

# GUAM BOARD OF EXAMINERS FOR OPTOMETRY

Tuesday, April 28, 2026 at 8:30 AM Guam (ChST) 194 Hernan Cortes Ave., Terlaje Prof. Bldg.,

Ste. 213A

Hagåtña, Guam 96910

Phone: 671-735-7404-12

Join Zoom Meeting

<https://us06web.zoom.us/j/89129135273?pwd=O1zjLlF3KhTjP9GWUmzZiNkPTnTWbb.1>

Meeting ID: 891 2913 5273

Passcode: 405051

## MINUTES

Agenda Item		Discussion/Decision	Responsible party	Reporting time frame	Status	
I	CALL TO ORDER	Meeting Chaired by Dr. San Nicolas	Chair	0837	Call to Order	
II	Roll Call	<p><b>GBBC</b>  <u>Present:</u>  <input checked="" type="checkbox"/>Marlene San Nicolas, O.D., Chairperson</p> <p><u>Virtually Present:</u>  <input checked="" type="checkbox"/>John Kim, O.D., Vice-Chairperson  <input checked="" type="checkbox"/>James Anglim, O.D., Secretary  <input checked="" type="checkbox"/>Julian Archer, O.D., Treasurer</p>	<p><b>Other Attendees:</b>  <u>Present:</u>                      Sharon Manibusan, HPLO</p> <p><u>Virtually Present:</u>                      Breanna Sablan, HPLO                      PeterJohn Camacho, DPHSS</p>	GBEO	0837	Quorum Established
III	Proof of Publication	Reviewed and found to be in conformance with current laws <i>Motion to Approve: Dr. Kim; 2<sup>nd</sup>: Dr. Archer.</i>		0838	Confirmed	
IV	APPROVAL OF AGENDA	Approved	GBEO	0839	Unanimously Approved	
V	APPROVAL OF MINUTES	<b>Minutes Dated: 3/31/2026</b> <i>Motion to Approve: Dr. Kim; 2<sup>nd</sup>: Dr. Archer.</i>	GBEO	0839	Unanimously Approved	
VI	TREASURER'S REPORT	No report	J. Archer	0839	No Report	
VII	HPLO REPORT	No report. Dr. San Nicolas initiated a discussion regarding whether matters related to ARBO could be addressed under the HPLO Administrator's report, and it was agreed that this would be appropriate. Dr. San Nicolas explained that participation in ARBO meetings, particularly virtual sessions, had been somewhat challenging due to limited direct involvement in regulatory tasks, noting that while past attendees such as Z. Pecina found in-person conferences informative for optometry regulation, the primary benefit may be greater for licensing office personnel responsible for oversight. Another member acknowledged the value of ARBO participation but highlighted financial constraints, including membership costs and travel expenses, suggesting that increasing licensing fees could support future	HPLO	0840	No Report	

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	<p>attendance. It was further discussed that ARBO meetings, held quarterly, provide opportunities for boards to exchange information on regulatory issues, legislation, and licensure practices across jurisdictions, emphasizing the importance of such engagement for maintaining effective oversight of optometry practice. B. Sablan will explore scholarship or stipend opportunities through ARBO, with mention of prior funding amounts and current limitations in available resources, while reaffirming the intent to obtain additional information and pursue attendance if feasible.</p> <p>Dr. Kim raised a concern regarding the requirement for board members to use personal leave when attending state regulatory meetings, which may contribute to hesitation in participation alongside existing financial constraints such as travel and lodging expenses. Clarification was provided by B. Sablan who said that since board members are not employees of the department, they are generally responsible for using their own leave or relying on their respective employers, while all travel must still follow Guam’s formal authorization process, including advance submission and multiple levels of approval. It was further explained that travel funding is primarily derived from board-generated revenue through licensing fees, with HPLO offering supplemental support when possible; however, due to reduced financial availability in the current fiscal year, such support is limited. Despite these constraints, a commitment was made to explore potential funding options through ARBO and assess whether resources may allow for at least one representative to attend in the future.</p> <p>Dr. San Nicolas recalled that in the past, a board member had attended meetings associated with a national optometric association but did not participate in ARBO sessions due to the additional costs and lack of reimbursement support from the board, highlighting longstanding financial barriers to attendance. It was noted that while ARBO offers annual in-person meetings and quarterly virtual sessions featuring valuable discussions on regulatory and legal matters, participation remains limited despite the relevance of such information to the board’s regulatory responsibilities. A request was made to gather further details, including the availability of virtual attendance options, although it was acknowledged that in-person participation may be preferred and that time zone differences could pose additional challenges. Review of the board’s current travel budget revealed insufficient funds to cover expenses such as airfare and lodging, with only minimal funds available, leading to the understanding that increased revenue—potentially through adjustments to licensing fees—would be necessary to support future travel. It was clarified that the authority to revise fees rests with the board, prompting agreement that further discussion on this matter would be needed.</p>			
VIII	<p><b>OLD BUSINESS</b></p> <p><b>A. The practice act revision (TPA) – ongoing discussion</b></p>	GBEO	0853	Tabled, Ongoing Discussion

