN THE POLICY "BOARD MEMBER OVERNIGHT ACCOMMODATIONS" AS PRESENTED. MOTION ADOPTED BY UNANIMOUS VOTE OF THE VOTING BOARD MEMBERS PRESENT.

Approval of Financial Report

After discussion,

IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE FINANCIAL REPORT FOR CURRENT FY 2014 BE ACCEPTED AS WRITTEN. MOTION ADOPTED BY UNANIMOUS VOTE OF THE VOTING BOARD MEMBERS PRESENT.

Continuing Education:

After review by Board members and discussion regarding applications submitted for approval of continuing education hours,

IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY SUSAN ROBUS THAT THE BOARD APPROVE THE OPTICIANS ASSOCIATION OF OHIO PROGRAM, INDEPENDENCE, OH, OCTOBER 5, 2014 FOR TWO (2) CONTACT LENS HOURS AND TWO (2) SPECTACLE/CONTACT LENS HOURS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE BOARD MEMBERS PRESENT.

Opticians Association of Ohio – Independence, OH – October 5, 2014:

2 Contact Lens Hours, 2 Spectacle/Contact Lens Hours

IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD APPROVE THE OPTICIANS ASSOCIATION OF OHIO PROGRAM, TOLEDO, OH, OCTOBER 26, 2014 FOR TWO (2) SPECTACLE/CONTACT LENS HOURS. MOTION ADOPTED BY UNANIMOUS VOTE OF THE VOTING BOARD MEMBERS PRESENT.

President Barracato recommended this program be re-submitted to the Board for approval for Infectious Disease Control in addition to the above approval, so that the Board could consider approval for 1 hour of Infectious Disease control approval for Ocularists requirements.

Opticians Association of Ohio – Toledo, OH – October 26, 2014:

2 Spectacle/Contact Lens Hours

Ratification of Licenses:

IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD RATIFY FOR LICENSURE THE APPLICANTS LISTED ON ADDENDUM 1.0. MOTION ADOPTED BY UNANIMOUS VOTE OF THE VOTING BOARD MEMBERS PRESENT.

President Barracato informed the Board that ABO/NCLE has increased the availability of the national qualifying exam from two times a year to four times a year and will continue to increase the availability during the coming year.

President Barracato informed the Board that in Director's Manns report there was mention of a sales representative in the NE portion of Ohio who was telling opticians and apprentices in various locations that licensure of opticians was "going away" and that there would be no need to do continuing education since there would be no renewal. Fortunately one of the licensees called the office and questioned the information that this representative was dispensing. Once the representative was identified, a call was placed to that representative by the Board office and this person was provided with the correct information and was asked that they please converse with the

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Board office in the future to confirm the validity of the information was being provided to licensees.

AAG Report

AAG J. T. Wakley informed the Board that no actions have been filed on behalf of the Board; and, that he was glad to be able to help in getting the distribution/selling of colored contact lenses at the Columbus Convention Center stopped before the vendors were able to set up their booths.

Discipline:

After review of the Consent Agreement for Case #2014-ODB-04035 by Board members, IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY SUSAN ROBUS THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2014-ODB-04035. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT/SUPERVISING DISCIPLINARY MEMBER BARRACATO ABSTAINED. (See Addendum 3.0)

After review of the Consent Agreement for Case #2014-ODB-05037 by Board members, IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2014-ODB-05037. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. . PRESIDENT /SUPERVISING DISCIPLINARY MEMBER BARRACATO ABSTAINED. (See Addendum 3.0)

After review of the Consent Agreement for Case #2014-ODB-05036 by Board members, IT WAS MOVED BY JEFFREY R. ROHLF AND SECONDED BY TIMOTHY FRIES, O.D. THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2014-ODB-05036. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT /SUPERVISING DISCIPLINARY MEMBER BARRACATO ABSTAINED. (See Addendum 3.0)

