

The mission of the California State Board of Optometry is to protect the health and safety of California consumers through licensing, registration, education, and regulation of the practice of Optometry and Opticianry.

MEMBERS OF THE BOARD

Lillian Wang, O.D., President
 Jeffrey Garcia, O.D., Vice President
 Eunie Linden, J.D., Secretary
 Stacy Hancock, Optician
 Glenn Kawaguchi, O.D.
 Mark Morodomi, J.D., Public Member
 Joseph Pruitt, O.D.
 Jonathon M. Ross, O.D.
 Sandra D. Sims, J.D., Public Member
 Donald Yoo, J.D., Public Member
 Vacant Governor Appointee, Public Member



**QUARTERLY BOARD MEETING
 FINAL BOARD MEETING MINUTES**

Monday, October 10, 2022

This public meeting was held via WebEx Events.

Members Present	Staff Present
Lillian Wang, O.D., President	Randy Love, Assistant Executive Officer
Jeffrey Garcia, O.D., Vice President	Erica Bautista, Administrative Analyst
Eunie Linden, J.D., Secretary	Brittany Ng, Legal Counsel
Stacy Hancock, Optician	
Glenn Kawaguchi, O.D.	
Mark Morodomi, J.D.	
Joseph Pruitt, O.D.	
Jonathon Ross, O.D.	
Sandra Sims, J.D.	Guests
Donald Yoo, J.D.	On File

Link for the audio of discussion: <https://youtu.be/u6VBOJUreXY>

OPEN SESSION

1. Call to Order / Roll Call and Establishment of a Quorum

Audio of Discussion: [0:03](#)

Lilian Wang called the meeting to order and took roll call. All Members were present and a quorum was established.

2. Public Comment for Items Not on the Agenda

Note: The Board may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting. (Government Code Sections 11125, 11125.7(a).)

Audio of Discussion: [1:46](#)

There were no requests for public comment.

3. Discussion and Possible Action Regarding Executive Officer (EO) Exempt Level Increase

Audio of Discussion: [2:59](#)

Olivia Trejo, Human Resources Chief with the Office of Human Resources (OHR) at the Department of Consumer Affairs (DCA) explained the process of an exempt level increase. The current level is identified and level O with a salary range of \$8,135 up to \$9,062 monthly. The next level is level N with a salary range of \$8,531 up to \$9,506. The last time a level increase was changed for this exempt position was in 2000. In order to request a level increase, a justification must be submitted identifying the organizational growth, any legislative changes, any additional programs within the Board, and any significant staffing increases since the last level increase.

Dr. Wang noted that the Board discussed the desire to increase the salary level for its Executive Officer (EO) at previous meetings. Additionally, since 2000 the Board has absorbed the opticianry program. Therefore, the number of licensees this Board oversees has doubled.

Dr. Jeffery Garcia asked if there is another level above this that the Board may be eligible for since the number of licensees has increased? Ms. Trejo stated that there is level M, but it is not common practice to skip levels without a significant growth. She added that if the Members can articulate and justify that then we can request for the next level up (level M). Dr. Garcia asked if (in her opinion) doubling the number of licensees is a justifiable reason for seeking the M level pay scale? Ms. Trejo explained that it may be a reason; the request will go to our agency for review, the Governor's Office, and the California Department of Human Resources who will have the final say. If we propose M based on the data the Board has gathered any of those entities may reduce the level to N or deny the request altogether. Therefore, OHR always recommends going to the next level to be fair and consistent with other programs that submit similar requests. Dr. Garcia asked if there would be any harm in requesting level M based on licensees with the understanding that it may be reduced to N by the deciding board? Ms. Trejo responded that there would be no harm.

Public Member, Donald Yoo asked if data exists which might show similar applicants, similar staff budgets that can provide an "apples to apples" type of comparison? Ms. Trejo replied that this is taken into consideration when these requests are put forth through the different entities for review. DCA does have several boards and bureaus that are similar in size, so this is taken into consideration during the review process. Mr. Yoo asked if similar boards are at an M level or lower? Ms. Trejo explained that this varies, however one board recently did get approved for level N from O which is similar to optometry board.

Public Member, Mark Morodomi questioned if there are any similar boards that have their EOs at the M level? Ms. Trejo explained that she does not have this data in front of her, but she can circle back with that information; so, in the event that the Board does decide to move forward with a level increase, she can provide that information. Mr. Morodomi asked Ms. Trejo if in the past when a board has requested to skip a level, have the approving authorities reduced the increase to level N or have they rejected the request altogether? Ms. Trejo stated that in the few she has seen they have reduced the increase level. Mr. Morodomi

noted that it underscores what she said that there is little risk in requesting the higher increase.

