

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

Jeffrey Garcia, O.D., President
Eunie Linden J.D., Vice President
Stacy Bragg, O.D., Secretary
Alex Clemens, Public Member
Paul Hsu, Public Member
Robert Klepa, J.D., Public Member
Joseph Pruitt, O.D.
Martin Dawson, SLD/CLD
Lillian Wang, O.D.
Vacant Governor Appointee, Professional Member
Vacant Governor Appointee, Public Member
Gregory Pruden, Executive Officer



**FEBRUARY 14, 2025
FINAL BOARD MEETING MINUTES**

Physical Location:
Department of Consumer Affairs
Hearing Room
1625 North Market Blvd.
Sacramento, California 95834

Remote attendance via WebEx

Members Present	Staff Present
Jeffrey Garcia, O.D. (in-person)	Gregory Pruden, Executive Officer (in-person)
Eunie Linden, J.D. (in-person)	Randy Love, Administration and Licensing Manager (remote)
Stacy Bragg, O.D. (in-person)	Erica Bautista, Administrative Coordinator (in-person)
Robert Klepa, J.D. (in-person)	Brad Garding, Enforcement Manager (remote)
Martin Dawson, SLD/CLD (in-person)	Brennan Meier, Legal Counsel (in-person)
Lillian Wang, O.D. (in-person)	Elizabeth Dietzen-Olsen, Legal Counsel (in-person)
Paul Hsu (in-person)	
Alex Clemens, (in-person)	
Members Absent	Guests
Joseph Pruitt, O.D.	On File

Open session of this Board Meeting was webcast.
A recording of the webcast is available at: <https://youtu.be/aJSbj5BvfZw>

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

Audio of Discussion: [0:06](#)

The meeting was conducted according to the Open Meetings Act with public comment allowed on each agenda item.

Board President, Dr. Jeffrey Garcia, O.D., recited the Boards mission, vision, and values. Next, he called the meeting to order at 9:30 a.m. Board Secretary, Dr. Stacy Bragg, O.D., took roll call and a quorum was established. Dr. Joseph Pruitt, O.D., was absent. All other members were present at the meeting.

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: [3:15](#)

The public did not provide any comments.

3. Discussion and Possible Action on Adopting Title 16, California Code of Regulations (CCR), Article 11, Section 1572, related to Radiofrequency Technology: Authorization and Requirements

Note: The purpose of this agenda item is to seek further public comment on this matter. For clarification purposes, the Board will not be considering the comments it received during the 45-day comment period related to this matter at this time but may do so at a later date. The Board invites discussion on this matter to assist it with determining how to move forward with this regulation.

Audio of Discussion: [5:32](#)

Executive Officer Gregory Pruden opened discussion on this item, the Board's proposal to authorize the use of RF technology which would improve access to care and expand treatment options for patients suffering from dry eye disease.

Public comment was heard from [Dr. William Fleischman, O.D.](#) He is an optometrist practicing in Rio Linda, California and spoke in support of allowing optometrists to provide care using RF therapy.

Public comment was received from [Arnold F.](#) He asserted that RF will be very important for patient care. Patient care in California sometimes is not affordable or accessible, especially in rural areas. RF will provide an in-office procedure by optometrists offering affordable, non-invasive relief with minimal side effects. There are no lasting adverse events that would impact the patient in terms of any deformities or any issues. The device simply generates heat using surface level energy which penetrates the skin slightly without breaking the skin barrier. No needles are involved making it absolutely non-invasive. It's non-surgical with no incisions. Heat stimulates the natural healing process.

Public comment was heard from [Sabastiano Santarelli](#) representing InMode. He asserted that there are two key factors that should be evaluated (safety and efficacy). Non-invasive radio frequency technology has been widely used since the early 2000s due to its exceptional safety profile and non-surgical nature. It delivers controlled energy at a precise depth rejuvenating targeted tissue. His company has developed this technology to be safely used inside the orbital rim and on the eyelids ensuring no risk to the patient when used appropriately. The device has been on the market for 7 years with thousands of doctors across the U.S. and Canada successfully treating tens of thousands of patients. To date there have been no reported adverse events. Regarding efficacy, RF has demonstrated consistent positive clinical outcomes in the treatment of

dry eye disease. This is further supported by a peer-reviewed study conducted by six North American eye care physicians.