After review of the Consent Agreement for Case #2014-ODB-04039 by Board members, IT WAS MOVED BY SUSAN ROBUS AND SECONDED BY BRIAN J MILLER THAT THE BOARD RATIFY THE CONSENT AGREEMENT FOR CASE #2014-ODB-04039. MOTION ADOPTED BY MAJORITY VOTE OF THE BOARD MEMBERS PRESENT. PRESIDENT/SUPERVISING DISCIPLINARY MEMBER BARRACATO ABSTAINED. (See Addendum 3.0)

New Business:

NCSORB Exam and Meeting Information

After review and discussion;
IT WAS MOVED BY BRIAN J MILLER AND SECONDED BY JEFFREY R. ROHLF THAT THE BOARD AUTHORIZE DIRECTOR NANCY MANNS TO ATTEND THE NCSORB ANNUAL MEETING ON SATURDAY, SEPTEMBER 6, 2014 TO BE HELD IN NASHVILLE, TN AND THAT MS. MANNS RECEIVE REIMBURSEMENT FOR ACCRUED EXPENSES.

President Barracato informed the Board that he would be attending the NCSORB Annual Meeting also but would not require reimbursement for expenses.

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Other Issues:

Brian Miller requested Director Manns send a letter to Mr. James Fortune thanking him for his years of service on the Board.

Jeffrey Rohlf informed the Board that he would like to see the Board come up with different ways and ideas on how to combat the illegal sale/distribution of contact lenses and that he would like to see the Board involved with other organizations to get the word out about the dangers of purchasing/using contact lenses without a prescription and eye care from opticians and optometrists.

Hearing no other matters for discussion the Board meeting adjourned at 10:24 A.M.

ATTESTED:

PRESIDENT, THOMAS BARRACATO

EXECUTIVE DIRECTOR, NANCY MANNs

Future Board Meeting Dates:

September 4, 2014
November 20, 2014

ADDENDUM 1.0

ODB - First Issued

Report Parameters

Board = ODB
Credential status = ACTIVE
Credential prefix = , C, O, S, SC
From 04/10/2014 to 06/18/2014

Report generated on 6/18/2014 at 8:44:29 AM

Type	Number	Name	Add Line 1	City	State	Zip	Orig Issue	Expiration Date	description
S	14789	BAKER TANYA	296 Brampton Place	Trenton	OH	45067	20140423	20141231	ACTIVE
S	14859	BEASLEY, JR. REDELL	15723 School Ave	Cleveland	OH	44110	20140611	20141231	ACTIVE
S	14855	BENSON MARSHA	1001 Snyder Rd	Chillicothe	OH	45601	20140606	20141231	ACTIVE
SC	14793	CLAY REBECCA	2201 Hoods Creek Pk	Ashland	KY	41101	20140425	20141231	ACTIVE
S	13273	DIERSING KEVIN	7779 Meadowcreek Dr	Cincinnati	OH	45244	20140415	20141231	ACTIVE
S	11088	HOWELL, JR. DAVID	438 E 305th St	Willowick	OH	44095	20140527	20141231	ACTIVE
SC	14773	KLEWINOWSKI KIMBERLY	1021 Oak Forest Ln	Myrtle Beach	SC	29577	20140414	20141231	ACTIVE
SC	14840	PETERSON KEVIN	132 W Court St Apt 8	Cincinnati	OH	45202	20140527	20141231	ACTIVE
S	12880	WEAK JEFFREY	6339 Cincinnati Dayton Rd	Middletown	OH	45044	20140505	20141231	ACTIVE
SC	14823	WIERSEMA BRENDA	26 Hollywood Lane	Georgetown	OH	45121	20140513	20141231	ACTIVE
S	12374	ZIMMER ALLISON	1418 Covedale Avenue	Cincinnati	OH	45238	20140428	20141231	ACTIVE

11 Items Found

ADDENDUM 2.0

OHIO OPTICAL DISPENSERS BOARD
PUBLIC RULES HEARING
THURSDAY, JUNE 19, 2014
9:00 AM

PRESIDENT THOMAS BARRACATO:

