

BOARD OF OPTOMETRY
ADDENDUM TO FINAL STATEMENT OF REASONS

Subject Matter of Proposed Regulations: Optometry Fees Increase

(1) Section Affected: 1524

Updated Information

The Board issued a 15-day notice of Modified Text to correct the proposed language relating to the fee for a statement of licensure. Business and Professions Code section 3152(l) states that the maximum biennial renewal fee for a Statement of Licensure is \$40.00. The proposed language erroneously states annual, and was corrected to read biennial to conform to the statute.

Objections or Recommendations Received during the 45-day comment period/Responses

There were two written comments on the proposed regulation.

Comment 1: Dr. Yen Ma, OD opposed the proposed fee increase. A copy of the email is attached.

Response: Comment rejected. The Board addressed Dr. Ma's comment and indicated that the Board had not raised fees for 15 years. The fee increases are necessary in order to cover the Board's operating expenses, which have obviously risen after so many years. Without these monies, the Board would not be able to do their work and meet the expectations of the Board members. Even though it is true that the state of California's economy is under strain and everyone is tightening their belts, after 15 years of not raising fees, the proposed increases accurately reflect what the Board needs in order to function.

Tim Hart of the California Optometric Association (COA) noted that his organization was involved in the negotiations for the fee increases in 2005. COA encouraged the Board to go forward with the fee increases and sent a letter of support (see Comment 2 below) since fees had not been raised in the last 15 years. Furthermore, the amount of money required for the Division of Investigation and Attorney General has increased beyond the Board's control, thus COA shows full support for the fee increase.

Comment 2: The California Optometric Association comments that it is in support of the fee increase. A copy of the letter is attached.

Objections or Recommendations Received during the 15-day comment period/Responses

There was 1 anonymous verbal telephone comment on the proposed regulation.

Comment 1: The anonymous Optometrist stated that after reading the Modified Text, he felt that the Board should require that Therapeutic Pharmaceutical Agents (TPA)

certified Optometrists pay a higher fee for re-certification than Diagnostic Pharmaceutical Agents (DPA) certified Optometrists. Many other states follow this model and he feels California should do the same.

Response: Comment rejected. The Board reflected that this was a decision that required further observation and that it would be best to leave it for discussion at Board Meetings to come. The proposed changes to 1524 are currently sufficient for the Board's needs and additional fees are not recommended at this time.