

DRAFT MINUTES
of the First Meeting of the
Optometry Technical Review Committee
April 7, 2022
9:30 a.m. to Noon

TRC Members Present

Daniel Rosenthal, PE (Chair)
Christine Chasek, LIMHP, LADC
Marcy Wyrens, RRT
Brandon Holt, BSRT (ARRT)
Jessica Roberts, ATC
Sarah Pistillo, REHS

TRC Members Absent

David Deemer, NHA

Program Staff Present

Matt Gelvin
Ron Briel
Jessie Enfield

I. Call to Order, Roll Call, Approval of the Agenda

Chairperson Rosenthal called the meeting to order at 9:30 a.m. The roll was called; a quorum was present. Mr. Rosenthal welcomed all attendees, and asked TRC members to briefly introduce themselves. The agenda and Open Meetings Law were posted and the meeting was advertised online at <https://dhhs.ne.gov/Licensure/Pages/Credentialing-Review.aspx> . The committee members unanimously approved the agenda for the first meeting.

II. Discussion on the Credentialing Review Process

Credentialing Review Program staff asked if there were any questions or comments about the Credentialing Review Process. There were no questions at this time.

III. Presentation of the Proposal by the Applicant Group

Dr. Christopher Wolfe, OD, came forward to provide a power point presentation to the members of the Optometry TRC. Dr. Wolfe began the presentation by providing an overview of Optometric scope of practice in Nebraska. Dr. Wolfe stated that Optometrists possess a vast amount of knowledge about the treatment of eye diseases and conditions including glaucoma, adding that Optometrists in Nebraska have had the statutory authority to treat glaucoma since 1998. He went on to state that the current applicant credentialing review proposal is intended to provide Nebraska's Optometrists with an additional tool to help patients suffering from glaucoma and that this tool would be a procedure called "Selective Laser Trabeculoplasty (SLT)". This laser procedure has become an important treatment regimen for the treatment of glaucoma and has been part of Optometric training and practice for many years in the State of Oklahoma, for example. Dr. Wolfe went on to state that current Nebraska law does not allow Optometrists to perform this procedure, and that in Nebraska only Ophthalmologists provide this procedure. He went on to state that this practice situation has had the effect of limiting access to this procedure especially in remote rural areas of our state where there are few, if any, Ophthalmologists. He added that allowing Optometrists to provide this procedure would greatly enhance access to this care in rural areas because there are far more Optometrists in rural Nebraska than there are Ophthalmologists.

Dr. Wolfe went on to state that Selective Laser Trabeculoplasty (SLT) has become a “front-line” procedure for the treatment of glaucoma and that therefore access to this procedure by all Nebraskans is a matter of importance.

Dr. Wolfe went on to describe how Selective Laser Trabeculoplasty (SLT) removes obstructions in the eye that create blockages that are responsible for water build-up in the eye which in turn threatens to damage a patient’s eyesight. He added that Optometrists already know how to diagnose and treat these kinds of conditions but that current limitations on Optometric scope of practice does not allow them the use of the most up-to-date therapy to treat this condition, namely, “SLT.” If a patient in a rural area were to request this procedure the Optometrist would have to refer them to an Ophthalmologist, which would involve a delay in treatment, yet another appointment, yet another payment for services, and, in all likelihood, travel to another part of the state to get access to this procedure. Dr. Wolfe commented that often, in these circumstances, patients in remote rural areas decide to forego this procedure rather than undergo the complications associated with traveling to another town to get access to it.

IV. Initial Questions for Applicant Group Representatives

Marcy Wyrens asked the applicants how many Optometrists are currently prepared to provide this therapy to their patients. Dr. Wolfe responded by stating that between 100 and 120 Optometrists in Nebraska already possess the training to provide this treatment modality. David McBride, speaking on behalf of the applicant group, added that current continuing education for Optometrists in Nebraska already includes training in “SLT.”

Christine Chasek asked the applicants to discuss the process by which oversight would be provided for Optometrists who want to acquire the training to use SLT. Dr. Wolfe responded by stating that to begin with oversight would be provided by physicians but that as the training program progresses eventually highly qualified Optometrists would be allowed to provide such oversight.

