

**Minnesota Board of Optometry
Biennial Report
July 1, 2000 to June 30, 2002**

I. General Information

A. Board Mission and Major Functions

Board of Optometry Mission

The mission of the Board of Optometry is to promote the public's interest in quality eye care and effective services for their vision correction and eye health by ensuring that licensed optometrists are qualified to provide their professional services.

Board of Optometry Functions

Setting and administering educational and examination standards for initial and continuing licensure

- Setting licensure requirements through the rules process
- Reviewing reports by American Schools and Colleges of Optometry, of academic programs to determine if they meet state requirements
- Reviewing the examination content and structure of nationally standardized examinations to determine if they meet state requirements
- Developing and administering the state examination to determine candidate knowledge of Minnesota statutes and rules governing nursing facility operation
- Reviewing continuing education programs submitted by sponsors or individuals to determine if they meet requirements
- Reviewing individual applicant/licensee documentation of completion of requirements for initial and continuing licensure

Responding to inquiries, complaints and reports from the public and other health care regulators regarding licensure and conduct of applicants, licensees and unlicensed practitioners

- Accepting complaints and reports from the public and health care providers and regulators
- Deciding whether a complaint or inquiry is jurisdictional and if so whether and what type of action to pursue to resolve the matter
- Referring inquiries and complaints to other investigative, regulatory or assisting agencies
- Responding to complainants and agency reports by informing the complainants/agencies of action taken to resolve their complaints while observing provisions of the data practices act regarding the legal status of data obtained during the course of an investigation and disciplinary proceeding

Pursuing educational or disciplinary action with licensees as deemed necessary based upon results of investigations conducted in response to complaints/reports.

- Setting standards of conduct and a basis for disciplinary action through the rules process
- Seeking information directly from the licensee and securing investigation and fact finding information from other agencies in response to complaints or inquiries
- Holding conferences with licensees to identify their role and responsibility in a matter under investigation
- Providing applicants and licensees education to improve practice and prevent recurrence of problems
- Obtaining voluntary agreement to disciplinary action or pursuing disciplinary action through a due process, contested case hearing and potential court action

Providing information and education about licensure requirements and procedures and standards of practice to the public and other interested audiences.

- Providing information to the optometric community concerning requirements for optometrist licensure
- Providing information about careers in optometry and licensure requirements to prospective applicants for licensure
- Providing the public information about where they can find answers to concerns related to eye care including information about whether persons are licensed with the board and whether they have had disciplinary action taken against their licenses

B. Major activities during the biennium

The following major activities have had impact on board regulation during the biennium:

- Federal Drug Administration statement and warning to consumers on the use of non-corrective lenses without prescription
- Enactment of state legislation defining contact lens prescription and release of prescription to patient

C. Emerging issues regarding regulation of optometrists

The more limited scope of practice in the state of Minnesota compared to neighboring states is not drawing a large number of new optometrists.

Continued sale of contact lenses over the internet and by mail order without verification of prescription.

II. Board's Members, Staff, and Budget

A. Board composition

Statute requires the board to have 7 members. The names of persons holding the seats as of June 30, 2002 are as indicated below.

The following are appointed by the Governor for staggered four year terms:

5 members who are licensed optometrists—John J. Perszyk, O.D., Eden Prairie, Larry Morrison, O.D., Detroit Lakes, Dirk Colby, O.D., Maple Grove, LaMar Gunnarson, O.D., Nisswa, MN, Lee Nelson, Scandia, MN.

2 public members—Emmy Lou Hanson, Hopkins, Orinne Jones, Coon Rapids

B. Employees

The board has one full-time equivalent position. They are a half-time executive director, a half time clerical assistant.

C. Receipts and disbursements and major fees assessed by the board

Item	FY 2001	FY 2002
Receipts	\$103,484	\$110,033
Disbursements	\$ 93,553	\$ 81,939

Fee	Amount
Application	\$ 75
Annual Renewal	\$105

III. Licensing and Registration

A. Persons licensed as of June 30, 2002

FY	
2001	892
2002	914

B. New licenses issued during biennium

FY	By Exam	By Reciprocity
2001	32	2
2002	46	1

IV. Complaints

A. Complaints Received

(Note: Board of Optometry regulates only one occupation—Optometrists. The following numbers all pertain to licensed optometrists.)

Item	FY 2001	FY 2002
1. Complaints Received	11	10
2. Complaints Per 1,000 Regulated Persons	.01	.02
3. Complaints By Type of Complaint		
A. Incompetent		
B. Unprofessional Conduct	11	10

C. Non-jurisdictional		
D. Unlicensed Practice		

B. Open Complaints on June 30

Item	FY 2001	FY 2002
1. Complaints Open	8	13
2. Open Less Than 3 Months		
3. Open 3 to 6 Months		1
4. Open 6 to 12 Months	1	2
5. Open More Than 1 Year (explain)		

C. Closed Complaints on June 30

Item	FY 2001	FY 2002
1. Number Closed	8	8
2. Disposition by Type		
A. Revocation		
B. Voluntary Surrender		
C. Suspension		
D. Restricted, Limited, Or Conditional License		
E. Civil Penalties		
F. Reprimand		
G. Agreement for Corrective Action		
H. Referral to HPSP		
I. Dismissal or closure	8	8
3. Cases Closed That Were Open For More Than One Year (explain)		

v. Trend Data as of June 30

Year	A. Persons Licensed	B. Complaints	C. Complaints Per 1,000 Licensees	D. Open Cases
2002	914	10		13
2001	892	11		8
2000	846	16		3
1999	830	13		0
1998	805	9		0
1997	787	9		0
1996	822	5		0
1995	770	5		0
1994	779	2		0