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	<p><i>Remains Tabled: Dr. San Nicolas.</i></p> <p><b>B. Rules and regulations proposed revision 2.0 – ongoing discussion</b> <i>Remains Tabled: Dr. San Nicolas.</i></p> <p><b>C. Complaints:</b></p> <ul style="list-style-type: none"> <li>● <b>GBEO-CO-2025-001</b> Dr. San Nicolas noted that no response had yet been received from the AG’s office, prompting concern about how to obtain a timely determination. B. Sablan advised that, based on practices with other boards, submitting a follow-up memorandum to the Attorney General could help expedite a response, and agreement was reached to proceed with sending such correspondence. The need for a definitive determination on whether the complaint is valid was emphasized by Dr. San Nicolas, as this would allow the board to decide whether the matter should remain on the agenda or be dismissed.</li> </ul> <p><b>D. Initial Applications by Endorsement:</b></p> <p><b>1. Dean Scott Steinberger</b> An email from the applicant was presented to the board, in which he expressed confusion regarding several licensure requirements, including the need for a police clearance, submission of a high school diploma despite already providing an optometry degree, and the requirement to complete a practical examination on Guam while residing in Los Angeles. The applicant indicated that he is a licensed optometrist in multiple U.S. states, with current and active licenses, and stated that his intention is to practice virtually in Guam in order to provide services remotely. The communication was reviewed in the context of clarifying the applicant’s request to engage in virtual optometry practice within the jurisdiction.</p> <p>The board discussed the applicant’s request to practice optometry virtually in Guam and expressed uncertainty regarding how such an arrangement would align with existing laws and regulations, noting that the concept appeared to be new and potentially inconsistent with current requirements. It was interpreted that the applicant sought licensure without fulfilling standard obligations, including the in-person practical examination, while offering specialized consultation services in areas such as dry eye and myopia. Clarification was provided that required documentation, such as police clearance, would need to be obtained from the applicant’s place of residence, and that all statutory requirements—including submission of a high school diploma—must be met regardless of the applicant’s experience or credentials. The board emphasized that compliance with existing law is mandatory, and that the application could not be considered until it is complete, including fulfillment of the practical examination</p>	GBEO		<p>Tabled, Ongoing Discussion</p> <p>Ongoing, No Update from AG’s Office</p> <p>Tabled to Next Meeting</p>

