

**BOARD OF OPTOMETRY
INITIAL STATEMENT OF REASONS**

Hearing Date: No hearing scheduled

Subject Matter of Proposed Regulations: Scope of Practice.

Section Affected: Section 1569 in Division 15 of Title 16 of the California Code of Regulations (CCR).

Specific Purpose:

To repeal 16 CCR 1569 because it does not conform with Business and Professions Code (BPC) section 3041.

Factual Basis/Necessity

On September 26, 2008 Governor Arnold Schwarzenegger signed Senate Bill 1406 (Chapter 352, Statutes of 2008, Correa), which became effective January 1, 2009, amending BPC section 3041 which expanded the scope of practice of optometrists. Prior to the latest amendments to BPC section 3041, 16 CCR 1569 conformed to BPC section 3041. The Board found that amending 16 CCR 1569 would only mimic this statute again and not further clarify or effectuate the statute. Thus, the Board wishes to repeal 16 CCR 1569 in order to reduce confusion and avoid duplication.

Underlying Data: None

Business Impact

The Board has made an initial determination that the proposed regulatory action will not have any significant adverse economic impact on businesses. Licensees would be able to refer to section 3041 to get the information they need.

Specific Technologies or Equipment

The repealing of this regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.