

# NEW YORK STATE BOARD FOR OPTOMETRY

New York State Board for Optometry

Monday January 13, 2025 9:30am

New York State Education Department  
1411 Broadway, 10th Floor  
MMMM Room  
New York, NY 10018

Rochester Regional OPD Office  
85 Allen Street, Suite 120  
Room 140  
Rochester, NY 14608

**Members Present:** Daniella Rutner, Michele Lagana, Richard Soden, Jeffrey Calhoun, James Coney, Obinna Akano

**Extended Member:** Frank Pirozzolo, Wayne Gabel

**Members Absent:** Dana Salgado, Alison Risko

**SED Staff:** Dolores Cottrell, Azriel Paris

**Welcome:** Dr. Cottrell welcomed everyone and called the meeting to order at 9:30 a.m.

**Minutes:** Minutes of the September 30, 2024 meeting were approved as corrected.  
(Coney/Soden).

## Executive Secretary's Report

Dr. Cottrell started her report by explaining potential delays in response from the Board Office, due to a flooding situation that had occurred in December.

Dr. Cottrell discussed the how the next ARBO Happy Hour meeting will discuss how overturning of the Chevron case by the US Supreme Court may affect Optometry Boards. The meeting will be taking place on 1/14/25 at 8:00pm.

## Legislative Update –

The Board discussed Senate Bill S. 8768 which adds nasal sprays as a topical therapeutic pharmaceutical agent that optometrists may administer. The bill was signed into law by Governor Hochul on November 22, 2024. Dr. Cottrell will present amendments to Commissioner's Regulation §66.5 which pertain to the new law to the Board of Regents at their March meeting.

The Board discussed Assembly Bill A.3060, which seeks to create the new licensed profession of Vision Impairment Specialist. Dr. Cottrell spoke with the Executive Secretary of the Occupational Therapy Board. The Board discussed the Occupational Therapist's comments on the bill. The Board expressed that they would like the bill to define the term "visually impaired" with greater detail and would like the bill to use more consistent terminology throughout. The Board also expressed, they would like referrals to vision impairment specialists to be limited to

professionals who would be able to perform a comprehensive visual system analysis, such as an ophthalmologist or optometrist.

## **Old Business**

**Optometry Telehealth Guidelines** -The Board voted to approve the changes proposed to the telehealth guidelines by OP Legal. Board staff will submit the guidelines to OP Legal for final review and posting to the website. (Calhoun/Soden)

**Discussion About Updating Regulations** -The Board Discussed updating Commissioner's Regulations §66.1 and §66.2. The Board expressed that they would like the semester hours of preprofessional postsecondary education required in §66.1 increased from 60 hours to 90 hours. The Board also expressed that they would like to update the language used in §66.2 to better align with new Part III PEPS examination given by the NBEO.

The Board will review Commissioner's Regulations §66.5 for discussion on possible amendments to be discussed at the next board meeting.

## **New Business**

**Discussion of NBEO Score Reports for Part III PEPS** – The Board discussed how scoring results will be sent by the NBEO for their new Part III PEPS scoring. Scores will be sent as a Pass/Fail.

**Discussion on CE for an Optometrist Teaching an Approved CE Course** – The Board discussed whether an optometrist teaching an approved continuing course may count the hours from teaching that course toward their continuing education requirement for registration renewal. The Board unanimously agreed that up to 8 hours may be counted per triennial registration period.

### **Discussion on Drugs Fitting within Statute**

The Board discussed whether or not certain drugs fit within the statutory definition of pharmaceuticals certified for optometrists to prescribe.

**Next Meeting:** The next Board Meeting will be tentatively held on Monday May 19<sup>th</sup>, 2025 at the SUNY College of Optometry in NYC.

**Executive Session:** There were no disciplinary cases to be reviewed.

**ADJOURNMENT:** Motion was approved for Adjournment at 12:12p.m. (Soden/Coney).