



OPTOMETRY EXAMINING BOARD
Room 121A, 1400 East Washington Avenue, Madison
Contact: Thomas Ryan (608) 266-2112
March 31, 2016

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes – February 4, 2016 (4-7)

C. Administrative Matters

- 1) Staff Updates
- 2) Board Member – Term Expiration Date
 - a. Ann Meier Carli – 07/01/2014
 - b. Victor Connors – 07/01/2017
 - c. Richard Foss – 07/01/2017
 - d. Brian Hammes – 07/01/2015
 - e. Mark Jinkins – 07/01/2016
 - f. Robert Schulz – 07/01/2016

D. Legislative and Administrative Rule Matters – Discussion and Consideration (8-9)

- 1) Draft of Opt 8 Relating to Continuing Education
- 2) Telehealth Scope Statement
- 3) Update on Opt 2 and Opt 3, 5, 7
- 4) Update on Legislation and Pending or Possible Rulemaking Projects

E. Speaking Engagement(s), Travel, or Public Relation Request(s)

- 1) 2016 National Board of Examiners in Optometry (NBEO) Annual Workshop – June 26, 2016 – Boston, MA **(10-12)**
- 2) 2016 Association of Regulatory Boards of Optometry (ARBO) Annual Meeting – June 26-28, 2016 – Boston, MA **(13-15)**

F. Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Administrative Updates
- 3) Education and Examination Matters
- 4) Credentialing Matters
- 5) Practice Matters

- 6) Legislation/Administrative Rule Matters
- 7) Liaison Reports
- 8) Informational Items
- 9) Disciplinary Matters
- 10) Presentations of Petitions for Summary Suspension
- 11) Presentation of Proposed Stipulations, Final Decisions and Orders
- 12) Presentation of Proposed Decisions
- 13) Presentation of Interim Orders
- 14) Petitions for Re-Hearing
- 15) Petitions for Assessments
- 16) Petitions to Vacate Orders
- 17) Petitions for Designation of Hearing Examiner
- 18) Requests for Disciplinary Proceeding Presentations
- 19) Motions
- 20) Petitions
- 21) Appearances from Requests Received or Renewed
- 22) Speaking Engagement(s), Travel, or Public Relation Request(s)

G. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

H. Division of Legal Services and Compliance (DLSC) Matters

1) Case Closings

- a. 15 OPT 004 – J.S. **(16-18)**

I. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Disciplinary Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Proposed Stipulations, Final Decisions and Order
- 8) Administrative Warnings
- 9) Proposed Decisions
- 10) Matters Relating to Costs
- 11) Case Closings
- 12) Case Status Report
- 13) Proposed Interim Orders
- 14) Petitions for Assessments and Evaluations
- 15) Petitions to Vacate Orders
- 16) Remedial Education Cases
- 17) Motions
- 18) Petitions for Re-Hearing
- 19) Appearances from Requests Received or Renewed

J. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

K. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

L. Open Session Items Noticed Above not Completed in the Initial Open Session

M. Board Member Training Presentation

ADJOURNMENT

The Next Scheduled Meeting is June 2, 2016.

**OPTOMETRY EXAMINING BOARD
MEETING MINUTES
FEBRUARY 4, 2016**

PRESENT: Ann Meier Carli, Richard Foss, Brian Hammes (*via GoToMeeting*), Mark Jinkins, Robert Schultz

EXCUSED: Victor Connors

STAFF: Brittany Lewin - Executive Director, Nilajah Hardin - Bureau Assistant, Sharon Henes – Administrative Rules Coordinator and other DSPS Staff

CALL TO ORDER

Ann Meier Carli, Chair, called the meeting to order at 9:00 A.M. A quorum of five (5) members was confirmed.

ADOPTION OF AGENDA

MOTION: Mark Jinkins moved, seconded by Richard Foss, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Richard Foss moved, seconded by Brian Hammes, to approve the minutes of October 29, 2015 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Board Chair

NOMINATION: Mark Jinkins nominated Ann Meier Carli for the Office of Board Chair.

Brittany Lewin called for nominations three (3) times.

Ann Meier Carli was elected as Chair by unanimous consent.

Vice Chair

NOMINATION: Mark Jinkins nominated Robert Schulz for the Office of Vice Chair.

Brittany Lewin called for nominations three (3) times.

Robert Schulz was elected as Vice Chair by unanimous consent.

Secretary

NOMINATION: Ann Meier Carli nominated Mark Jinkins for the Office of Secretary.

