



ISSUE MEMORANDUM

DATE	April 11, 2023
TO	Committee Members, California State Board of Optometry (CSBO)
FROM	Gregory Pruden, Executive Officer
SUBJECT	Agenda Item #5F – Discussion and Possible Action on Legislation: SB 457

BILL NUMBER: SB 457

AUTHOR: Menjivar and Ashby

BILL DATE: March 20, 2023

SUBJECT: Vision care: consent by a minor

SPONSOR: California Coalition for Youth

AUTHOR REASON FOR THE BILL:

According to the author: “For minors affected by homelessness, accessing vision care can be a challenge. Existing law clearly states when an unaccompanied minor can consent to certain medical, dental, reproductive, and sexual health treatments, but it is ambiguous on an unaccompanied minor’s ability to consent to vision care. A child’s ability to see and access to regular eye exams are foundational needs that are vital to a child’s learning and reading comprehension. This bill will allow unaccompanied minors who are on their own to be able get their basic vision care needs met.”

DESCRIPTION OF CURRENT LEGISLATION:

This bill would authorize minors not living with their parents or guardians to consent to their own vision care and would authorize an optometrist to advise the parent or guardian under the same conditions applicable to the provision of medical and dental care. The bill also defines “vision care.”

BACKGROUND:

Under existing law, minors may consent to various medical services without the authorization of their parents or guardians. Minors 15 years or older, not living with their parent or guardian, and who manage their own financial affairs, are able to consent to medical and dental care. Because the law does not explicitly authorize these minors to consent to “vision care,” some independent minors are denied care unless parental consent is provided.

ANALYSIS:

This bill would define “vision care” to mean the “diagnosis, prevention, treatment, and management of disorders, diseases, and dysfunctions of the visual system and the provision of habilitative or rehabilitative optometric services by an optometrist licensed” in California. This definition is consistent with the language in Business and Professions Code section 3041, which states “The practice of optometry includes the diagnosis, prevention, treatment, and management of disorders and dysfunctions of the visual system, as authorized by this chapter, as well as the provision of habilitative or rehabilitative optometric services...”

There is no definition of medical care or dental care provided in or otherwise cited by the bill.

FISCAL: None.

SUPPORT: California Coalition for Youth, Alliance for Children’s Rights, and the California Optometric Association

OPPOSITION: None known.

POSITION: Recommendation: Support

ATTACHMENT: [SB 457 \(Menjivar\) Vision care: consent by a minor](#)

Version: 3/20/2023 – Amended Senate