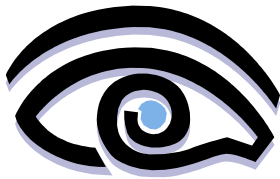


West Virginia Board of Optometry Visionary

This Issues Highlights:

- Continuing Education Requirements and Fees
- Releasing CL Prescriptions
- Values and Beliefs
- Expanded Prescriptive Authority
- Sharon Rubin: New Board Member
- Levels of Licensure
- Pharmacology Course



Welcome Newly Licensed Doctors for 2002:

| | |
|---|-------|
| Terry D. Freeman, O.D. Madison, WV | 02/02 |
| T. Shawn Stephens, O.D. Vienna, WV | 02/02 |
| John "Bill" Barnes, O.D. Fairmont, WV | 07/02 |
| Carrie J. Cather, O.D. Flemington, WV | 07/02 |
| James M. Fick, O.D. Columbus, OH | 07/02 |
| Jon B. Scott, O.D. Greensboro, NC | 07/02 |
| Briana J. Shelton, O.D. Huntington, WV | 07/02 |
| Gregory S. Wolfe, O.D. Bridgeport, WV | 07/02 |

Hail to the Chief: E. Clifton Hyre, O.D.

With the election of Dr. Jack E. Terry as the Board President, it is time to honor our past leader who served the Board for so many years. Dr. Clifton Hyre has been serving on the Board since his appointment on October 7, 1993. He was elected President to fill the vacancy left by Dr. B. J. Nibert. He was reappointed on July 2, 1996 and again on January 7, 2000.

Under his leadership the Board accomplished several important legislative goals including the revisions of Chapter 30-Article 8-Optometrists, S. B. 524, Title 14-Series 1 Rules of the West Virginia Board of Optometry and Title 14-Series 2-Expanded Prescriptive Authority (initial passage and second revision). New legislative and procedural

rules were amended pertaining to Title 14 as follows:

- Series 3—Contested Case Hearing Procedure
- Series 4—Disciplinary and Complaint Procedures for Optometrists
- Series 5—Schedule of Fees
- Series 6—Written and Oral Examination and Scoring Policy
- Series 7—Administration and Board Meetings were established while Dr. Hyre was President.

During his presidency, the Board established a toll free number for complaints, a computer program for license renewal, the first Board newsletter, and work is currently in progress for a web site.



E. Clifton Hyre, O.D.
President of WVBO
1993 to 2001

Dr. Hyre would be the first to state that nothing could have been accomplished without the rest of the Board members whose continued interest, support, and hard work have moved the Board into the next century.

Title 14-8: Licensure by Endorsement

If approved by the 2003 legislature, applicants for licensure by endorsement must meet the following requirements:

1. Hold a current optometry license in good standing from another state based upon examination,
2. Have proof submitted directly from the optometry board in each state where you currently hold a license that it is in good standing, and from each state where you have held a license that it was in good standing at the time the license was not renewed,
3. Pay the fees established by

rule.

Unless waived by the Board, all applicants for licensure by endorsement must:

1. Apply for the highest level of therapeutic licensure.
2. Be current in the CE requirements of their current state(s) of licensure.
3. Have engaged in the active practice of optometry for at least five of the seven years immediately preceding his or her application.
4. Have not committed any act that would constitute grounds for disciplinary action in WV.
5. Have a current copy of your

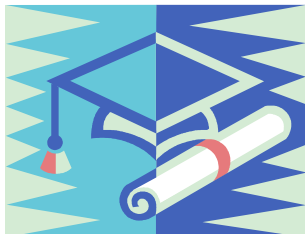
record from the NPDB and the HIP-DB submitted directly to the Board.

6. Not be subject to any unresolved disciplinary action.
7. Submit to an oral examination and interview as deemed necessary by the Board.
8. Pass the WV optometry law examination as required by the Board.

An applicant will not be considered for licensure by endorsement in the state of WV if he or she failed the WVOB Examination within ten years preceding the date on which the application for endorsement is filed.

Continuing Education Requirements and Fees

The following is an explanation of the **NEW** continuing education requirements:



12 hours every two years must be taken in pharmacology or optometric therapeutic courses.

2002-2004 BIENNIAL YRS.

- 40 hours **total** are required between August 1, 2002 and July 31, 2004.
- *12 hours **must** be in pharmacology or optometric therapeutic courses
- 6 hours may be taken in practice management.
- 10 hours may be taken through the internet or correspondence.