Mr. Morodomi explained that in addition to the increase in the number of licensees, the Board had a legislative change to allow for optometric home visits for seniors and the disabled; there was a change in the number of facilities that an optometrist may supervise or own; and a mobile clinic program has been added. All of these changes have increased access to care by consumers which increases responsibility for Board staff. Ms. Trejo advised that this is very important information to include in the justification to articulate the need for the higher exempt level.

Dr. Glenn Kawaguchi asked if the justification may include staffing levels the Board is approved to have? Or must it be staffing the Board has currently? Ms. Trejo clarified that it would be the positions the Board has currently and not necessarily its incumbents.

There were no requests for public comment.

Mark Morodomi moved that the Board petition to increase the current exempt level O to a level M or whatever the approving authorities agree to approve above the level O. Donald Yoo seconded. The Board voted unanimously (10-0) and the motion passed.

Member	Aye	No	Abstain	Absent	Recusal
Dr. Wang	X				
Dr. Garcia	X				
Ms. Linden	X				
Ms. Hancock	X				
Dr. Kawaguchi	X				
Mr. Morodomi	X				
Dr. Pruitt	X				
Dr. Ross	X				
Ms. Sims	X				
Mr. Yoo	X				

4. EO Recruitment and Selection Process

- A. Presentation by the Department of Consumer Affairs' Office of Human Resources on EO Recruitment and Selection Process**
- B. Discussion and Possible Appointment of an EO Search Committee**
- C. Review and Possible Amendments to EO Duty Statement**
- D. Review and Possible Approval of EO Recruitment Announcement**

Audio of Discussion: [17:23](#)

Ms. Trejo provided an overview on the EO recruitment and selection process. This process will require two Members of the Board who will have the time to participate in the selection process of a new EO and work closely with the OHR on the hiring process. It is the plan to formally appoint a Search Committee during today's meeting, and the committee Members will be chosen by the Board to assist with all recruitment activities. The EO position is advertised for 30 days, and it is advertised on the California Department of Human Resources websites. It can also be advertised through Capital Morning Report other platforms if the Board so chooses. A designee from the OHR will work directly with the

Search Committee to determine application screening, interview questions, and potential interview dates. Stephanie Louie from the OHR will serve as the contact person on the advertisement and will provide the Search Committee with the applications received each Friday on a flow basis. The Committee will review and screen applications received based on the desirable qualifications to determine candidates for initial or final interviews. Depending upon the number of applications received, if initial interviews are recommended based on a large candidate pool, they will be conducted with the Committee initially. At a next scheduled Board meeting (in close session) final interviews will be conducted for the top candidates. If it is too far out the Board may hold a special meeting with proper notice for the final interviews. A vote by the Board Members will be required to select a final candidate to serve as the Board's Executive Officer. Upon selection of the finalist a start date and salary can be determined. Candidate selection must remain confidential until the candidate notification has been completed and accepted, and the unsuccessful candidates have been notified. If the selected candidate is not currently a Board employee, a Criminal Offender Record of Information (CORI) clearance will be required and will be facilitated by the OHR. Once the selected candidate has passed the CORI the Board can work with Public Affairs to make the formal announcement. On the effective date of the appointment, the oath of office must be administered by any Board Member, the DCA Director or their designee. Direction regarding the administration of the oath will be provided by the OHR.

Mr. Morodomi questioned the salary level the position is being currently advertised at. Ms. Trejo clarified that currently advertisement is at the salary level O; however, a disclaimer was added to the recruitment flyer that the salary level may change. Mr. Morodomi noted that he does not want the disclaimer to give the impression that the salary may decrease. Ms. Trejo acknowledged his concern stating that when OHR and the Committee review the recruitment flyer disclaimer, it can be discussed further to see if any changes are warranted.

Dr. Wang nominated Dr. Garcia and Ms. Linden to be on the EO Search Committee if they would so consider. Dr. Garcia and Ms. Linden accepted their nominations.

There were no requests for public comment.

Lillian Wang moved to appoint Jeffrey Garcia and Eunie Linden to the EO Search Committee. Mark Morodomi seconded. The Board voted unanimously (10-0) and the motion passed.

