

MINUTES

NEVADA STATE BOARD OF OPTOMETRY REGULAR MEETING

January 11th, 2008
Thomas & Mack Center
University of Nevada Las Vegas
Meeting Room B
4505 Maryland Parkway
Las Vegas, Nevada

A regular meeting of the Nevada Board of Optometry was called to order by Board President, Brad C. Stewart, O.D., at 9:34 a.m. on January 11th, 2008, in Meeting Room B, of the Thomas and Mack Center, University of Nevada Las Vegas, Las Vegas, Nevada.

Present at the meeting were:

Brad C. Stewart, O.D., Board President
Geoffrey F. Chiara, O.D., Board Member
Vincent A. Gassen, O.D., Board Member
Sherese Settlemeyer, Public Board Member

Also present at the meeting were:

Steve Girisgen, O.D.
Kenneth Kopolow, O.D.
Edward Hanigan, Esq.
Gail Galantuomini, O.D.
May Yared

Dr. Stewart asked for public comment. There was no public comment.

Agenda Item 2. The Minutes of the November 16th, 2007, regular meeting were presented for approval. Dr. Chiara moved the Minutes be approved as drafted. Dr. Gassen seconded the motion. The vote was unanimous.

Agenda Item 6. Noting the presence of Drs. Kopolow and Girisgen and their

counsel, Edward Hanigan, Esq., the Board moved to Agenda Item 6. Dr. Stewart stated the matter had been dismissed, but that the matter had been continued to enable the doctors to present documentation that their practice premises had been brought compliant with the provisions of Chapter 636 of the Nevada Revised Statutes. After having heard the statements of the doctors and their counsel, and reviewing the pictures of the premises, the Board agreed the layout of the premises had been revised in such a way as to make them compliant, and that the matter was concluded.

Agenda Item 3. Complaint of Elisa P. Ilustre vs. Gail Galantuomini, O.D. The Board reviewed the documents, and considered the statements of Dr. Galantuomini and her employee, Ms. Yared. There was discussion relative to the possibility of a pre-existing condition and of Ms. Ilustre's refusal to have a dilated exam. Dr. Chiara suggested the patient's expectations could have been out of sync. Dr. Gassen stated he saw no evidence of substandard care. Dr. Chiara moved the Complaint be dismissed for lack of merit. Dr. Gassen seconded the motion. The vote was unanimous.

Agenda Item 4. Complaint of Judi D. Kennedy, as Executive Director vs. Randall L. Jensen, O.D. Ms. Kennedy advised the Board Dr. Jensen had paid the proposed administrative fine. Dr. Chiara moved the complaint be dismissed based on resolution. Ms. Settlemeyer seconded the motion. The vote was unanimous.

Agenda Item 5. Complaint of Judi D. Kennedy vs. Scott B. Wayment, O.D. Ms. Kennedy advised the Board that through error and inadvertence a provision had been included in the Complaint for disposition through the payment of an administrative fine. Mr. Whitney advised the Board the Complaint should be dismissed and a new complaint filed. Dr. Chiara moved the Complaint be dismissed. Dr. Gassen seconded the motion. The vote was unanimous.

Agenda Item 7. Complaint of Judi D. Kennedy, Director vs. David P. Yesnick, O.D. Ms. Kennedy advised the Board that Dr. Yesnick had submitted the proposed administrative fine, but had failed to submit documentation necessary for the issuance of certificates of registration of assumed names. Dr. Chiara moved a formal Accusation be filed. Dr. Gassen seconded the motion. The vote was unanimous.

Agenda Item 8. Complaint of Judi D. Kennedy, as Executive Director vs. Van T. Tran, O.D. Ms. Kennedy explained to the Board that Dr. Tran did not file a response to the Complaint, and as a result a formal Accusation was filed. Ms. Kennedy advised Dr. Tran had not filed a response to the Accusation. Dr. Chiara stated he felt Dr. Tran should appear before the Board and explain her actions, or lack thereof. Dr. Gassen moved a subpoena issue requiring Dr. Tran to appear at the next regular meeting. Dr. Chiara seconded the motion. The vote was unanimous.

Dr. Stewart asked for public comment. Ms. Kennedy and the Board discussed her attendance at the Subcommittee on Health Care to Review the Laws and Regulations Governing Providers of Health Care, the Use of Lasers and Intense Pulsed Light Therapy, and the Use of Injections of Cosmetic Substances.

There was no additional public comment.

The Board confirmed a regular meeting scheduled for Friday, March 21st, 2008, via telephone conference. The Board scheduled a regular meeting in Reno, Nevada, on Friday, May 16th, 2008.

Dr. Chiara moved the meeting adjourn. Dr. Gassen seconded the motion. The meeting adjourned at 10:40 a.m.