Ann Meier Carli called for nominations three (3) times.

Mark Jenkins was elected as Secretary by unanimous consent.

2016 ELECTION RESULTS	
Board Chair	Ann Meier Carli
Vice Chair	Robert Schulz
Secretary	Mark Jenkins

Appointment of Liaisons

2016 LIAISON APPOINTMENTS	
Professional Assistance Procedure (PAP) Liaison(s)	Mark Jenkins
Monitoring Liaison	Mark Jenkins
Credentialing Liaison(s)	Ann Meier Carli
Education and Exams Liaison(s)	Richard Foss
Prescription Drug Monitoring Program Liaison (PDMP) Liaison(s)	Victor Connors

2016 SCREENING PANEL APPOINTMENTS	
January-December 2016	Richard Foss, Mark Jenkins, Robert Schulz

MOTION: Richard Foss moved, seconded by Ann Meier Carli, to affirm the Chair’s appointment of liaisons for 2016. Motion carried unanimously.

Delegation of Authority

Delegated Authority for Urgent Matters

MOTION: Mark Jenkins moved, seconded by Robert Schulz, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department to act in urgent matters, make appointments to vacant liaison, panel and committee positions, and to act when knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Ann Meier Carli moved, seconded by Richard Foss, that the Board counsel or another department attorney is formally authorized to serve as the Board’s designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

Document Signature Delegation

MOTION: Mark Jinkins moved, seconded by Robert Schulz, to delegate authority to the Chair or chief presiding officer, or longest serving member of the Board, by order of succession, to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair, chief presiding officer, or longest serving member of the Board, has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair, chief presiding officer, or longest serving member of the Board delegates the authority to Executive Director or designee to sign the name of any Board member on documents as necessary and appropriate. Motion carried unanimously.

Credentialing Authority Delegations

MOTION: Ann Meier Carli moved, seconded by Robert Schulz, to delegate authority to the Credentialing Liaisons to make all credentialing decisions. Motion carried unanimously.

MOTION: Mark Jinkins moved, seconded by Robert Schulz, to delegate credentialing authority to DSPS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Board or Board liaison review. Motion carried unanimously.

Monitoring Delegation

MOTION: Robert Schulz moved, seconded by Ann Meier Carli, to affirm the Chair’s appointment of Mark Jinkins as the Monitoring Liaison, to adopt the ‘Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor’ document as included in the agenda packet. Motion carried unanimously.

PDMP Delegation

MOTION: Ann Meier Carli moved, seconded by Richard Foss, to delegate authority to the Prescription Drug Monitoring Program (PDMP) Liaison for all matters relating to PDMP. Motion carried unanimously.

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS

Legislative Report for Opt 2 Relating to Board Operation

MOTION: Mark Jinkins moved, seconded by Ann Meier Carli, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 15-079 relating to Organization of the Board for submission to the Governor’s Office and Legislature. Motion carried unanimously.

Legislative Report for Opt 3, 5, 7 Relating to Licensure and Conduct

MOTION: Richard Foss moved, seconded by Ann Meier Carli, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 15-078 relating to Exam, Unprofessional Conduct, and Renewal for submission to the Governor's Office and Legislature. Motion carried unanimously.

Update on Legislation and Pending or Possible Rulemaking Projects

MOTION: Ann Meier Carli moved, seconded by Richard Foss, to request DSPS staff draft a Scope Statement relating to telehealth. Motion carried unanimously.

MOTION: Mark Jenkins moved, seconded by Robert Schulz, to designate the Chair as the legislative liaison regarding telehealth and to speak on behalf of the Board regarding this matter. Motion carried unanimously.

MOTION: Ann Meier Carli moved, seconded by Brian Hammes, to designate Robert Schulz to speak on the Board's behalf at the Public Hearing on Administrative Rule SPS 10 Relating to Optometrists Prescribing Hydrocodone Combination Products in Madison, WI on February 4, 2016 regarding support of the Rule. Motion carried unanimously.