I WOULD LIKE TO CALL TO ORDER THIS PUBLIC HEARING OF THE OHIO OPTICAL DISPENSERS BOARD, HEREINAFTER TO BE REFERRED TO AS "THE BOARD." LET THE RECORD SHOW THAT THIS HEARING IS BEING HELD IN CONFERENCE ROOM WEST B&C OF THE 31ST FLOOR OF THE RIFFE CENTER, 77 SOUTH HIGH STREET, COLUMBUS, OHIO. TODAY IS THURSDAY, JUNE 19, 2014. IT IS ___9:09__ AM. I AM THOMAS BARRACATO, PRESIDENT OF THE BOARD. WILL OTHER MEMBERS OF THE BOARD PLEASE INTRODUCE THEMSELVES.

THIS IS A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING COMMENTS AND TESTIMONY CONCERNING THE BOARD'S INTENTION TO ADOPT ADMINISTRATIVE RULES AS PROPOSED IN ITS MAY13, 2014 FILING WITH THE JOINT COMMITTEE ON AGENCY RULE REVIEW.

ANY PERSON AFFECTED BY THE PROPOSED ACTION OF THE BOARD MAY APPEAR AND BE HEARD IN PERSON, BE REPRESENTED BY AN ATTORNEY, OR BOTH. ANY PERSON WHO WISHES MAY PRESENT HIS OR HER POSITION; PROVIDE ARGUMENTS AND CONTENTIONS ORALLY OR IN WRITING; AND, PRESENT EVIDENCE TENDING TO SHOW THAT THE PROPOSED NEW RULES, IF ADOPTED OR EFFECTUATED, WILL BE UNREASONABLE OR UNLAWFUL. FOR PURPOSES OF ESTABLISHING A COMPLETE RECORD OF THIS HEARING, I ASK THAT ALL IN ATTENDANCE SIGN THE ATTENDANCE SHEET. THOSE WHO PLAN TO TESTIFY SHOULD COMPLETE A WITNESS SLIP AND PROVIDE IT TO NANCY MANNS. IF YOU SO TESTIFY, PLEASE BE CONSIDERATE OF OTHERS WHO WISH TO TESTIFY BY MAKING YOUR PRESENTATION AS BRIEF AS POSSIBLE. PLEASE RESTRICT YOUR COMMENTS TO THE RULES THAT ARE THE SUBJECT OF THIS HEARING.

BEFORE WE TAKE TESTIMONY FROM THE WITNESSES FOR THE HEARING, I WOULD LIKE TO CALL ON NANCY MANNS FOR A STATEMENT.

STATEMENT: NANCY MANNS

FOR THE RECORD, MY NAME IS NANCY MANNS AND I AM THE EXECUTIVE DIRECTOR OF THE BOARD. THE BOARD HAS TAKEN OFFICIAL ACTION TO

FIX THIS TIME AND PLACE FOR A PUBLIC HEARING CONCERNING ITS
INTENT TO PROPOSE RULE:
4726-5-06 MILITARY REVISION RELATED TO LICENSURE

THE FOLLOWING EXHIBITS HAVE BEEN SUBMITTED TO BE MADE A PART
OF THE RECORD OF THIS PUBLIC HEARING.

EXHIBIT #1 IS A COPY OF THE PROPOSED RULES WITH COPIES OF THE
"RULE SUMMARY" AND FISCAL ANALYSIS" FORMS ATTACHED. THE
RULES BEAR AN ELECTRONIC STAMP VERIFYING THAT THE RULES WERE
REVISED FILED ON MAY13, 2014

EXHIBIT #2 CONSISTS OF COPIES OF THE COVER LETTERS CONFIRMING
THE ORIGINAL FILING WITH THE SECRETARY OF STATE, THE LEGISLATIVE
SERVICE COMMISSION AND THE JOINT COMMITTEE ON AGENCY RULE
REVIEW.

