

**Guam Board of Examiners for Optometry**  
**VIRTUAL BOARD MEETING**  
*Tuesday, June 29, 2021 – 8:30 a.m.*  
<https://global.gotomeeting.com/join/382592117>  
 You can also dial in using your phone.  
 United States: +1 (571) 317-3122  
 Access Code: 382-592-117

**Members Present:**

- Marlene San Nicolas, Chairperson;
- Kristina Woesner, Vice Chairperson;
- Julian Archer, Treasurer;
- Jay McDonald, Member;
- John J. Kim, Member;

**Others Present:**

- Assistant Attorney General Robert Weinberg (OAG);
- Zennia Pecina, HPLO Administrator;
- Nicole Romero, HPLO;
- Breanna Sablan, HPLO;
- Eddy Reyes (FTFC);
- Chantay Benitez (FTFC)

TOPIC		DECISION(S) / ACTION(S) MADE	RESPONSIBLE PARTY	REPORTING TIME FRAME	ACTION TAKEN
I.	Call To Order	Called to order at 8:32 a.m.	Chairperson	8:32	Called to Order
II.	Roll Call	Virtual Roll Call.	HPLO	8:33	Noted
III.	Proof of Publication	AD Posted on Pacific Daily News.	HPLO	8:34	Noted
IV.	Approval of Agenda	Approval of Agenda.	HPLO	8:34	Adopted
V.	Approval of Minutes	Approval of minutes. May 25, 2021. - <i>Motion: J. McDonald 2nd: J. Kim</i>	HPLO	8:34	Approved
VI.	Treasurer Report	Treasurer Report – Dr. Julian Archer - No report at this time.	Treasurer	8:35	No Report
VII.	HPLO Administrator's Report	- No report at this time.	HPLO	8:35	No Report

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VIII.	Old Business	<p>A. The Practice Act Revision (TPA) – On-going Discussion</p> <ul style="list-style-type: none"> <li>- Asst AG Weinberg sent revisions in legal format to the Board for review, with mandate and Rules and Regulations attached. Chairperson found a couple errors and will wait to discuss with him. Board has to provide a fee schedule for infractions.</li> <li>- Some other State Boards announce upcoming rule changes. A concern is for other Optometrists to be aware of the rule changes, so it's not a surprise. Board understands there cannot be advancement until laws are passed, but there will be a grace period for other optometrists to get the new rules.</li> <li>- Asst AG Weinberg summarized the following process: when the Board is ready with the final draft, they are required to hold a public hearing for comments, which is considered and voted upon; the Board could decide to meet with stakeholders beforehand; afterwards, the rules will undergo a legal review by the OAG, which will be assigned to Asst AG Weinberg making sure it conforms with the law. In addition, there are other requirements, e.g. Economic Impact Statement or other required documents. Following AG approval, it will go to the Governor for signature, as to matters of policy. After the Governor approval, it will be provided to the Legislature and Senator Therese Terlaje will schedule another hearing within 75 days of filing, at which time the public provides comment to object or support, prior to the Legislative vote. If ratified, then the new Rules and Regulations become effective; otherwise, then Asst AG Weinberg will have to apply to the Secretary for Certification that they had a hearing and then they are effective by operation of law.</li> <li>- For the infractions, the Board is supposed to come up with penalties. Asst AG Weinberg has a disciplinary matrix that could be used as a framework for progressive discipline of employees.</li> <li>- Asst AG Weinberg suggested more work sessions to finalize and ensure the Board is on the same page regarding the Rules and Regulations. Work Sessions will be coordinated with the Board and Asst AG Weinberg.</li> </ul> <p>B. Rules and Regs Proposed Revision 2.0 – On-going Discussion</p> <ul style="list-style-type: none"> <li>- Reference above discussion.</li> </ul> <p>C. Shops dispensing colored contacts without prescription – On-going Discussion</p> <ul style="list-style-type: none"> <li>- Asst AG Weinberg suggested drafting proposed penalties for violations regarding colored contacts and giving them to the Legislature.</li> </ul>	GBEO	8:35	On-going
			8:51	On-going	
			8:58	On-going	
IX.	New Business	<ul style="list-style-type: none"> <li>- No new business at this time.</li> </ul>	GBEO	9:04	None

TOPIC		DECISION(S) / ACTION(S) MADE	RESPONSIBLE PARTY	REPORTING TIME FRAME	ACTION TAKEN
X.	Other Business	Commission on the Healing Arts of Guam meeting Thursday, July 01, 2021 at 12pm - The Chairperson indicated a schedule conflict to attend and one of the other Board members indicated that they will attend in her stead.	Board	9:04	Noted
XI.	Announcement	Next Board Meeting: <b>Tuesday, July 27, 2021 at 8:30 a.m.</b>	Board	9:16	Noted
XII.	Adjournment	Adjourned at 9:16 a.m. <i>Motion: J. McDonald 2nd: J. Kim</i>	Board	9:17	Adjourned

Reviewed by:  7-27-21  
Secretary / Date

Approved by:  7/27/2021  
Chairperson / Date

Minutes by: Chantay Benitez, FLAME TREE Freedom Center, Inc.