



## ISSUE MEMORANDUM

<b>DATE</b>	May 5, 2023
<b>TO</b>	Members, California State Board of Optometry (CSBO)
<b>FROM</b>	Joely Walker, Enforcement Manager
<b>SUBJECT</b>	Agenda Item #6B– Executive Officer’s Report - Enforcement Program

The Enforcement Unit is pleased to announce the recent hiring of Scott Kerswell, who joined the Board on May 1st. Scott previously worked in the private sector as a director of store management for a Sacramento-based business. Scott has a degree in criminal justice and is excited to be a part of our Enforcement team. Scott has been training with Enforcement staff and will be taking enforcement-related training classes for his first few months with the Board.

This is the last Board meeting for Terri Villareal, as she is retiring May 30th. Terri has worked for the State of California for 34 years! We are in the process of filling Terri’s position, although Terri is truly irreplaceable.

### **Statistics:**

- A. The Board asked for staff to include the priority/category of complaints, ranging from urgent to routine, with our statistics so you will see that information on attachment “6Bi” for Optometry and Opticianry.
- B. We are now also providing Probation monitoring statistics on the quarterly complaint statistics logs. There are currently 8 licensees on probation. Of these, 1 probationer is tolled and not receiving credit toward the completion of probation. There were 2 licensees placed on probation in the quarter and 1 licensee completed probation in the quarter.
- C. 2022/2023 Continuing Education statistics are provided as attachment “6Bii”. 171 licensees were selected for audit, representing 5 percent of the renewing population. Audits got off to a slow start in Q1 and Q2 but have been picking up in Q3. While data is still limited, the audit statistics show 88 percent of auditees are passing.

Below are the most recent enforcement actions taken by the Board:

### **Citations Issued**

#### **Lim, Leyen (OPT 12233)**

##### **San Fernando, CA**

On December 29, 2022, a \$1,300 citation was issued to Leyen Lim (OPT 12233) for failing to meet the continuing optometric education (CE) requirements within the 2020-2022 renewal cycle and certifying under penalty of perjury on her license renewal that the CE requirements were met (BPC §§3059(e), 3110(a), (i), (j), and CCR §1536(b)) (BPC §§ 3059(e), 3110(a)(i)(j) and CCR §1536(b)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

#### **Phan, Tith V (SLD 40841)**

##### **Sacramento, CA**

Effective December 8, 2022, a \$500 citation was issued to Tith V. Phan (SLD 40841) with an address of record in Burbank, CA, for a Conviction of a Substantially Related Crime and Dangerous Use of Alcoholic Beverages (BPC §2555.5(k)). [Click here to obtain a copy of the action or to view the registrant's profile.](#)

### **Pending Accusations**

#### **Chuong, Thomas Hoa (SLD 40971)**

##### **Rosemead, CA**

On February 10, 2023, an Accusation was filed against the registration of Thomas Hoa Chuong (SLD 40971), with an address of record in Rosemead, CA, for Conviction of Substantially Related Crimes and Dangerous Use of Alcohol (BPC §§490, 2555.1, 2555.5(a), (k), 2557.1 and CCR title 16 §1399.270). [Click here to obtain a copy of the action or view the registrant's profile.](#)

#### **Trevino, Rogelio (SLD 40960)**

##### **Temecula, CA**

On February 10, 2023, an Accusation was filed against the registration of Rogelio Trevino (SLD 40960), with an address of record in Temecula, CA, for Criminal Conviction for Child Abuse (BPC §§490, 2555.1, 2555.5(k)). [Click here to obtain a copy of the action or view the registrant's profile.](#)

### **Probation**

#### **Mirza, Haris (OPT 35065)**

##### **Porter Ranch, CA**

Effective February 23, 2023, the Optometrist license application for Haris Mirza (OPT 35065), with an address of record in Porter Ranch, CA, was approved, the license issued and immediately revoked, the revocation was stayed, and the license placed on probation for one year (BPC §§2540, 3040(a), 3109(a), and 3110(s)). [Click here to obtain a copy of the action or view the doctor's profile.](#)

**Summers, Brianna (SLD 41814)**

**Burbank, CA**

Effective February 23, 2023, the Spectacle Lens Dispenser registration of Brianna Summers (SLD 41814) with an address of record in Burbank, CA, was revoked, the revocation stayed, and the registration placed on probation for three (3) years for Conviction of a Substantially Related Crime and Dangerous Use of Alcoholic Beverages (BPC §§490, 2555.5(k), (l), and CCR title 16 §1399.270). [Click here to obtain a copy of the action or view the registrant's profile.](#)

**Revoked**

**Cahoon, Benjamin Paul (OPT 33877)**

**Lancaster, CA**

Effective February 23, 2023, the license of Benjamin Paul Cahoon (OPT 33877), with an address of record in Lancaster, CA was revoked for multiple violations of Business and Professions Code (BPC) 3110, Unprofessional Conduct, Sexual Misconduct with a Patient including inappropriate sexual comments, exposing himself, touching of an intimate part of a person, unlawful restraint, Disciplinary Action by a Foreign Jurisdiction; Grounds or Disciplinary Action by State Licensing Board, Issuance of a License by Mistake or Procuring a License by Misrepresentation, Acts Which Would have Warranted Denial of a License and Misrepresentation/Commission of an Act Involving Dishonestly (BPC §§141, 790.6, 3090.5, 3110, 3110(e), (f), (i), (m)(1), (m)(2), by reference to PC §243.4, and CCR Title 16 §1517). [Click here to obtain a copy of the action or view the doctor's profile.](#)

**Statement of Issues**

**Nantes, Florentino (SLD and CLD Applicant)**

On February 16, 2023, a Statement of Issues was filed against Florentino Nantes (SLD and CLD applicant) following the denial of his applications for Registered Spectacle Lens Dispenser and Contact Lens Dispenser registrations. The basis for the denial was Substantially Related Serious Felony Conviction (BPC §§480(a)(1), 2559.2(b), and 2561, by reference to Penal Code section 1192.7). [Click here to obtain a copy of the action.](#)