

1 ROB BONTA
Attorney General of California
2 JOSHUA A. ROOM
Supervising Deputy Attorney General
3 NEVA L. TASSAN
Deputy Attorney General
4 State Bar No. 252612
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 510-4455
6 Facsimile: (415) 703-1107
E-mail: Neva.Tassan@doj.ca.gov
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **CALIFORNIA STATE BOARD OF OPTOMETRY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Statement of Issues Against:

Case No. 420 2026 000163

12 **GUADALUPE NAVARRO**

STATEMENT OF ISSUES

13 **Contact Lens Dispenser Registration Applicant**

14 **Spectacle Lens Dispenser Registration Applicant**
Respondent.

15
16 **PARTIES**

17 1. Gregory Pruden (Complainant) brings this Statement of Issues solely in his official
18 capacity as the Executive Officer of the California State Board of Optometry (Board), of the
19 Department of Consumer Affairs.

20 2. On or about October 9, 2025, the Board received an application for a Spectacle Lens
21 Dispenser Registration from Guadalupe Navarro (Respondent). On or about October 9, 2025,
22 Respondent certified under penalty of perjury to the truthfulness of all statements, answers, and
23 representations in the application. The Board denied the application on March 10, 2026.

24 3. On or about January 9, 2026, the Board received an application for a Contact Lens
25 Dispenser Registration from Respondent. On or about January 9, 2026, Respondent certified
26 under penalty of perjury to the truthfulness of all statements, answers, and representations in the
27 application. The Board denied the application on March 10, 2026.

28 ///

JURISDICTION

4. This Statement of Issues is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

5. For Spectacle Lens Dispensing registration, Code section 2559.2, subdivision (b) states:

The board may deny registration where there are grounds for denial under the provisions of Division 1.5 (commencing with Section 475).

6. For Contact Lens Dispensing registration, Code section 2561 states:

...

The Board may deny registration where there are grounds for denial under the provisions of Division 1.5 (commencing with Section 475).

...

STATUTORY PROVISIONS

7. Section 480 of the Code states:

(a) Notwithstanding any other provision of this code, a board may deny a license regulated by this code on the grounds that the applicant has been convicted of a crime or has been subject to formal discipline only if either of the following conditions are met:

(1) The applicant has been convicted of a crime within the preceding seven years from the date of application that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, regardless of whether the applicant was incarcerated for that crime, or the applicant has been convicted of a crime that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made and for which the applicant is presently incarcerated or for which the applicant was released from incarceration within the preceding seven years from the date of application. . . .

...

///

///

///

///

REGULATORY PROVISIONS

8. California Code of Regulations, title 16, section 1399.270, subdivision (a), states:

For the purpose of denial, suspension, or revocation of the registration of a dispensing optician pursuant to Section 141, Division 1.5 (commencing with Section 475), or Section 2555.1 of the code, a crime, professional misconduct, or act shall be considered substantially related to the qualifications, functions, and duties of a dispensing optician if, to a substantial degree, it evidences present or potential unfitness of a dispensing optician to perform the functions authorized by the registration in a manner consistent with the public health, safety, or welfare.

9. California Code of Regulations, title 16, section 1399.271 states:

(a) When considering the denial of a registration under Section 480 of the code on the ground that the applicant has been convicted of a crime, the Board shall consider whether the applicant has made a showing of rehabilitation if the applicant completed the criminal sentence at issue without a violation of parole or probation. In making this determination, the Board shall consider the following criteria:

(1) The circumstances, nature, and gravity of the crime(s).

(2) The length(s) of time that has elapsed since the criminal conduct and the completion of probation.

(3) Whether the applicant is a repeat offender of the same or similar crime(s), and the total criminal record.

(4) The terms or conditions of parole or probation and the extent to which they bear on the applicant's rehabilitation.

