

State of New Mexico
Regulation & Licensing Department
BOARD OF EXAMINERS IN OPTOMETRY

6 P.M., Wednesday, July 26, 2006
Regulation & Licensing Department
2550 Cerrillos Road, 3rd Floor
Superintendent's Conference Room
Santa Fe, New Mexico

SPECIAL MEETING
AGENDA

- I. CALL TO ORDER AND ROLL CALL**
- II. APPROVAL OF AGENDA**
- III. NEW BUSINESS**
 - A. Review of Jurisprudence Examination (Attachment 1)
- IV. OLD BUSINESS**
 - A. None
- V. EXECUTIVE SESSION** (Addendum) pursuant to § 10-15-1(H)(1) through (3) to discuss complaints, licensing matters and issuance of notices of contemplated action, to deliberate in connection with administrative disciplinary hearings, to discuss pending or threatened litigation or updates on pending cases.
 - A. Neil G. Montes, OD (Attachment 2)
 - B. Wills Vanray (Attachment 3)
- VI. NEXT MEETING SCHEDULED** – August 11, 2006 – NM State Bar in Albuquerque at 1 p.m.
- VII. ADJOURN**

**NEW MEXICO
BOARD OF EXAMINERS IN OPTOMETRY
REGULAR MEETING**

6 P.M., Wednesday, July 26, 2006
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MINUTES

MEMBERS PRESENT: **James Simnacher, O.D., Chair**
 Jane Compton, O. D., Vice-Chair
 Richard Zobel, O. D., Secretary/Treasurer
 Thomas Paz, O. D., Professional Member
 Barbara Deaux, Public Member

MEMBERS ABSENT: **Ben Martinez, Public Member**

STAFF PRESENT: **Rosemarie Ortiz, Board Administrator**
 Cynthia Graystone, Administrative Assistant

OTHERS PRESENT: **Mona Valicenti, Assistant Attorney General, Civil Division**
 See Sign-In Sheet

I. CALL TO ORDER – ROLL CALL

At 6:04 p.m. on Wednesday, July 26, 2006 Dr. James Simnacher, the Board's Chair, called the regular meeting of the New Mexico Board of Examiners in Optometry to order. The meeting had been properly noticed and upon a roll call it was determined that there was a quorum present to conduct business.

II. APPROVAL OF MEETING AGENDA

Dr. Compton MOVED to approve the agenda, which was SECONDED by Dr. Zobel. The motion PASSED unanimously.

III. NEW BUSINESS

A. Review of Jurisprudence Examination

The Board reviewed test questions for the 2006 Jurisprudence Examination and discrepancies were found in the following questions. Questions number 12, 33, 44, 45, 46, 54, 57, 58, 59 and 81. Barbara Deaux MOVED to strike questions 44, 45, 57 and 59 from the 2006 Jurisprudence Examination and to amend questions 33 and 81, which was SECONDED by Jane Compton, O.D. The motion PASSED unanimously.

IV. OLD BUSINESS

A. NONE

V. EXECUTIVE SESSION

Dr. Compton MOVED to enter into Executive Session pursuant to § 10-15-1(H)(1) through (3) to discuss complaints, licensing matters and issuance of notices of contemplated action, to deliberate in connection with administrative disciplinary hearings, to discuss pending or threatened litigation or updates on pending cases. Dr. Simnacher SECONDED the motion. Roll call vote was conducted. James Simnacher, O.D., Jane Compton, O. D., Richard Zobel, O. D., Thomas Paz, O. D., and Barbara Deaux, were present and in favor of the motion.

1. Neil G. Montes, O.D.
2. Wills Vanray

At 6:30 pm the Board came out of Executive Session. Dr. Compton stated that no matters other than those listed in the original motion were discussed in Executive Session.

DECISIONS ON MATTERS DISCUSSED IN EXECUTIVE SESSION

Dr Paz MOVED to authorize Board Administrator, Rosemarie Ortiz, to send a letter referencing 16.16.3.9 NMAC to the applicants indicating the applications are incomplete and the Board is unable to accommodate the request for exception of the rules. Ms. Deaux SECONDED the motion. The motion PASSED unanimously.

Dr. Paz requested Assistant Attorney General, Mona Valicenti, review the letter that is to be sent to the applicants once it is drafted.

X. ADJOURN

Ms. Deaux MOVED TO ADJOURN the meeting, which was SECONDED by Dr. Compton. All were in favor. The meeting was adjourned at 6:45p.m.

<i>Rosemarie L. Ortiz</i>	<i>8/11/06</i>
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Submitted by Rosemarie L. Ortiz	Date
<i>James Simnacher</i>	<i>8/11/06</i>
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Approved by James Simnacher, OD, Chairman	Date