EXHIBIT #3 IS A COPY OF THE PUBLIC NOTICE OF THIS HEARING. IN
ADDITION, THE PUBLIC NOTICE AND RULES WERE POSTED ON THE
REGISTRY OF OHIO WEB SITE, AS MANDATED BY SECTION 119.01(a) OF THE
REVISED CODE AS WELL AS ON THE BOARD'S WEB PAGE.

EXHIBIT #4 ARE COPIES OF THE COMMON SENSE INITIATIVE REVIEW AND
ANALYSIS OF THE BOARD'S PROPOSED RULES FOR MILITARY
CONSIDERATION AND DIRECTOR MANN'S RESPONSE.

TO DATE, I HAVE RECEIVED ONLY ONE WRITTEN COMMENT CONCERNING
THE PROPOSED RULES:
RECEIVED ON MAY 5, 2014 AND STATED:
"GREAT WORK ON THIS RULE. A MODEL FOR OTHER BOARDS. THANK
YOU VERY MUCH FOR YOUR EFFORTS."

PRESIDENT THOMAS BARRACATO:

THIS CONCLUDES THE PRELIMINARY MATTERS TO BE PRESENTED BY THE
BOARD.

THANK YOU.

THE FIRST WITNESS WILL BE ___NO WITNESSES REGISTERED TO
SPEAK _____

(AFTER TESTIMONY, IF ANY)

PRESIDENT THOMAS BARRACATO:

Optical Dispensers Board
June 19, 2014

PRESIDENT THOMAS BARRACATO

I THANK ALL OF YOU WHO ARE IN ATTENDANCE TODAY. SINCE THERE HAVE BEEN NO REQUESTS TO PROVIDE VERBAL TESTIMONY DURING TODAY'S HEARING, THIS PUBLIC HEARING OF THE OHIO OPTICAL DISPENSERS BOARD IS ADJOURNED.

LET THE RECORD SHOW THAT THE HEARING CONCLUDED AT
____9:14____AM



OHIO OPTICAL DISPENSERS BOARD

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**CONSENT AGREEMENT
BETWEEN
JENNY S. BENTLEY
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2014-ODB-04035

This CONSENT AGREEMENT is entered into by and between **JENNY BENTLEY**, Opticians, License No. 7325-SC and the **OHIO OPTICAL DISPENSERS BOARD** ("Board"), a state agency charged with enforcing Chapter 4725 of the Ohio Revised Code, and all rules promulgated thereunder.

JENNY BENTLEY enters into this CONSENT AGREEMENT being fully informed of her rights under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues considered herein.

BASIS FOR ACTION

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

1. The **BOARD** is empowered by Section 4725.53 of the Ohio Revised Code to refuse to grant a license, suspend or revoke a license or impose a fine or order restitution for any of the enumerated violations.
2. The **BOARD** enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4725.51 of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **JENNY BENTLEY** failed to obtain her continuing education credits within the immediately preceding one-year period, namely January 1, 2013 to December 31, 2013, for renewal of her optical license for the 2014 renewal period. Continuing education certificates received as part of the renewal for the 2014 licensure period and reviewed by the Board showed that these credits were obtained on March 19, 2014.

Jenny Bentley
Consent Agreement
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3. The **BOARD** expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4725 of the Ohio Revised Code or any rules promulgated there under, whether occurring before or after the effective date of this **CONSENT AGREEMENT**.
4. **JENNY BENTLEY** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 7325-SC .
5. **JENNY BENTLEY** admits the factual and legal allegations set forth in this Consent Agreement issued by the **BOARD**.

AGREED CONDITIONS

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth and in lieu of any further formal proceedings at this time, **JENNY BENTLEY** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

- A. **JENNY BENTLEY** shall obtain four (4) additional Spectacle continuing education hours, and eight (8) additional Contact Lens hours that will be applied toward her 2015 license renewal. The four (4) additional Spectacle hours and eight (8) Contact Lens hours cannot be the same as those obtained for her 2014 renewal. The four (4) additional Spectacle hours and eight (8) additional Contact Lens hours must be received by the Board at the Ohio Optical Dispensers Board, 77 South High Street, 16th Floor, Columbus, Ohio 43215-6108 not later than 30 days from the ratification by the Board of this consent agreement.
- B. **JENNY BENTLEY** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.
- C. **JENNY BENTLEY** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

Jenny Bentley
Consent Agreement
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D. The **BOARD** agrees not to institute formal proceedings against **JENNY BENTLEY** as long as she is in compliance with the terms and conditions of this **CONSENT AGREEMENT**.