- 5 hours may be taken at area meetings.

CE hours taken at conferences and seminars must be sponsored by the AOA, SECO-type regional meetings, state associations, colleges of optometry, and/or COPE approved.

Hours may be taken at **any** time during the two-year period.

Besides the 12 hours required in pharmacology or optometric therapeutic courses, any combination totaling the 28 remaining required continuing education hours within the above categories is acceptable.

You are responsible for keeping copies of your continuing education. The Board periodically will audit a percentage of the licensed ODs. DO NOT SEND ANY PROOF OF CONTINUING EDUCATION TO THE BOARD OFFICE UNTIL YOU ARE AUDITED. Failure to obtain the required CEUs will result in stiff fines and/or license suspension or revocation.

The biennial renewal fee is \$550.00. The late fee of \$150.00 is charged to those who do not have their license renewal forms and fee post-marked by July 31 of the biennial year or before.

The WV “Good Samaritan” Law

The West Virginia “Good Samaritan” law found in Code 55-7-15 (aid to victim of accident and victim of crime; immunity from civil liability) states:

No person, including a person licensed to practice medicine or dentistry, who in good faith renders emergency care at the scene of an accident or to a victim at the scene of a crime, without remuneration, shall be liable for

damages as the result of any act or omission in rendering such emergency care.”



Releasing Contact Lens Prescriptions

Under the Federal Regulation of Eyeglasses I, it is required that consumers be provided with copies of their glasses prescriptions after they had their eyes examined. Unfortunately, there are no laws or regulations regarding the same requirements for contact lens prescriptions.

Although the Board overall receives very few complaints, one of the most common negative comments is that optometrists



are not releasing patient CL prescriptions in order to prevent the patient from buying the CLs from a competitor.

It is the Board’s opinion and recommendation that it is good, ethical conduct to release a CL Rx upon the request of the patient that the OD has fit with CLs.

WVBO Values and Beliefs

The Board believes that consumer protection is best achieved when:

- High standards of competence and ethical conduct are maintained by all licensed optometrists,
- Consumers are provided with the information neces-

sary to make educated and informed decisions regarding their eye and vision care,

- Those optometrists who commit fraudulent, deceptive, or other unlawful acts causing harm to consumers or undermining the profession are swiftly and fairly disciplined,
- Regulation of the profes-

sion is carried out in a manner which provides the necessary protections for the public health, safety and welfare, while fostering a fair and competitive marketplace.

The WVBO was established in 1909. There are seven members including five licensed optometrists and two public members.



L to R: Dr. Harry Boggs, Dr. Jack Terry, Mrs. Anne Spurlock, Dr. Doug Conrath (Sec/Tres), Dr. Clifton Hyre (Pres.), and Dr. Richard Goellner. Mr. Craig Hammond is not pictured.

Title 14-2: Expanded Prescriptive Authority

The scope of the legislative rule 14-2 establishes the requirements, procedures and standards for the certification and re-certification of individual optometrists with expanded prescriptive drug formulary by the WV Board of Examiners in Optometry.

In order to be permitted to prescribe oral drugs, a registered optometrist shall apply to the Board for certification. In order to qualify for certification, an optometrist:

1. Shall have previously attained topical therapeutic certification
2. Shall satisfactorily complete and pass an examination in a course in clinical pharma-

cology as applied to optometry

3. Shall pass and examination relating to the treatment and management of ocular disease.

Each optometrist applying for re-certification shall have available for the Board satisfactory evidence that he or she has acquired the required CEUs. Of those hours, at least six of the required hours were taken in ocular pathology or therapeutic pharmacological agents.

All optometrists certified under this rule shall carry liability insurance coverage in an amount of not less than \$1,000,000. It is the responsibility of each individual optometrist to furnish proof

of current insurance upon application for certification and re-certification.

The initial license fee for the certification of an individual optometrist for an expanded scope of practice prescriptive authority is \$200.

Optometrists certified under the provisions of this rule may prescribe the drugs set forth in WV Code §30-8-2a. WV Code §30-8-2b authorizes the Board to develop a formulary of categories of oral drugs considered rational to the diagnosis and treatment of visual defects or abnormal conditions of the eye.