Christine Chasek asked the applicants to provide additional information from other states that already have added this modality to Optometry scope of practice regarding how well the expanded scope of practice has worked in these states. The applicants indicated that they would provide such information for the Committee.

V. Comments About the Proposal from the Representatives of Nebraska ophthalmologists

David Ingvaldstad, MD, Ophthalmologist from UNMC, came forward to present comments about the proposal on behalf of the Nebraska Academy of Eye Surgeons. Dr. Ingvaldstad began his remarks by briefly describing the differences between Medical education and training, on the one hand, and Optometric education and training, on the other. Dr. Ingvaldstad’s comments focused on the great discrepancy between the two professions in the amount of clinical preparation each receives before being allowed to independently treat patients’ eye care diseases and conditions, clarifying that Physicians typically must undergo about thirteen years of proctored education and training before being allowed to see patients without being under another physician’s oversight. He pointed out that this is far more than what Optometrists must undergo which he said is only about four years. He continued his remarks by stating that this amount of education and training is not enough to be able a practitioner to be able to safely and effectively determine whether a patient should undergo a particular surgical procedure or not, for example, and he added that there can be no doubt that what the applicants are asking for is approval to independently perform

surgical procedures.

Regarding the matter of access to care Dr. Ingvaldstad stated that access to the care in question in Nebraska is actually very good, adding that there is currently relatively little demand for the SLT procedure anywhere in our state. Dr. Ingvaldstad continued his remarks by stating that the cost of acquiring the necessary equipment to do this procedure is actually quite high and that this cost can only be justified if there is sufficient demand to make these high costs worth it, so to speak.

VI. Initial Questions for the Representatives of Nebraska ophthalmologists

Chairperson Rosenthal asked Dr. Ingvaldstad if there is a significant safety issue with allowing this procedure to be done in office settings as opposed to restricting them to clinic or surgical centers, for example. Dr. Ingvaldstad responded by stating that either type of practice setting is acceptable as long as the technology therein is up-to-date.

Brandon Holt asked for more data pertinent to access and demand for the services in question.

Christine Chasek asked whether patients are able to drive after the procedure has been completed. Dr. Ingvaldstad responded that they can but that it's best that they not try to do so right away.

Marcy Wyrens asked the applicants if passing the proposal might have the effect of increasing the demand for the services in question and if there is any information to address this question in other states that have already passed proposals similar to this one.

Christine Chasek asked if passing the proposal might result in "scope creep" on the part of Optometrists. Dr. Ingvaldstad commented that he sees a potential for "scope creep" in the current Optometry proposal. Brandon Holt commented that it is vital that the Committee be vigilant regarding the "scope creep" issue and that standards of education and training be carefully defined to minimize the risk of this from happening.

Dr. Wolfe replied that the Board of Optometry has always been mindful of these kinds of concerns and would be prepared to take action against any practitioner who violates the defined scope of practice of the Optometry profession.

Jessica Roberts asked how the necessary amount of additional education, training, and proctoring would be defined. Ms. Roberts continued by asking the applicants how the amount of additional CE would be determined.

Dr. Wolfe replied that these are questions that the profession is in the process of reviewing but that final answers are not yet available.

Dr. Vandervort, OD, with the Board of Optometry, came forward to address concerns expressed about "scope creep" by stating that Optometry has expanded its scope of practice many times over the last four decades and not once has there ever been a report of an Optometrist attempting to violate their scope of practice. He added that the members of the Board of Optometry recognize the need to be vigilant in their oversight of their profession so as to minimize as much as possible the risk of someone attempting to violate current Optometry statutory provisions or Optometry rules and regulations. Dr. Vandervort added that he would soon be submitting a letter from the Board of Optometry that addresses these kinds of concerns.

VII. Public Comments

There were no public comments at this time.

VIII. Other Business and Adjournment

There being no further business, the committee members unanimously agreed to adjourn the meeting at 11:20 a.m. Program staff stated that questions from committee members for the applicant group would be posted on the link as would applicant group responses to these questions and that all parties need to email their questions and comments to program staff in order to get them posted. Program staff stated that they would be in touch very soon regarding setting a date for the second meeting of this committee.