

**BOARD OF OPTOMETRY
INITIAL STATEMENT OF REASONS**

Hearing Date: December 22, 2009

Subject Matter of Proposed Regulations: Requirements for Glaucoma Certification

Section Affected: Adopt Section 1571 in Division 15 of Title 16 of the California Code of Regulations (CCR).

Specific Purpose:

The proposed regulation will establish the applicable requirements that optometrists in California must meet before the California State Board of Optometry (hereafter Board) will grant a certificate to an optometrist to treat glaucoma.

Factual Basis/Necessity

On September 26, 2008 Governor Arnold Schwarzenegger signed Senate Bill 1406 (Chapter 352, Statutes of 2008, Correa) amending Business and Professions Code (BPC) section 3041. This became effective on January 1, 2009 and expanded the scope of practice of optometrists to include, among other things, the treatment of glaucoma. BPC section 3041.10 directs the Board to follow certain procedures to develop the certification requirements to ensure that the public is adequately protected during the transition to full certification for all licensed optometrists interested in treating and managing glaucoma patients.

The Board is implementing the changes in the scope of practice with this proposed regulation, which sets forth the requirements that optometrists in California must meet before obtaining certification to treat glaucoma.

The proposed regulation is a result of the procedures set forth by section 3041.10, which mandated the Board to implement the findings and recommendations from the Glaucoma Diagnosis and Treatment Advisory Committee (GDTAC) that were subject to review and modification by the Office of Professional Examination Services (OPES). Additionally, a meeting was held with all the California accredited schools and colleges of optometry to ensure that the curriculum guidelines included in the regulation are uniform and incorporate all the necessary minimum knowledge required to effectively and safely treat glaucoma.

Optometrists are usually the first and only health care providers that most people will see when it comes to their vision. Given that there are about 7,000 actively licensed optometrists in California and there are less than 3,000 ophthalmologists, it is only logical to make use of their numbers and geographic distribution to reach the people that need primary care services most.

Also, according to the recommendation by OPES' report, SB 1406 rejected the previous process required for glaucoma certification under SB 929 (Chapter 676, Statutes of 2000, Polanco) because it was too complex and cumbersome for both optometrists and ophthalmologists. There were too many barriers that prevented a timely completion of certification such as:

- A lack of ophthalmologists willing to co-manage with optometrists.
- Insufficient amount of ophthalmologists in a patient's geographic area.

- Patients being required to pay for multiple visits while insurance only covers one visit.
- Ophthalmologists changing diagnosis from primary open angle glaucoma (POAG) to a secondary form not permitted to be treated by optometrist.
- Ophthalmologists refusing to sign forms after co-managing patients.
- Patients moving or changing doctors prior to 2 year-encounters required.

Thus only 177 optometrists completed the glaucoma certification requirements from 2001 to the end of 2008 under SB 929. The intent of SB 1406 was to develop a process that would lead to a more appropriate and timely route for certification by resolving some of these problems, while at the same time ensuring the competency of the doctor and not compromising public safety.

Underlying Data:

1.) Glaucoma Certification for Optometrists Report and Recommendations by Tony Carnevali, O.D., F.A.A.O., Special Consultation, Office of Professional Examination Services Pursuant to California Business & Professions Code Section 3041.10, Enacted by Senate Bill 1406 (Stats. 2008, Chapter 352).

2.) Modifications made by the Office of Professional Examination Services

Business Impact

The Board has made an initial determination that the proposed regulatory action will not have any significant adverse economic impact on businesses.

Specific Technologies or Equipment

The adoption 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.