The categories of systemic medications the WV

Optometrist can prescribe include:

1. Antibiotics
2. Carbonic anhydrase inhibitors
3. Non-steroidal anti-inflammatory drugs (NSAIDS)
4. Antihistamines
5. Oral corticosteroids, may be prescribed for a duration of no more than six days
6. Analgesics, provided that no oral narcotic analgesic may be prescribed for a duration of more than three days
7. Nutritional supplements.

Any optometrist practicing under the authority of this rule shall be held to the same standards of care as that of other health care practitioners providing similar services.

Morgantown O.D. fined for false advertising

In February 2002, Dr. Martin Gresak of Morgantown, WV, placed an advertisement in the Morgantown yellow pages which stated "Laser Vision Correction."

The Board found that the Licensee violated WV code 30-8-8 relating to false advertising. The Board has probable cause to believe that the Licensee has engaged in conduct, practices or acts constituting a willful

departure from accepted standards of professional conduct.

Dr. Gresak entered into a Consent Decree on August 6, 2002 admitting guilt of the violation, agreeing and assuring he will comply. He is responsible for paying a \$500.00 civil penalty and the Board's administrative costs of \$750.00, and knowing contents of the decree shall be public information.

Welcome New Board Member

The Board would like to welcome its newest member, Mrs. Sharon Rubin. Mrs. Rubin is the mother of two children, Brad, age 14, and Julie, age 10 and the wife of Steve Rubin. Originally from Louisville, Kentucky, Mrs. Rubin graduated from the University of Wisconsin-Madison with a B.S. in Pharmacy in 1983. She currently works as a part-time pharmacist at the West Virginia Health

Right, a free clinic in Charleston, and also the Eye & Ear clinic of Charleston. She plays tennis and enjoys walking and reading.

Mrs. Rubin is replacing Anne Spurlock as one of the Consumer Representatives on the Board. The other Representative is Mr. Craig Hammond.

Levels of Licensure

West Virginia has three levels of licensure that are denoted by the suffix on the license numbers:

1. License numbers with only three digits (000) are not certified to use any drugs.
2. License numbers with three digits with "D" (000-D) are certified to use diag-

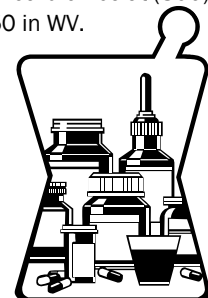
nostic and therapeutic drugs topically.

3. License numbers with three digits followed by "OD" (000-OD) are certified to use diagnostic, therapeutic, and systemic drugs.

Proposed WV Systemic Pharmacology Course

To be eligible to prescribe systemic medications, a 30 hour systemic pharmacology course must be successfully taken as well as passing TMOD. If you graduated prior to 1996 and have not taken a 30-hour course and would like to do so in the relatively near future (within a year), please contact

the Board office at (800) 250-4150 in WV.



WV BOARD OF OPTOMETRY MEMBERS:
 DR. HARRY W. BOGGS
 DR. DOUGLAS L. CONRATH, SECRETARY-TREASURER
 DR. RICHARD H. GOELLNER
 MR. CRAIG HAMMOND, CONSUMER REPRESENTATIVE
 DR. E. CLIFTON HYRE
 MRS. SHARON RUBIN, CONSUMER REPRESENTATIVE
 DR. JACK E. TERRY, PRESIDENT
 MRS. BARBARA L. PALMER, ADMIN. SECRETARY

800/250-4150
WVBO has a new toll free number in WV!

West Virginia Board of Optometry
 101 Michael Street
 Charleston, WV 26301-3937
 Phone: 304/627-2106
 Fax: 304/627-2282
 Email: wvdopt@westvirginia.net



Change of Address/Name Form

Mail form to: West Virginia Board of Optometry
 101 Michael Street
 Clarksburg, WV 26301-3937

You **MUST** keep this office informed of any address or name changes. Faxed or e-mailed copies are not accepted since we must have your original signature authenticating the change you are wanting us to make to your official records.

CHANGE OF ADDRESS and/or CHANGE OF NAME FORM

NAME OF LICENSEE: _____ DATE OF CHANGE: _____
 WV LICENSE NO. _____ SSN: _____
 NAME CHANGED TO: _____

Please check only one preferred mailing address:

(The preferred mailing address is your address of record and is public information. Telephone numbers are not public information.)

Principal Office Address

Home Address

Phone: _____

Phone: _____

Signature: _____ (Original Signature of Licensee is Required)
 Fee for Address Change: \$10.00 Fee for Name Change: \$10.00