Public comment was received from [Rachel Blucher](#), Counsel for the California Optometric Association (COA). She provided support of the Board's proposal related to the use of optometric RF technology for treating dry eye disease. She agreed, as previously stated, that RF is a non-invasive technology that used electromagnetic waves to deliver controlled heat at a predetermined temperature to superficial and deeper layers of the skin. RF is much less invasive than some other procedures that are currently allowed to be performed under optometrist's existing scope of practice. Furthermore, she added, that COA is not aware of any state that does not allow this procedure to be performed.

Public comment was heard from [Dr. Elizabeth Hoppe](#), optometrist and the Dean of the Southern California School of Optometry (SCCO). She commented regarding the enhanced patient access to care. Allowing optometrists to use RF technology for dry eye treatment increases patient access, especially in underserved areas where ophthalmologists may not be readily available. Additionally, it will help reduce healthcare costs; by enabling optometrists to provide this type of treatment patients can receive care in a more cost-effective setting. Ultimately it will produce improved patient outcomes.

Public comment was received from [Dr. Marsha Vincent](#), an optometrist and the president of the Optometrist Affiliate at the United Nurses Association of California. They strongly support this proposal.

Public comment was heard from [Dr. Michael Couris](#), an ophthalmologist in San Diego. He is not in support of this proposal.

Public comment was received from [Anne Mika Moy](#), representing the Herbert Wertheim School of Optometry and Vision Science. They are in full support of the regulations that would allow California optometrists to use RF technology to treat dry eye disease.

Public comment was heard from [Dr. Julie Taylor](#), an optometrist practicing at the SCCO. She expressed her support of the use of RF technology for the treatment of dry eye disease and management of meibomian gland disease (MGD).

Public comment was received from [Dr. Racheal Lynn](#), a practicing optometrist and associate professor at the SCCO. She testified in support of RF.

Public comment was heard from [Dr. Mark Nakano](#), Associate Dean at SCCO. He is highly in favor of this statute change. RF use is taught in student curriculum, and studies by the National Institutes of Health (NIH) show the safety profile and the clinical efficacy of RF when combined with intense pulsed light (IPL) and meibomian gland expression. Most importantly, it will improve patient access in California.

Public comment was received from [Dr. Elaine Chen](#), an optometrist and associate professor at SCCO. She is in support of RF technology. Optometrists have the skills and tested proficiency to perform these techniques.

Public comment was heard from [Dr. Tommy Lim](#), a retired optometrist from San Jose who urges support for regulations allowing optometrists to use RF treatment for dry eye disease and MGD.

Public comment was received from [Alicia Sanchez](#), representing the California Medical Association who argued that the proposed regulations go beyond the Board's authority and should not be adopted.

Public comment was heard from [Dr. John Nishimoto](#), an optometrist and the Senior Associate Dean for Professional Affairs and Clinical Education at the Southern California College of Optometry Marshall B Ketchum University. He testified in support of RF emphasizing its safety and effectiveness in treating dry eye disease. Treatment of dry eye and MGD is within the scope of practice for optometry, aligning with current technology and procedures. He recommends the Board's support.

Public comment was received from [Dr. Jeffrey Scott Fleming](#), an optometrist who treats dry eye in his practice on a regular basis. He stated that he uses IPL frequently but that the RF system would tremendously enhance care, and his patients would have a much greater outcome. He argued that ophthalmologists do not even perform this procedure themselves, rather they train technicians to do it.

Mr. Pruden noted that this technology is available for consumers to purchase via Amazon and many other online retailers. This means that it is possible for an optometrist, under the current framework, to recommend and/or discuss the use of this technology with their patients, but that optometrists cannot also prescribe it or use it within their own clinic. Mr. Pruden also argued that the Board's proposal goes significantly further in protecting consumers if ophthalmologists are just training unlicensed people to do this technology. The Board's proposal does not allow anybody other than a licensed optometrist to engage in this activity.

Members noted that treatment of dry eye and MGD is within the scope of practice for optometry, aligning with current technology and procedures. Ophthalmologists and optometrists work well together, with few ophthalmologists opposed to the proposed changes. Members noted that access to eye care in rural areas is challenging, making it important for optometrists to provide comprehensive care.

There was no action taken on the item.

4. Discussion and Possible Action on Meeting Minutes

A. December 6, 2024, Board Meeting

Audio of Discussion: [1:04:14](#)

Member Alex Clemens noted that Enforcement Manager, Brad Garding's name is misspelled on page 2.

The public did not provide any comments.

Lillian Wang moved to accept the minutes as corrected. Alex Clemens seconded. The Board voted unanimously (8-0) and the motion passed.