ADJOURNMENT

MOTION: Mark Jenkins moved, seconded by Brian Hammes, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:50 A.M.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Sharon Henes Administrative Rules Coordinator		2) Date When Request Submitted: 17 March 2016 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Optometry Examining Board			
4) Meeting Date: 31 March 2016	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislation and Rule Matters – Discussion and Consideration 1. Draft of Opt 8 Relating to Continuing Education 1. Draft of Opt 8 Relating to Continuing Education 2. Telehealth Scope Statement 3. Update on Opt 2 and Opt 3, 5, 7 4. Update on Legislation and Pending or Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: The Board will discuss the draft of Opt 8, the scope statement regarding telehealth, and receive and update regarding Opt 2 and Opt 3,5,7.			
11) Authorization			
<i>Sharon Henes</i>		<i>17 March 2016</i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

TEXT OF RULE

SECTION 1. Opt 8.02 (1) is amended to read:

Opt 8.02 (1) A licensee shall complete 30 hours of approved continuing education in each biennial registration period. A minimum of ~~7~~ 20 of the 30 hours shall ~~be approved glaucoma education~~ relate to ocular disease and management.

SECTION 2. Opt 8.02 (1m) is created to read:

Opt 8.02 (1m) Except in cases of hardship, at least 20 hours of approved continuing education shall be completed by attending courses in person. Any courses not completed in person shall be COPE approved courses.

SECTION 3. Opt 8.02 (2), (3), (4), (8), (9) and (10) are repealed.

SECTION 4. Opt 8.03 is repealed and recreated:

Opt 8.03 Approved continuing education. (1) The board shall approve all continuing education programs and courses relevant to the practice of optometry sponsored by an organization approved by one of the following:

- (a) COPE.
- (b) American Optometric Association.
- (c) American Academy of Optometry.
- (d) College of Vision.
- (e) Optometric Extension Program.
- (f) Neuro-Optometric Rehabilitation Association.
- (g) College of Optometrists in Vision Development.
- (h) National Board of Examiners in Optometry.
- (i) A state optometric association.
- (j) An accredited school or college of optometry.

(2) The board may approve a continuing education course sponsored by an organization not listed in sub. (2) by submitting an application with the board including all of the following:

- (a) A continuing education approval application.
- (b) Title of the course.
- (c) Date.
- (d) General description and outline of the course.
- (e) Name and qualifications of the instructor.
- (f) Sponsoring organization of the course.

SECTION 5. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Nilajah Hardin, Bureau Assistant on Behalf of Tom Ryan, Executive Director		2) Date When Request Submitted: 03/18/16 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>									
3) Name of Board, Committee, Council, Sections: Optometry Examining Board											
4) Meeting Date: 03/31/16	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Speaking Engagement(s), Travel, or Public Relation Request(s) 2016 National Board of Examiners in Optometry(NBEO) Annual Workshop – June 26, 2016 – Boston, MA									
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A									
10) Describe the issue and action that should be addressed: Travel Opportunity for the Board. This Workshop is immediately preceding the 2016 ARBO Annual meeting. Please see the Attached Materials.											
11) Authorization <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;"><i>Nilajah D. Hardin</i></td> <td style="width: 40%; border-bottom: 1px solid black; text-align: right;"><i>03/18/16</i></td> </tr> <tr> <td style="font-size: small;">Signature of person making this request</td> <td style="text-align: right; font-size: small;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date</td> </tr> </table>				<i>Nilajah D. Hardin</i>	<i>03/18/16</i>	Signature of person making this request	Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date	
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NATIONAL BOARD OF EXAMINERS IN OPTOMETRY

200 South College Street, Suite 2010 ♦ Charlotte, NC 28202
Tel: 704.332.9565 ♦ Fax: 704.332.9568 ♦ Email: www.optometry.org

March 8, 2016

Dear State Board Representatives:

The National Board of Examiners in Optometry (NBEO) and the Association of Regulatory Boards of Optometry (ARBO) announce the seventeenth Annual Workshop immediately preceding the 97th ARBO Annual Meeting in Boston, Massachusetts.

The NBEO Workshop will be held from 9:00 a.m. to 12:00 noon on Sunday, June 26, 2016, at The Westin Boston Waterfront, 425 Summer Street, Boston, Massachusetts 02210. This is the headquarters hotel for the ARBO Annual Meeting, which begins on Sunday, June 26th following the Workshop. Financial support in the amount of \$500 to help cover the costs of one of your board members to attend this workshop and the ARBO Annual Meeting will be provided jointly by the NBEO and ARBO. To register your “sponsored” board member for this workshop, please use the enclosed response form.

Please **fax** the enclosed official response form to the National Board office at (704) 332-9568 **or email** the form to moss@optometry.org no later than Friday, June 10, 2016. Please note that the financial support of \$500 can be disbursed according to your wishes to those jurisdictional boards that **require Parts I, II, III, and TMOD of the National Board exams**. I recognize that restrictions exist in many states and we will work with your state board or state agency to establish the best method of payment.

