

LOUISIANA STATE BOARD OF OPTOMETRY EXAMINERS

6201 Florida Blvd. Baton Rouge, LA 70806

MINUTES

January 17, 2025

I. Roll Call/Call to Order/Confirmation of posting of notice and agenda

The roll was called at 9:04 am with the following LSBOE board members present: Drs. Kasovich, Lamar, Anastasio, Jong, Gerdes, and Mrs. Wicker. Dr. LaPoint was absent. Also present were Public Guests, OAL Members and Board counsel Mr. AJ Herbert. Executive Director, Anna Cahill, was also present.

Declaring a quorum was present, Dr. Kasovich called the meeting to order.

II. Adoption of Agenda

Mr. Herbert requested two changes be made to the agenda. Under Item VI (old business), to add a new item (E) – approval of proposed rule to amend the LSBOE fee schedule to provide that the fee for a licensure by endorsement application shall be imposed only when the application is approved. He also requested that JML Executive Order 25-008 relative to occupational licensing boards be added under new business. Motion to adopt the updated agenda (Wicker/Jong) - approved/adopted without objection. Passed unanimously.

III. Approval of Minutes

Dr. Anastasio had a suggested change due to a repeat error and motioned that the approval of minutes be pushed to next meeting.

IV. Executive Director's Report

a. **Finance and Budget Report** – Ms. Cahill provided an update to the Board regarding the Balance Sheet and Profit & Loss documents.

b. **License Activity**

a. **Renewals** – Ms. Cahill notified the Board that renewals have been quickly coming in.

b. **Applicants/new licensees** - No update.

c. **Endorsement request** – None.

d. **Inactive requests** – One request.

e. **Hardship requests** – No new requests.

f. **Request for reinstatement** - No new requests.

g. **Complaints** – to be discussed during executive session

c. **Required Training**

a. Ms. Cahill notified the Board that everyone completed the required training.

d. **Requests for Guidance**

a. Mr. Herbert notified the Board that there were no new requests for guidance received since the previous meeting.

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OLD BUSINESS

V. 2025 LSBOE Budget

Ms. Cahill presented the Board with the draft 2025 Budget. A brief discussion was held and Dr. Kasovich motioned to approve the budget as presented. Dr. Anastasio seconded the motion and it was unanimously approved.

VI. Update on LSBOE Rules in Development

- a. **Continuing Education (per Act 194 of 2023)** – Mr. Herbert notified the Board that the rule is having to be resubmitted.
- b. **Dispensing Pharmaceuticals** – No new updates.
- c. **Alternate Path to Licensure (NBEO)** – No new updates.
- d. **Telehealth** – Dr. Lamar provided an update on his telehealth research in states with similar scope of practice as Louisiana. A brief discussion was held regarding each state's telehealth rules, fees and policies. This issue will continue to be studied.
- e. **LSBOE Fee Schedule** – Mr. Herbert presented the Board with a one pager with LSBOE rule regarding licensure by endorsement and the \$1,500 fee associated with the application. This rule clarifies that \$1,500 fee is only required if the application is approved. Dr. Kasovich made a motion to adopt the rule. Dr. Lamar seconded and it was unanimously approved.

NEW BUSINESS

- A. **LSBOE Policy Manual Update**- Ms. Cahill notified the Board that the LSBOE Policy and Procedures are out of date. She will begin the process of updating them prior to the next regular board meeting.
- B. **Vincent Country/OneSight EssilorLuxottica Foundation**- Dr. Kasovich informed the Board of an email received requesting approval of an out of state optometrist be granted permission to participate in a philanthropic event during the Super Bowl within the Louisiana. He stated that this would not be allowed as they are not licensed to practice in Louisiana but he will work with them on potentially having OAL assist with staffing the event.
- C. **JML Executive Order 25-008**- Mr. Herbert notified the Board of the rule regarding the Welcome Home Act and informed the Board that he will be requesting an extension on the deadline of February 25, 2025.

EXECUTIVE SESSION

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Motion (Wicker/Jong) – A roll call vote was held to go into executive session; the motion passed unanimously. (Entered 9:37am) Dr. Gerdes excused himself from the room for discussion of the OAL litigation during executive session.

VII. Litigation

A. By OAL v Heitmeier, et al No C-729018 19th JDC State of Louisiana

B. By LSBOE v OAL et al No. C-729434 19th JDC State of Louisiana

C. Update on Ethics Board Proceedings related to LSBOE/OAL pending litigation

VIII. Update on Complaints

a. Pending Complaints

b. New Complaints since last Meeting

IX. Requests for Reinstatement from Prior Disciplinary Action

EXECUTIVE SESSION – (Exited 10:58am)

XIV. Report on Items Discussed in Executive Session

Dr. Kasovich made a motion to approve the settlement agreement with OAL subject to resolution of the single issue raised by the AG’s rep regarding issue of claims. Dr. Lamar seconds the motion and it is unanimously approved. Dr. Gerdes abstained from the vote. Ms. Wicker made a motion to notify the ethics board of the settlement with OAL. Dr. Kasovich seconded the motion and it was unanimously approved. Dr. Gerdes abstained from the vote.

Dr. Jong made a motion to close the case in regard to the complaint sent in against Dr. Granger. Dr. Anastasio seconded the motion and it was unanimously approved.