Member	Aye	No	Abstain	Absent	Recusal
Mr. Clemens	X				
Mr. Dawson	X				
Mr. Hsu	X				
Mr. Klepa	X				
Dr. Pruitt				X	
Dr. Wang	X				
Dr. Bragg	X				
Ms. Linden	X				
Dr. Garcia	X				

5. Discussion and Possible Action on Department of Consumer Affairs Update

A. Executive Office

B. Budget Office

Audio of Discussion: [1:06:27](#)

Judy Bucciarelli with the Department of Consumer Affairs (DCA) Board and Bureau Relations provided an Executive Office update. DCA invites presidents and vice presidents to attend the annual president's training on February 19th from 10:00 a.m. to 12:30 p.m. This is a virtual training.

Budget Analyst, Kirsten Cox (joined by Budget Manager, Harmony Defilippo) provided a report on the Board's expenditure projections and fund condition statement. The Board is discussing the need for a more realistic expenditure number in the out years. The mock budget shows a healthy fund condition, but there is a statutory requirement to keep no more than seven months in the fund reserve. The Board is projecting a slight surplus for the current year, which is encouraging.

The public did not provide any comments.

The meeting moved to agenda item 7 to accommodate the presenter's schedule and then moved back to agenda item 6.

6. Discussion and Possible Action of Board President's Report

Audio of Discussion: [2:43:59](#)

Board President Garcia provided the President's report.

President Garcia wanted to make sure board members were aware of the Board member resources (DCA Board member Resource webpage and CSBO Board member Handbook) and request EO for board to update handbook.

He announced his recent visit to the International Sports Vision Association (ISVA) conference. Vision is a critical component to any sport.

The Board's sunset review hearing is tentatively scheduled for March 4 at the state capitol. Following the hearing, the Board will review and approve written responses to all identified issues which is expected to occur at the April Board meeting.

Thanked board members for attending Sac City tour on 2/13/25

Ruby Garcia thanked the board members for visiting the Sac City College Optical program and invited board members to visit the Ventura training center. Ms. Garcia stated that San Diego Community College will have an optical program opening anticipated Fall 2025 or Spring 2026.

7. Dr. Hector C. Santiago, OD, PhD, Professor and Director of Research, Inter American University of Puerto Rico School of Optometry Regarding Latinos en Optometry and Cultural Competence

Audio of Discussion: [1:24:41](#)

Roll call was taken and a quorum was re-established at 11:00am after a short break.

Dr. Hector Santiago, O.D., PhD provided a presentation for the Board on Latino and Hispanic culture and optometry. Takeaways from the presentation:

- Culture is complex concept that includes values, beliefs, and behaviors.
- Neglecting culture is the largest barrier to advancing healthcare worldwide.
- Cultural competency is necessary to provide quality healthcare and reduce health disparities.
- The percentage of the U.S. population that is white is decreasing and by 2050, less than 50% of Americans will be white.
- Hispanics are a growing population in the U.S. with one in four Americans projected to be Hispanic by 2045.
- Different cultures have different approaches to time management and multitasking.
- Latinos value personal relationships with healthcare providers and expect formal attire and professionalism.
- Hispanics have a higher rate of obesity, hypertension, diabetes, and certain eye conditions.
- Language barriers and lack of insurance coverage are challenges in providing healthcare for Hispanics.

Comments:

- EO Pruden will distribute video and article that Dr. Santiago shared
- Member Dawson thanked for presentation and emphasized importance of learning Spanish and proper use of interpreters

The public did not provide any comments.

The meeting moved back to agenda item 6.

8. Discussion and Possible Action to Initiate a Rulemaking to Adopt Title 16 California Code of Regulations, Article 7, Section 1339.273, Related to Optician Disciplinary Guidelines Incorporated by Reference

Audio of Discussion: [2:52:16](#)

This agenda item was tabled to the April Board meeting.

The public did not provide any comments.

9. Discussion and Possible Action on Executive Officer's Report

A. Program Update

Audio of Discussion: [2:55:15](#)

Executive Officer Pruden provided the Program update. The Board currently has two enforcement positions that it is recruiting for. There has also been an internal promotion. Pursuant to the Governor's order, two positions will be removed from the Board's organizational chart later this year.

The Governor issued an executive order to extend the deadline for fee payments for license renewals impacted by the Los Angeles fires.

The Board has renewed its lease for a new seven-year term, saving almost \$700 per month.

