

P E N N S Y L V A N I A

STATE BOARD OF

# Optometry

NEWSLETTER

Winter 2005

*Inside:*



Commonwealth of Pennsylvania

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*Governor*

Pedro A. Cortés  
*Secretary of the Commonwealth*

Basil L. Merenda  
*Commissioner,  
Bureau of Professional  
and Occupational Affairs*

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# Chairman's Message

by Steven J. Reto, O.D., F.A.A.O.

On behalf of the State Board of Optometry, we present this newsletter to all our licensees. Many issues come before the Board and we have found that proper communication is essential for their resolution. The members of the Board are committed to assuring that government regulations serve to protect the health, safety and welfare of every citizen of the Commonwealth. If there are any questions regarding licensure issues, please feel free to contact the Board. Your input is always welcome and appreciated.

May this newsletter find all our licensees well and having continued success in your optometric careers.

## Complications Due to Contact Lenses Dispensed Without a Valid Prescription

by Marc M. Berson, O.D., M.B.A.

New Federal regulations require all suppliers of contact lenses to follow strict guidelines before releasing contact lenses to consumers. There are a multitude of sources for consumers to obtain contact lenses. In an effort to determine the types and numbers of complications associated with invalid contact lens prescriptions, the Association of Regulatory Boards of Optometry (ARBO) began an initiative to gather and document these complications. The initiative was undertaken in order for state attorneys general, the Food and Drug Administration and the Federal Trade Commission to understand the extent and severity of contact lens complications associated with invalid prescriptions.

The following is a brief summary of the 116 reports received in 2003.

Signs and symptoms experienced by patients included stinging, neovascularization/pannus, foreign body sensation, burning and corneal edema. Other symptoms were corneal epithelial defects, pain, conjunctivitis, corneal infiltrates, ocular inflammation, corneal distortion, dry eye, keratitis, giant papillary conjunctivitis, corneal ulcer, itching, discharge, corneal opacity, blurred vision, and iritis.

Treatment plans used to respond to the signs and symptoms included prescription of topical antibacterial/anti-inflammatory medications, lubricants and topical and oral antibacterial medications. Some patients were refit with contact lenses, and others decreased or discontinued contact lens wear.

The most common patient outcome was short-term vision loss. Others experienced some permanent vision loss, permanent scarring, and less than 1% needed a penetrating keratoplasty.

The financial impact of these complications was that the patients paid an average of \$67.79 out of pocket per incident. Third party payers paid an average of \$118.24 per incident. Patient loss of income averaged \$24.31 per incident, for a total of \$210.34 cost per incident.

Dr. Jones, president of ARBO, said, "As professionals concerned about the health of our patients, each of us needs to take the time to document the many problems that we observe in our practices virtually every day."

The initiative is ongoing, and all Pennsylvania optometrists are encouraged to participate by reporting to ARBO. Eye care professionals can download the Contact Lens Complications Form from the ARBO web site at [www.arbo.org](http://www.arbo.org), or the form can be requested by contacting ARBO at 314-785-6000.

## Summary of “Workforce Projections for Optometry”

by Paul B. Freeman O.D.

The *Workforce Projections for Optometry* (published in *Optometry*, May 2000) has projected trends regarding the supply and demand of optometrists over the next 30 years. Not explored, however, was the impact that the influx of foreign optometrists could have on the projected domestic supply. The number of practicing optometrists, which may now be enlarged by this new category of optometrists, is among a variety of issues that optometry will face in the national/international arena of health-care. This situation is already difficult on various levels, not the least of which relates to licensure.

In the absence of a uniform (U.S.) national standard for optometric licensure, various state licensures play a key role in the supply and demand scenario which consists of a multifaceted array of issues in aligning the development of U.S. and foreign parity. The challenge of uneven levels of acceptance of reciprocity and endorsement from state to state, at the very least, presently affects the mobility of U.S. optometrists, not to mention the international community. To address this specific concern, the *World Council of Optometry*, in association with *the Association of Regulatory Boards of Optometry*, is considering the development of “an internationally acceptable, global competency-based model of optometry,”<sup>1</sup> creating a method of making it easier for practitioners to cross international borders.