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	<p>requirement. It was further noted that if the applicant wished only to provide consultation services, licensure may not be necessary if such services are rendered under the authority of locally licensed practitioners. Members acknowledged recurring challenges with similar applications and reiterated that any changes to requirements, such as replacing the practical examination with a jurisprudence exam or modifying application criteria, would require legislative action. The board concluded that, under current law, the applicant must comply with all established requirements, and staff were directed to respond accordingly.</p> <p>The board deliberated on whether to accept the applicant’s request for licensure as a virtual optometrist and determined that the mode of practice does not exempt the applicant from complying with established requirements, including completion of the in-person practical examination. It was noted that if the individual intends only to provide consultation services, licensure in Guam may not be necessary, as such input could be utilized under the authority of locally licensed practitioners who would retain responsibility for patient care. Members expressed that the request raised additional questions requiring clarification, particularly regarding the intended scope of practice, and suggested that further communication may be needed to better understand the applicant’s intentions. The discussion also addressed concerns about documentation requirements, including the high school diploma, with clarification that all listed items are mandated by law and must be submitted regardless of the applicant’s experience or the passage of time. It was emphasized that the board and HPLO are obligated to enforce existing statutes, and any modifications to these requirements would require legislative action, thereby placing the responsibility on the applicant to complete all required documentation before the application can be considered.</p> <p>The board considered whether additional clarity in the application process would benefit prospective applicants, including the suggestion of adding an explicit statement or addendum to inform applicants upfront that completion of a practical examination is required under Guam law in order to reduce confusion and repeated inquiries. It was noted that other jurisdictions maintain similarly strict requirements, reinforcing that applicants must comply with specific state or territorial standards regardless of prior licensure elsewhere. Members discussed that inconsistencies in expectations—particularly regarding endorsement versus examination—may contribute to misunderstandings, and acknowledged that clearer communication on application requirements could improve transparency. At the same time, it was emphasized that experienced applicants holding multiple licenses should reasonably be familiar with varying</p>			

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		<p>regulatory processes across jurisdictions. The discussion also revisited concerns regarding the applicant's intent to practice virtually, with members expressing the need for further clarification on the scope and nature of such services, particularly in relation to whether licensure would be necessary if the role is limited to consultation. It was reiterated that Guam operates under established regulatory standards comparable to other U.S. jurisdictions, and that all applicants must comply with existing legal requirements, including the in-person practical examination. The board agreed that staff should seek additional information from the applicant regarding his intended practice while clearly communicating that current statutory requirements must be met.</p> <p>B. Sablan informed the board that, in response to recurring questions from applicants, other boards have implemented frequently asked questions (FAQ) resources, and proposed developing a similar tool in coordination with staff to provide clearer guidance and make information more accessible on the website, with the board given an opportunity to review and contribute to its content. Members agreed that this approach would be helpful, noting that the current application materials and online information may be confusing, particularly regarding distinctions such as application versus endorsement. It was acknowledged that even experienced individuals have found the process unclear, underscoring the need for improved communication and user-friendly guidance. The discussion further underlined that misunderstandings about endorsement stem in part from variations in regulatory standards across jurisdictions, and that, under current rules, the requirement for a practical examination effectively means that most applicants proceed through licensure by examination rather than true endorsement. The board concluded that additional attention should be given to clarifying these processes and improving the overall presentation of requirements to applicants.</p> <p><i>Tabled to Next Meeting: Dr. San Nicolas.</i></p>			
<b>IX</b>	<b>NEW BUSINESS</b>	<p><b>A. Clinic Inspection:</b></p> <p>S. Manibusan confirmed that an email containing information on optometrists, including their employment and physical practice addresses, had been distributed to all board members, with receipt acknowledged, and offered to provide printed copies as needed. Confirmation was also made that the required public announcement had been completed. It was reported that Dr. Charlton currently off-island inquired about the next steps for compliance, and S. Manibusan indicated that a response would be provided after consulting with the board. The discussion referenced a prior issue involving an optometrist practicing within another facility, suggesting that similar follow-up actions, such as formal communication, may be considered if necessary. The board then discussed coordinating upcoming</p>	GBEO	0917	Noted

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		inspections, including member availability, and explored scheduling options such as a potential start on Friday, May 1, with flexibility to accommodate weekday and weekend clinic operations, agreeing to finalize the inspection schedule accordingly.			
X	NEXT BOARD MEETING	Next Scheduled Meeting: <b>May 26, 2026 at 8:30 a.m.</b>	GBEO	0921	Set Date
XI	ADJOURNMENT	<i>Motion to Adjourn: Dr. Kim; 2<sup>nd</sup>: Dr. Archer.</i>	GBEO	0923	Adjourned

Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted:

Submitted by the GBBC Secretary:

Date:

Approved by the GBBC with or without changes:

Date: 5/26/26

Certified by or Attested by the Chairperson:

*Melvin Archer, MD*

Date: 5/26/26