While only one board member from each ARBO member state board can be supported financially, other members of your board are welcome to attend this workshop. Consequently, please feel free to add other board members’ names to the enrollment form.

Please note that the “sponsored” board member must also be registered for the ARBO Annual Meeting on Sunday through Tuesday, June 26-28, 2016. Registration for the ARBO Annual Meeting should be submitted directly to ARBO, NOT the National Board. Information about the ARBO Annual Meeting can be found on the ARBO Web site at www.arbo.org.

Yours sincerely,

Jack E. Terry, O.D., Ph.D.
Chief Executive Officer

Enclosure

cc: State Board Executive Director

2016 NATIONAL BOARD WORKSHOP on the “NATIONAL BOARDS”

Please return no later than **Friday, June 10, 2016** by fax to (704) 332-9568
or by email to moss@optometry.org

Thank you for your invitation to SPONSOR a member of our state board to attend the NBEO Workshop and ARBO Annual Meeting on Sunday-Tuesday, June 26-28, 2016 at The Westin Boston Waterfront, 425 Summer Street, Boston, Massachusetts 02210. In addition to completing this form below, we confirm this person will register for the ARBO Annual Meeting.

1. As President/Chair of the _____ (insert name of state) Board, this is to notify you that my board’s “sponsored” member at the workshop will be:

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

2. In addition, I would like to register the following board member for the workshop. I recognize that no financial support will be provided:

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

(If you have other board members wishing to attend, please copy this form.)

3. To assure appropriate compliance with our state policies, please make the disbursement of the \$500 to support the attendance of our “sponsored” board member payable as follows:

*If you have questions regarding the allocation of the \$500 support,
please call Andrea Moss at (704)332-9565 x 1823 or email at moss@optometry.org.*

Name (please print)

Date

Signature

State

**State of Wisconsin
Department of Safety & Professional Services**

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HOT LINKS

- OE TRACKER Login
- COPE Reviewer Login
- COPE Administrator Login
- ARBO Member Boards Login
- NEW OE TRACKER Mobile App
- SPRING 2016 Greensheet
- OE TRACKER APP Comments
- COPE 2016 Training Workshop
- 2016 ARBO Annual Meeting

2016 ARBO Annual Meeting

ARBO 2016 Annual Meeting
June 26-28, 2016
Westin Boston Waterfront
Boston, MA

"New Perspectives in Optometric Regulation"

Please join us for the 97th ARBO Annual Meeting in Boston, Massachusetts. Members and staff of the Regulatory Boards of Optometry in the United States, Canada, Australia, and New Zealand are invited to attend this important meeting. The ARBO Annual Meeting provides an excellent forum for keeping up-to-date with regulatory issues. This is a great opportunity to interact with your regulatory colleagues discussing hot topics and shared concerns in the regulatory community.

Meeting Agenda: COMING SOON

Travel Stipend/Scholarships Available: [stipend/scholarship info](#)

Meeting Registration: Complete the delegate registration form to register both voting and non-voting delegates who will be attending the meeting. The registration fee for the 2016 meeting is \$475 for both voting and non-voting delegates.

SPECIAL RATE: Register one delegate by May 13, 2016 and pay the full \$475 registration fee and get a second delegate registration at no charge!

Online Delegate Registration: [Secure Registration Link](#)

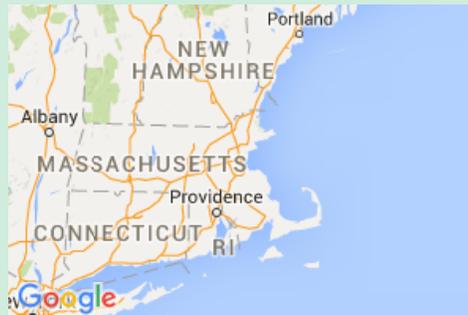
Printable Delegate Registration Form: [Form Link](#)

Non-Member/Observer Registration: The registration fee for non-members/observers is \$550. Please fill out the [registration form](#) and fax or email it to the ARBO office.

Hotel Information: [Westin Boston Waterfront](#) is holding a block of rooms for attendees of the ARBO Annual Meeting at a group rate of \$239 (+ taxes and fees) per night (single/double). In order to take advantage of the group rate, you must make your room reservation before Friday June 3, 2016.

Online Reservations: To make, modify or cancel your hotel reservation online [please visit](#)

Phone Reservations: Please use the following phone number to access the special block rate: 800-228-3000. Reference the ARBO Annual Meeting when making your reservation.





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ALLERGAN

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