Although not immediately apparent, the very viability of our profession is tied to issues larger than state or even national ones. As I stated in a recent editorial, “The existence of our profession as we know it will, I believe, be modified not only by educational and scope-of-practice changes, but also by national and international business and political concepts that are only now beginning to surface and thus only now beginning to be addressed.”<sup>2</sup> One of the questions on the horizon, then, might very well be: Will the introduction of internationally accepted standards simplify or add another level of complexity to present optometric licensing protocols?

1. DiStefano AF, Chappell R, Smith D, et al, The globalization of optometry: challenges and opportunities in the new millennium-part I, *Optom*, JAOA, 75(6): 341-5, June 2004.
2. Freeman, PB, It’s a small world, after all, *Optom*, JAOA, 75(6): 337-8, June 2004.

## Regulatory Update

by Teresa Lazo-Miller, Counsel, State Board of Optometry

Since the publication of the last newsletter, the Board has continued its work on updating the Board’s regulations. On March 13, 2004, the Board promulgated a final rulemaking related to continuing education. Licensees may view the new regulation at 34 Pa. B. 1453, by visiting the Board’s website, under Rules and Regulations. The regulation clarifies that a licensee seeking a waiver of continuing education in cases of certified illness or undue hardship, must request the waiver, in writing, prior to the end of the biennial renewal period for which the waiver is sought. The regulation also provides that continuing education courses that will qualify for credit as therapeutics courses must concern the treatment and management of ocular or oculo-systemic disease. Finally, the regulation requires that the provider of the continuing education course note the number of hours approved as therapeutics continuing education or glaucoma continuing education on the certificate of attendance given to licensees who complete the course. These amendments will enable the Board to more easily monitor licensees’ compliance with statutorily mandated continuing education.

The Board is in the last stages of promulgating a final rulemaking, titled “General Revisions,” that will update many sections of the Board’s regulations. When the rulemaking has been published as final, the Board’s web page, under Rules and Regulations, will be posted.

## Disciplinary Actions

*The following is a chronological listing of disciplinary actions taken by the Board from July 1, 2003, through June 30, 2004. Each entry includes the name, certificate or registration number (if any), and last known address of the respondent; the disciplinary sanction imposed; a brief description of the basis of the disciplinary sanction and the effective date of the disciplinary sanction.*

*Every effort has been made to ensure that the following information is correct. However, this information should not be relied on without verification from the Prothonotary's Office of the Bureau of Professional and Occupational Affairs. One may obtain verification of individual disciplinary action by writing or telephoning the Prothonotary's Office at P.O. Box 2649, Harrisburg, PA 17105-2649; (717) 772-2686. Please note that the names of persons listed below may be similar to the names of persons who have not been disciplined by the Board.*

**William C. Smith**, license no. **OE-005568-T**, of Murfreesboro, TN, was denied his application for glaucoma certification based on findings he did not provide proof of the required 18 hours of continuing education in glaucoma. (6/20/03)

**William Boshinski**, license no. **OE-006987-P**, of Lewisberry, York County, had his application for therapeutic certification denied based on findings that he did not demonstrate he met the qualifications for certification to administer and prescribe pharmaceutical agents for therapeutic purposes. The Board's order was affirmed by the Commonwealth Court of Pennsylvania. (08-08-03)

**Israel R. Plasner**, O.D., license no. **OE-004807-L**, of Green Brook, NJ was ordered to pay a civil penalty of two hundred fifty (\$250.00) dollars, for having disciplinary action taken against his

license to practice optometry by the proper licensing authority of another state. (9/10/03)

**Jeffrey J. Ruffo**, O.D., license no. **OE-004813-L**, of Watchung, New Jersey was ordered to pay a civil penalty of two hundred fifty (\$250.00) dollars, for having disciplinary action taken against his license to practice optometry by the proper licensing authority of another state. (9/10/03)

**Paul David DiFiore**, license no. **OE-006025-P**, of Mt. Laurel, NJ, was assessed a civil penalty of \$1,000 based on findings he had disciplinary action imposed upon his license by the licensing authority in another state. (9/11/03)

**Paul Franklin Speesler**, O.D., license no. **OE-005573-P**, of Philadelphia, Philadelphia County, was ordered to pay a civil penalty of one thousand (\$1,000.00) dollars, since Speesler had a license to practice optometry disciplined by the proper licensing authority of another state. (9/10/03)

**Stanley A. Fruzynski**, O.D., license no. **OE-004757-P**, of Jefferson Hills, Allegheny County, was assessed a civil penalty of five hundred (\$500.00) dollars, because Fruzynski practiced optometry in the Commonwealth of Pennsylvania on an expired license during the period of November 30, 2002 through May 19, 2003. (11-13-03).