FAILURE TO COMPLY

If, in the discretion of the Board or its Designate, **MS. BENTLEY** appears to have violated or breached any term or condition of this Agreement, the Board reserves the right to institute formal disciplinary proceedings pursuant to ORC 4725.53 or rules promulgated under OAC 4726 for any and all possible violations or breaches, including but limited to, alleged violations of the laws of Ohio occurring before the effective date of this **CONSENT AGREEMENT**.

Any action initiated by the Board based on alleged violations of this Agreement shall comply with the Administrative Procedure Act, Chapter 119, of the Ohio Revised Code.

ACKNOWLEDGEMENTS/LIABILITY RELEASE

JENNY BENTLEY agrees that in the event the Board, in its discretion, does not ratify this **CONSENT AGREEMENT**, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **MS. BENTLEY** agrees that should the **BOARD** reject this **CONSENT AGREEMENT** and if this case proceeds to hearing, she will assert no claim that the **BOARD** was prejudiced by this review and discussion of this **CONSENT AGREEMENT** or of any information relating thereto.

MS. BENTLEY acknowledges that she has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

MS. BENTLEY waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

Jenny Bentley
Consent Agreement
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EFFECTIVE DATE

It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the **BOARD** prior to signature by the President / Supervising Disciplinary Member and shall become effective upon the last date of signature below.

**THE OHIO OPTICAL DISPENSERS
BOARD**



JENNY BENTLEY

5/20/14

DATE



THOMAS BARRACATO
President
Supervising Disciplinary Member

6/19/2014

DATE



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**CONSENT AGREEMENT
BETWEEN
TAMARA M. GASSER
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2014-ODB-05037

This CONSENT AGREEMENT is entered into by and between **TAMARA GASSER**, Opticians, License No. 10068-S and the **OHIO OPTICAL DISPENSERS BOARD** ("Board"), a state agency charged with enforcing Chapter 4725 of the Ohio Revised Code, and all rules promulgated thereunder.

TAMARA GASSER enters into this CONSENT AGREEMENT being fully informed of her rights under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues considered herein.

BASIS FOR ACTION

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

1. The **BOARD** is empowered by Section 4725.53 of the Ohio Revised Code to refuse to grant a license, suspend or revoke a license or impose a fine or order restitution for any of the enumerated violations.
2. The **BOARD** enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4725.51 of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **TAMARA GASSER** failed to obtain her continuing education credits within the immediately preceding one-year period, namely January 1, 2013 to December 31, 2013, for renewal of her optical license for the 2014 renewal period. Continuing education certificates received as part of the renewal for the 2014 licensure period and reviewed by the Board showed that these credits were obtained on February 10, 2014.

Tamara Gasser
Consent Agreement
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3. The **BOARD** expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4725 of the Ohio Revised Code or any rules promulgated there under, whether occurring before or after the effective date of this **CONSENT AGREEMENT**.
4. **TAMARA GASSER** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 10068-S
5. **TAMARA GASSER** admits the factual and legal allegations set forth in this Consent Agreement issued by the **BOARD**.