The public did not provide any comments.

B. Enforcement Program

- i. Statistical Review, Quarter 2, Fiscal Year 2024-25
- ii. Continuing Education Audit Statistics

Members were provided stats for the Board's enforcement program. Staffing for the enforcement program is down by two people. Continuing Education audits have dropped off a bit due to an increase in probationers.

The public did not provide any comments.

C. Examination and Licensing Programs

- i. Statistical Review, Quarter 2, Fiscal Year 2024-25

Mr. Pruden also provided the Examination and Licensing Program update. BreEZe updates have involved both small and large changes, including mobile optometric office and home resident permit programs.

Initial applications for optometry licensure have been decreasing compared to previous years.

Every licensing processing time has improved since the prior year.

The public did not provide any comments.

D. Regulatory Update

- i. Optometry Disciplinary Guidelines
- ii. Optician Program Omnibus Regulatory Changes
- iii. Dispensing Optician Disciplinary Guidelines
- iv. Requirements for Glaucoma Certification
- v. Radiofrequency Technology and Devices

There were no additional regulatory updates outside of what Members received in their materials.

The public did not provide any comments.

The meeting moved to agenda item 11 before agenda item 10.

10. Discussion and Possible Action on Structure and Purpose of Dispensing Optician Committee

Audio of Discussion: [3:31:30](#)

The Dispensing Optician Committee (DOC) is a statutorily created committee that has not met since April 2021 due to lack of quorum. The DOC was previously responsible for activities such as outreach, disciplinary guidelines, education requirements, and updating statutes and regulations. The Board may need to consider the structure, purpose, and future of the DOC during the upcoming sunset review. The Legislature may ask for the Board's opinion on the future of the Committee.

Member Clemens stated that the Board has no authority to remediate the situation. According to the structure of the DOC and current statute the DOC cannot meet without a quorum. This fact should be explained and the Legislature asked how it wishes to handle this matter. The Board should not be called to task for anything it cannot control without the Legislature changing something first.

Public comment was received from [Ruby Garcia](#) who feels that optometrists and opticians need each other and if there is a creative way to include opticians in committee it would be invaluable.

Public comment was heard from [Joe Neville](#), Associate Director of the National Association of Retail Optical Companies, formerly known as the National Association of Optometrists and Opticians. They were highly involved in the work with respect to the DOC. As a point of reference, they are happy to be a source of information and assistance with these discussions.

Member Wang suggested forming a workgroup to brainstorm possibilities for the DOC, so that, in the event the Legislature asks the Board, it can have more concrete suggestions.

The public did not provide any comments on the motion.

Lillian Wang moved to establish a workgroup to discuss the Dispensing Optician Committee's future and to authorize President Garcia to appoint two Members to the workgroup. Martin Dawson seconded. The Board voted unanimously (8-0) and the motion passed. President Garcia appointed Member Wang and Member Dawson to the workgroup.

Member	Aye	No	Abstain	Absent	Recusal
Mr. Clemens	X				
Mr. Dawson	X				
Mr. Hsu	X				
Mr. Klepa	X				
Dr. Pruitt				X	
Dr. Wang	X				
Dr. Bragg	X				
Ms. Linden	X				

11. Update, Discussion and Possible Action on 2025 Legislation Impacting the Board, DCA, and/or the Optometry or Opticianry Profession

Audio of Discussion: [3:26:27](#)

No new bills with direct impact on the Board or the professions it regulates have been identified yet. The Legislature has until the 21st to introduce all their bills so a flurry of bills are anticipated over a week or two.

The public did not provide any comments.

12. Future Agenda Items

Audio of Discussion: [4:01:39](#)

Requested: Any potential information or guidance as to whether the issues affecting the federal government landscape may affect the state of California – how quality of care may be affirmed.

VP Linden inquired about any DCA guidance regarding how we can assure access to quality care in safe environment in the face of the current federal landscape

EO Pruden will reach out to DCA to see if they have any guidance

Member Wang inquired about an NBEO presentation to CSBO at future meeting. EO Pruden commented that July or October would be more viable.

Public comment-Ruby Garcia currently working with high school juniors and seniors to show and guide them through a path to become optometrists or opticians.

13. Closed Session

A. Pursuant to Government Code, section 11126, subd. (c)(3), the Board Will Meet in Closed Session for Discussion, Deliberation, and Possible Action on Disciplinary Matters.

ADJOURNMENT

The meeting was adjourned at 2:37 p.m.