Member	Aye	No	Abstain	Absent	Recusal
Dr. Wang	X				
Dr. Garcia	X				
Ms. Linden	X				
Ms. Hancock	X				
Dr. Kawaguchi	X				
Mr. Morodomi	X				
Dr. Pruitt	X				
Dr. Ross	X				
Ms. Sims	X				
Mr. Yoo	X				

The Board discussed the review and possible amendments to the EO duty statement.

Ms. Trejo announced that her office emailed the proposed duty statement changes and the recruitment flyer on the 5th of last week. The changes were cosmetic in nature and are highlighted in yellow. Board Members did not request any additional changes nor make any additional comments.

There were no requests for public comment.

Mark Morodomi moved to approve the duty statement as amended by the Office of Human Resources. Jonathon Ross seconded. The Board voted unanimously (10-0) and the motion passed.

Member	Aye	No	Abstain	Absent	Recusal
Dr. Wang	X				
Dr. Garcia	X				
Ms. Linden	X				
Ms. Hancock	X				
Dr. Kawaguchi	X				
Mr. Morodomi	X				
Dr. Pruitt	X				
Dr. Ross	X				
Ms. Sims	X				
Mr. Yoo	X				

Next the Board discussed the review and possible approval of the EO recruitment announcement.

Ms. Trejo directed Members' attention to the third paragraph which states:

"The Executive Officer is hired by the Board and serves at its pleasure. This position is exempt from civil service and is located in Sacramento, California. Starting salary, raises and the salary range are subject to change and require the approval from the Business, Consumer Services and Housing Agency and the California Department of Human Resources".

She noted that in addition to possible inclusions to or removals from this language, the Board will also need to identify if there are any other desirable qualifications and experience it would like to include or remove from the flyer. Additionally, the Board needs to identify the number of pages it wants the candidates to submit for the Statement of Qualifications and the number of letters for professional reference that they must include in their application package.

Mr. Morodomi suggested changing the language from *"subject to change"* to *"subject to possible increase"*. Dr. Garcia concurred.

Mr. Morodomi noted that he does not wish to dissuade someone from applying who is not familiar with the laws and rules pertaining to the licensure, practice, and education of licensed optometrists and opticians. His concern is that *"optometrists and opticians"* however desirable may narrow the field too much. Dr. Garcia concurs.

Ms. Trejo proposed “familiar with the laws and rules pertaining to the licensure, practice, and education of licensed individuals”. Ms. Sims, Mr. Morodomi, and Dr. Garcia agreed.

Upon Ms. Trejo’s recommendation regarding the number of pages for the Statement of Qualifications Board Members agreed not to exceed 3 pages.

Based upon Ms. Trejo’s recommendation regarding the number of letters of professional recommendation, Board Members decided to change the wording to “no more than 3 letters (each, not to exceed one page) of professional reference”.

There were not requests for public comment.

Mark Morodomi moved to approve the EO recruitment announcement with the following changes: to paragraph 3, sentence 3, that the language subject to change shall be changed to “subject to a possible increase”; Next, that under the “Desirable Qualifications and Experience” (the first bullet point) the language shall be changed from “licensed optometrists and opticians” to “licensed individuals; Third, that the “Interested persons must submit the following” (section) with respect to item 1) “Statement of Qualifications (not to exceed 3 pages)” with the remaining language to remain the same; and with respect to item 4) that the language at that item shall be changed to “no more than 3 letters (each, not to exceed 1 page) of professional reference”. Glenn Kawaguchi seconded. The Board voted unanimously (10-0) and the motion passed.

Member	Aye	No	Abstain	Absent	Recusal
Dr. Wang	X				
Dr. Garcia	X				
Ms. Linden	X				
Ms. Hancock	X				
Dr. Kawaguchi	X				
Mr. Morodomi	X				
Dr. Pruitt	X				
Dr. Ross	X				
Ms. Sims	X				
Mr. Yoo	X				

5. Future Agenda Items

Audio of Discussion: [43:16](#)

There were no requests for public comment.

CLOSED SESSION

6. Pursuant to Government Code Section 11126(a)(1), the Board Will Meet in Closed Session to Discuss and Take Possible Action on Selection Process and Appointing of “Acting” or “Interim” EO

7. Adjournment

Dr. Wang announced that an interim EO has been selected. A special announcement will be forthcoming.

Jonathon Ross moved to adjourn the meeting. Sandra Sims seconded. The meeting was adjourned.