AGREED CONDITIONS

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth and in lieu of any further formal proceedings at this time, **TAMARA GASSER** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

- A. **TAMARA GASSER** shall obtain four (4) additional Spectacle continuing education hours, that will be applied toward her 2015 license renewal. The four (4) additional Spectacle hours cannot be the same as those obtained for her 2014 renewal. The four (4) additional Spectacle hours must be received by the Board at the Ohio Optical Dispensers Board, 77 South High Street, 16th Floor, Columbus, Ohio 43215-6108 not later than 30 days from the ratification by the Board of this consent agreement.
- B. **TAMARA GASSER** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.
- C. **TAMARA GASSER** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

Tamara Gasser
Consent Agreement
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D. The **BOARD** agrees not to institute formal proceedings against **TAMARA GASSER** as long as she is in compliance with the terms and conditions of this **CONSENT AGREEMENT**.

FAILURE TO COMPLY

If, in the discretion of the Board or its Designate, **MS. GASSER** appears to have violated or breached any term or condition of this Agreement, the Board reserves the right to institute formal disciplinary proceedings pursuant to ORC 4725.53 or rules promulgated under OAC 4726 for any and all possible violations or breaches, including but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this **CONSENT AGREEMENT**.

Any action initiated by the Board based on alleged violations of this Agreement shall comply with the Administrative Procedure Act, Chapter 119, of the Ohio Revised Code.

ACKNOWLEDGEMENTS/LIABILITY RELEASE

TAMARA GASSER agrees that in the event the Board, in its discretion, does not ratify this **CONSENT AGREEMENT**, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **MS. GASSER** agrees that should the **BOARD** reject this **CONSENT AGREEMENT** and if this case proceeds to hearing, she will assert no claim that the **BOARD** was prejudiced by this review and discussion of this **CONSENT AGREEMENT** or of any information relating thereto.

MS. GASSER acknowledges that she has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

MS. GASSER waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

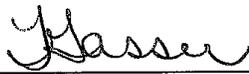
JUN 05 2014 09:51

Tamara Gasser
Consent Agreement
Page 4

EFFECTIVE DATE

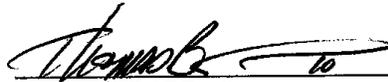
It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the **BOARD** prior to signature by the President / Supervising Disciplinary Member and shall become effective upon the last date of signature below.

**THE OHIO OPTICAL DISPENSERS
BOARD**



TAMARA GASSER

6/3/14
DATE



THOMAS BARRACATO
President
Supervising Disciplinary Member

6/19/14
DATE



OHIO OPTICAL DISPENSERS BOARD

77 SOUTH HIGH ST. 16TH FLOOR
COLUMBUS, OHIO 43215-6108
(614) 466-9709 FAX (614) 995-5392
WWW.OPTICAL.OHIO.GOV
Email: odb@odb.ohio.gov

**CONSENT AGREEMENT
BETWEEN
RONALD RZEPKA
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2014-ODB-05036

This CONSENT AGREEMENT is entered into by and between **RONALD RZEPKA**, Opticians, License No. 6422-SC and the **OHIO OPTICAL DISPENSERS BOARD** ("Board"), a state agency charged with enforcing Chapter 4725 of the Ohio Revised Code, and all rules promulgated thereunder.

RONALD RZEPKA enters into this CONSENT AGREEMENT being fully informed of his rights under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues considered herein.

BASIS FOR ACTION

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

1. The **BOARD** is empowered by Section 4725.53 of the Ohio Revised Code to refuse to grant a license, suspend or revoke a license or impose a fine or order restitution for any of the enumerated violations.
2. The **BOARD** enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4725.51 of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **RONALD RZEPKA** failed to obtain his continuing education credits within the immediately preceding one-year period, namely January 1, 2013 to December 31, 2013, for renewal of his optical license for the 2014 renewal period. Continuing education certificates received as part of the renewal for the 2014 licensure period and reviewed by the Board showed that these credits were obtained on March 30 and 31, 2014.

Ronald Rzepka
Consent Agreement
Page 2

3. The **BOARD** expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4725 of the Ohio Revised Code or any rules promulgated there under, whether occurring before or after the effective date of this **CONSENT AGREEMENT**.
4. **RONALD RZEPKA** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 9708-SC
5. **RONALD RZEPKA** admits the factual and legal allegations set forth in this Consent Agreement issued by the **BOARD**.