XVI. Public Comment –

Dr. Sandefur and his lawyer gave a brief statement regarding their opinion on the settlement. They requested that a typed statement be put into the minutes. Dr. Kasovich made a motion to include Dr. Sandefur’s personal statement in the minutes. Ms. Wicker seconded the motion and it was unanimously approved. (ATTACHMENT A) Jaques Roy extended a Thank You from the OAL to the Board and staff for bringing this to a conclusion with the settlement.

Dr. Kasovich read a personal privilege statement. This statement is included at the end of these minutes as ATTACHMENT B.

Dr. Janot notified the Board that the OAL is pleased to put this behind them. He thanked the Board along with staff and all attorneys involved.

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XVII. Next Meeting - Board members agreed that the next meeting/hearing will be scheduled for March 21, 2025 in Baton Rouge for 9:00am.

Adjourn - Meeting adjourned at 11:13am.

Paul Lapoint, O.D.
Secretary LSBOE

Kevin Kasovich, O.D.
President LSBOE

Attachment A

LOUISIANA STATE BOARD OF OPTOMETRY EXAMINERS vs OPTOMETRY ASSOCIATION OF LOUISIANA, et.al. C-729434 19th JDC STATE OF LOUISIANA

From: James D. Sandefur

January 17, 2025

WHEREAS, Dr. James D. Sandefur has decades of dedicated public service to the Louisiana State Board of Optometry Examiners (LSBOE) as the Secretary/Treasurer and board member;

WHEREAS, Dr. Sandefur has decades of service to the Optometry Association of Louisiana;

WHEREAS, the optometry profession and optometrists in Louisiana have benefitted greatly from his years of honorable, informed, and dedicated service;

WHEREAS, at all times, Dr. Sandefur acted in furtherance of instilling confidence in the profession of optometry on behalf of the LSBOE. Dr. Sandefur reviewed the limited policies and procedures enacted by the LSBOE. The oversight and regulatory function of the LSBOE governs the practice of optometry in the state of Louisiana, and the practice is declared to be a professional practice affecting the public health, safety, and welfare, subject to regulation and control in the public interest.

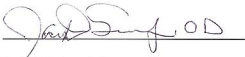
WHEREAS, At all times, Dr. Sandefur acted in furtherance of protecting and in the best interest of public health, safety, and welfare of patients and citizens of Louisiana on behalf of the LSBOE. Dr. Sandefur never engaged in self-dealing or ever took action that was not in the best interest of the Louisiana Board of Optometry Examiners.

WHEREAS, The board secretary is not the executive officer of the LSBOE responsible for all the day-to-day matters, but is responsible for maintaining the minutes and organization of

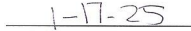
the business before the LSBOE. All payments and disbursements by the LSBOE were duly made in accord with this requirement in compliance with the directives of the LSBOE and with full knowledge of the LSBOE. At no time did Dr. Sandefur serve as secretary/treasurer and President of the LSBOE simultaneously.

WHEREAS, Dr. Sandefur's direction and authorities are conferred by the LSBOE under statutory law. At all times, Dr. Sandefur acted at the direction of and in accordance with authorization and knowledge of the LSBOE.

Signed:

A handwritten signature in cursive script, appearing to read "James D Sandefur", is written over a horizontal line.

James D Sandefur

A handwritten date "1-17-25" is written over a horizontal line.

January 17, 2025

Attachment B

Personal Privilege Statement
January 17, 2025

Ladies and gentlemen,

It is with great respect and humility that I address this board and those present today. For many years, Dr. James Sandefur served this board and the Optometry Association of Louisiana as its Executive Director. Dr. Sandefur is a name that resonates far beyond our state. He is not only a highly respected leader but a true pioneer within the profession of optometry, both here in Louisiana and across the nation.

As we gather here today, I am acutely aware that we are in the presence of giants in our profession—on this board and among the association's members. However, with no intent to diminish the incredible achievements of anyone in this room, I must say this: the combined accolades and contributions of all of us here could still not equal the profound and enduring impact that Dr. Sandefur has had on our profession. His leadership, innovation, and dedication have shaped optometry in ways that will be felt for generations.

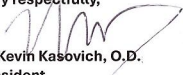
A few years ago, allegations of financial wrongdoing were lodged against Dr. Sandefur and others. Despite repeated efforts to uncover the truth behind these claims, those who brought the allegations forward have been unable to substantiate their statements with proof. Prior to my time on this board, I was aware of these allegations. When I joined the Louisiana State Board of Optometry Examiners, I fully expected to be presented with evidence that would substantiate the claims of wrongdoing. To this day, I have not seen any such evidence.

Today, I take this opportunity to publicly apologize to Dr. Sandefur and his family for the hardship and undue burden they have endured over the past several years. While my words may be a small token, I want them to be a first step toward reconciliation. As President of the LSBOE, my commitment is to fully cooperate with any investigations to uncover how and why we reached this point and to ensure that such a situation never happens again.

Dr. Sandefur, your contributions to optometry and your unwavering integrity deserve recognition, not unwarranted suspicion. I hope this public apology serves as a testament to my respect for you and my dedication to righting any wrongs.

Thank you for allowing me this moment of personal privilege.

Very respectfully,



G. Kevin Kasovich, O.D.
President
Louisiana State Board of Optometry Examiners