**James E. Grue**, license no. **OE-005510-P**, of Canton, Bradford County, was assessed a civil penalty of \$250.00 based on findings he failed to submit proof of completion of a

minimum of 30 hours of approved continuing education credits obtained between December 1, 1998, and November 30, 2000. (11/14/03)

**Eugene L. Kane**, license no. **OE-003503-P**, of Media, Delaware County, was assessed a civil penalty of \$250.00 based on findings that he failed to complete and mandated number of hours of Board-approved continuing education and falsified information on his license renewal form. (11/14/03)

**Terri D. Haberman**, of Huntingdon Valley, Montgomery County, was granted her application for licensure to practice optometry by endorsement with that license placed on probation for two years, based on findings that she was disciplined by the New Jersey Optometry Board. (01/15/04)

### UNETHICAL OR UNLICENSED ACTIVITY

If you believe the practice or service provided by a licensed professional to be unethical, below an acceptable standard or out of the scope of the profession; or if you are aware of unlicensed practice, please call the Bureau of Professional and Occupational Affairs complaints hotline at:

**In Pennsylvania: 1-800-822-2113**  
**Out of State: 1-717-783-4854**

A complaint form is available on the Department of State's internet site.  
**www.dos.state.pa.us**

## Meet Commissioner Basil L. Merenda

Basil L. Merenda was appointed Acting Commissioner of the Bureau of Professional and Occupational Affairs by Governor Edward G. Rendell on January 5, 2004 and was unanimously confirmed by the Senate on March 16, 2004.

As Commissioner, he is responsible for overseeing the day-to-day functions of the Bureau of Professional and Occupational Affairs. The Bureau provides administrative support to the 27 professional licensing boards and commissions. Commissioner Merenda serves as the Governor's designee on 25 of the 27 professional licensing boards.

Prior to his appointment, Merenda served as Deputy Attorney General for the state of New Jersey, with emphasis on antitrust and financial crimes. He also served as legal counsel to the United Food and Commercial Workers Union Local 1776 in Norristown from 1987 to 1993.

A native of Philadelphia, Pennsylvania, Merenda earned a bachelor's degree in economics from Villanova University, a master's degree in economics from the University of Notre Dame and a law degree from Villanova University Law School.

## Meet Our Newest Board Member Janet Schwartz, O.D.

We welcomed Dr. Janet Schwartz as a new Board Member at our July, 2004 Board Meeting. Dr. Schwartz's father, mother, and older brother are all optometrists and graduates of the PA College of Optometry. Dr. Schwartz graduated from Johns Hopkins University in 1974 and is a 1978 graduate of the Illinois College of Optometry. After practicing in Maryland for two years, she married a Philadelphian and did a Pediatric Residency at the PA College of Optometry.

Dr. Schwartz is the proud parent of 21 year old twins who will be graduating in May from George Washington University and Princeton University. She also has a 16 year old. Her community activities include being a past president of her synagogue and currently serving as an officer on the boards of the Anti-Defamation League and the Auerbach Central Agency for Jewish Education. She is a longtime member of the Chester-Delaware County Optometric Society and the PA Optometric Association.

Currently, she is practicing in an ophthalmologic practice in Bala Cynwyd. She has also participated as a clinical investigator in the Vision in Preschoolers Study.

## Drugs Approved for Use by Optometrists

To access these links, please go to  
[www.dos.state.pa.us/opt](http://www.dos.state.pa.us/opt)

and click on

“Drugs Approved for Use by Optometrists.”  
New drugs are added as they are approved.

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*Bureau of Professional and  
Occupational Affairs*

**Board Staff**  
**Teresa Lazo-Miller Esq.**  
*Counsel*

**Deborah Smith**  
*Administrator*

**2005 Board Meeting Dates**

**January 12 , March 10, May 11,  
July 14, September 14  
and November 10**