AGREED CONDITIONS

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth and in lieu of any further formal proceedings at this time, **RONALD RZEPKA** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

- A. **RONALD RZEPKA** shall obtain four (4) additional Spectacle continuing education hours, and eight (8) additional Contact Lens hours that will be applied toward his 2015 license renewal. The four (4) additional Spectacle hours and eight (8) Contact Lens hours cannot be the same as those obtained for his 2014 renewal. The four (4) additional Spectacle hours and eight (8) additional Contact Lens hours must be received by the Board at the Ohio Optical Dispensers Board, 77 South High Street, 16th Floor, Columbus, Ohio 43215-6108 not later than 30 days from the ratification by the Board of this consent agreement.
- B. **RONALD RZEPKA** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in his licensure file.
- C. **RONALD RZEPKA** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

Ronald Rzepka
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **RONALD RZEPKA** as long as he is in compliance with the terms and conditions of this **CONSENT AGREEMENT**.

FAILURE TO COMPLY

If, in the discretion of the Board or its Designate, **MR. RZEPKA** appears to have violated or breached any term or condition of this Agreement, the Board reserves the right to institute formal disciplinary proceedings pursuant to ORC 4725.53 or rules promulgated under OAC 4726 for any and all possible violations or breaches, including but limited to, alleged violations of the laws of Ohio occurring before the effective date of this **CONSENT AGREEMENT**.

Any action initiated by the Board based on alleged violations of this Agreement shall comply with the Administrative Procedure Act, Chapter 119, of the Ohio Revised Code.

ACKNOWLEDGEMENTS/LIABILITY RELEASE

RONALD RZEPKA agrees that in the event the Board, in its discretion, does not ratify this **CONSENT AGREEMENT**, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **MR. RZEPKA** agrees that should the **BOARD** reject this **CONSENT AGREEMENT** and if this case proceeds to hearing, he will assert no claim that the **BOARD** was prejudiced by this review and discussion of this **CONSENT AGREEMENT** or of any information relating thereto.

MR. RZEPKA acknowledges that he has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

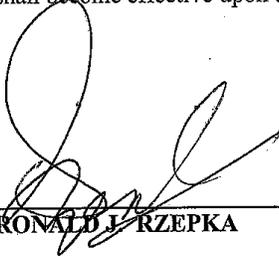
MR. RZEPKA waives all of his rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

JUN 12 2014 09:05:41

Ronald Rzepka
Consent Agreement
Page 4

EFFECTIVE DATE

It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the **BOARD** prior to signature by the President / Supervising Disciplinary Member and shall become effective upon the last date of signature below.



RONALD J. RZEPKA

6/8/2014
DATE

**THE OHIO OPTICAL DISPENSERS
BOARD**



THOMAS BARRACATO
President
Supervising Disciplinary Member

6/19/14
DATE



OHIO OPTICAL DISPENSERS BOARD

77 SOUTH HIGH ST. 16TH FLOOR
COLUMBUS, OHIO 43215-6108
(614) 466-9709 FAX (614) 995-5392
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**CONSENT AGREEMENT
BETWEEN
MARI F. COOPER
AND
THE OHIO OPTICAL DISPENSERS BOARD**

CASE#2014-ODB-04039

This CONSENT AGREEMENT is entered into by and between **MARI COOPER**, Opticians, License No. 5706-SC and the **OHIO OPTICAL DISPENSERS BOARD** ("Board"), a state agency charged with enforcing Chapter 4725 of the Ohio Revised Code, and all rules promulgated thereunder.

MARI COOPER enters into this CONSENT AGREEMENT being fully informed of her rights under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel and the right to a formal adjudication hearing on the issues considered herein.