(b) If the applicant has not completed the criminal sentence at issue without a violation of parole or probation, the Board determines that the applicant did not make a showing of rehabilitation based on the criteria in subdivision (a), the denial is based on professional misconduct, or when considering a petition for reinstatement under Section 11522 of the code, the Board shall apply the following criteria in evaluating the applicant's rehabilitation:

(1) The nature and gravity of the act(s), professional misconduct, or crime(s) under consideration as grounds for denial.

(2) Evidence of any act(s), professional misconduct, or crime(s) committed subsequent to the act(s), professional misconduct, or crime(s) under consideration as grounds for denial.

(3) The time that has elapsed since commission of the act(s), professional misconduct, or crime(s) referred to in subdivision (b)(1) or (b)(2).

1 (4) The criteria in subdivision (a)(1) through (a)(4), as applicable.

2 (5) Evidence, if any, of rehabilitation submitted by the applicant.

3
4 **COST RECOVERY**

5 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
6 administrative law judge to direct a licensee found to have committed a violation of the licensing
7 act to pay a sum not to exceed reasonable costs of the investigation and enforcement of the case.

8
9 **CAUSE FOR DENIAL OF APPLICATIONS**

10 **(Substantially Related Convictions)**

11 11. Respondent's applications for a Spectacle Lens Dispenser Registration and a
12 Contact Lens Dispenser Registration are subject to denial under Code section 480, subdivision
13 (a)(1), in that she was convicted of the following crimes substantially related to qualifications,
14 duties, and functions of a Spectacle Lens Dispenser and Contact Lens Dispenser:

15 a. On or about December 11, 2025, in a criminal proceeding titled *People of the*
16 *State of California v. Guadalupe Navarro*, Alameda County Superior Court Case Number 25-
17 CT-012754, Respondent was convicted of violating Vehicle Code section 23152, subdivision (b)
18 (driving with a blood alcohol content (BAC) of 0.08% or higher), a misdemeanor, and the special
19 allegation that Respondent suffered a prior conviction for driving under the influence (DUI)
20 pursuant to Vehicle Code sections 23540 and 23546 was found to be true. On or about
21 December 11, 2025, imposition of sentence was suspended and Respondent was placed on three
22 years of court probation, with terms and conditions including twenty days of county jail or
23 sheriff's work, an 18-Month Multiple-Offender Program, restitution, standard DUI conditions,
24 and fines and fees. The underlying circumstances are that on or about June 24, 2025, Respondent
25 drove her Tesla into a transit bus on the north perimeter of the UC Berkeley campus. Two open
26 cans of alcoholic beverages were in her car; one in the driver footwell and one in the passenger
27 footwell. Her BAC was measured at 0.28% and 0.29%, over three times the legal limit.

28 ///

b. On or about August 19, 2024, in a criminal proceeding titled *People of the State of California v. Guadalupe Navarro*, Contra Costa County Superior Court Case 01-22-02253, Respondent was convicted of violating Vehicle Code section 23152, subdivision (b). On or about August 19, 2024, imposition of sentence was suspended and Respondent was placed on three years of court probation, with terms and conditions including twelve days of county jail or sheriff's work, a 9-Month First Offender Program, restitution, standard DUI terms (including *Not drive with any measurable alcohol in blood*), and fines and fees. The underlying circumstances are that on or about February 5, 2022, Respondent drove her Tesla into a parked vehicle, which in turn forced that vehicle to collide with the vehicle parked behind it. Respondent's BAC was measured on scene at .239% by a Preliminary Alcohol Screening Test.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the California State Board of Optometry issue a decision:

1. Denying the application of Guadalupe Navarro for registration as a Spectacle Lens Dispenser;
2. Denying the application of Guadalupe Navarro for registration as a Contact Lens Dispenser; and
3. Taking such other and further action as deemed necessary and proper.

- Signature on File -

DATED: August 18, 2026

GREGORY PRUDEN
Executive Officer
California State Board of Optometry
Department of Consumer Affairs
State of California
Complainant

SF2026400605