BASIS FOR ACTION

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

1. The **BOARD** is empowered by Section 4725.53 of the Ohio Revised Code to refuse to grant a license, suspend or revoke a license or impose a fine or order restitution for any of the enumerated violations.
2. The **BOARD** enters into this CONSENT AGREEMENT in lieu of formal proceedings based upon the violation of Section 4725.51 of the Ohio Revised Code and Ohio Administrative Code 4726-7-02(G)(1) **MARI COOPER** failed to obtain her continuing education credits within the immediately preceding one-year period, namely January 1, 2013 to December 31, 2013, for renewal of her optical license for the 2014 renewal period. Continuing education certificates received as part of the renewal for the 2014 licensure period and reviewed by the Board showed that these credits were obtained on March 28, 2014.

Mari Cooper
Consent Agreement
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3. The **BOARD** expressly reserves the right to institute additional formal proceedings based upon any other violations of Chapter 4725 of the Ohio Revised Code or any rules promulgated there under, whether occurring before or after the effective date of this **CONSENT AGREEMENT**.

4. **MARI COOPER** is a Licensed Dispensing Optician in the State of Ohio, and holds license number 5706-SC.

5. **MARI COOPER** admits the factual and legal allegations set forth in this Consent Agreement issued by the **BOARD**.

AGREED CONDITIONS

WHEREFORE, in consideration of the foregoing and mutual promises hereinafter set forth and in lieu of any further formal proceedings at this time, **MARI COOPER** knowingly and voluntarily agrees with the **BOARD** to the following terms, conditions, and limitations:

A. **MARI COOPER** shall obtain four (4) additional Spectacle continuing education hours, and eight (8) additional Contact Lens hours that will be applied toward her 2015 license renewal. The four (4) additional Spectacle hours and eight (8) Contact Lens hours cannot be the same as those obtained for her 2014 renewal. The four (4) additional Spectacle hours and eight (8) additional Contact Lens hours must be received by the Board at the Ohio Optical Dispensers Board, 77 South High Street, 16th Floor, Columbus, Ohio 43215-6108 not later than 30 days from the ratification by the Board of this consent agreement.

B. **MARI COOPER** agrees and acknowledges that this disciplinary action shall be entered in the **BOARD'S** journal and will be maintained in her licensure file.

C. **MARI COOPER** shall obey all laws and rules of the Ohio Revised Code and Ohio Administrative Code governing Licensed Opticians in Ohio.

Mari Cooper
Consent Agreement
Page 3

D. The **BOARD** agrees not to institute formal proceedings against **MARI COOPER** as long as she is in compliance with the terms and conditions of this **CONSENT AGREEMENT**.

FAILURE TO COMPLY

If, in the discretion of the Board or its Designate, **MS. COOPER** appears to have violated or breached any term or condition of this Agreement, the Board reserves the right to institute formal disciplinary proceedings pursuant to ORC 4725.53 or rules promulgated under OAC 4726 for any and all possible violations or breaches, including but limited to, alleged violations of the laws of Ohio occurring before the effective date of this **CONSENT AGREEMENT**.

Any action initiated by the Board based on alleged violations of this Agreement shall comply with the Administrative Procedure Act, Chapter 119, of the Ohio Revised Code.

ACKNOWLEDGEMENTS/LIABILITY RELEASE

MARI COOPER agrees that in the event the Board, in its discretion, does not ratify this **CONSENT AGREEMENT**, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **MS. COOPER** agrees that should the **BOARD** reject this **CONSENT AGREEMENT** and if this case proceeds to hearing, she will assert no claim that the **BOARD** was prejudiced by this review and discussion of this **CONSENT AGREEMENT** or of any information relating thereto.

MS. COOPER acknowledges that she has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

MS. COOPER waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

JUN 19 2014 04:11:19

Mari Cooper
Consent Agreement
Page 4

EFFECTIVE DATE

It is expressly understood that this CONSENT AGREEMENT is subject to ratification by the **BOARD** prior to signature by the President / Supervising Disciplinary Member and shall become effective upon the last date of signature below.

**THE OHIO OPTICAL DISPENSERS
BOARD**



MARI COOPER



THOMAS BARRACATO
President
Supervising Disciplinary Member

9 June 2014

DATE

6/19/14

DATE