



ISSUE MEMORANDUM

DATE	March 8, 2019
TO	Legislation and Regulations Committee (LRC)
FROM	Shara Murphy, Executive Officer prepared by Marc Johnson, Policy Analyst
SUBJECT	Agenda Item # 7: Update, Discussion and Possible Recommendations to Full Board Regarding Assembly Bill 458 (Nazarian): Homebound Senior Vision Care

The Board voted at its April 20, 2018, meeting to accept the proposed statutory amendments to [BPC § 3070.1](#) to expand optometric care for homebound patients. The Board considered one comprehensive bill, addressing both portions of the mobile clinic issue (homebound and mobile units) for the 2019 legislative session, and requested that the LRC further consider the issue. During its [June 29, 2018 meeting](#), the LRC discussed statutory constraints that currently prevent authorization of mobile units, and concluded that addressing mobile services would take longer than the deadline for 2019 legislation. Accordingly, the LRC voted to recommend to the full board to pursue legislation dealing solely with the previously approved language regarding homebound care, noting that there should be emphasis on avoiding expansion into “for profit” and “convenience” language for the time being.

The full Board endorsed this approach at the August 3, 2018 public meeting and directed staff to engage with the Legislature on this issue. In January 2019, staff was able to obtain Assembly Member Adrin Nazarian as an author for the bill, and has provided the author’s office with the text approved by the Board. Staff has also worked with the author’s office to produce a fact sheet on the bill. The final wording of the text is still being determined by the author’s office and Legislative Counsel, but is slated to be a part of AB 458, which is currently a spot bill relating to professional engineers. The Board is the sponsor of this bill. Fiscal and workload impact to the Board have not been determined.

Staff recommends a ‘support’ position on AB 458 and direction to the Executive Officer to inform the Legislature of this position.

Attachments:

1. Text of AB 458
2. Fact Sheet on AB 458



AB 458, IN-HOME OPTOMETRIC CARE ASSEMBLYMEMBER ADRIN NAZARIAN

Bill Summary:

AB 458 will allow licensed optometrists to bring vision services and testing into the homes of individuals who are homebound due to physical or mental disability.

Background:

As of 2010, there were more than 38.9 million people aged 65 and older in the United States. Up to 3.6 million of these people were considered housebound and in need of home-based care. According to the 2017 California State Plan on Aging, the number of people age 60 and over in California will grow to 13.9 million by 2050, an increase of 128% from 2010. Statistically, more than 1 million of these people will be housebound and in need of home-based care.

Homebound seniors, while not institutionalized, are confined to their homes due to physical, psychiatric, and social limitations. Homebound seniors suffer from physical and psychiatric illnesses at a much higher rate than non-homebound elders.

Both the Centers for Disease Control and the National Institutes for Health have noted the importance of eye health and the role of vision impairment as a serious health concern in older adults. It can lead to a reduction in common activities such as self-care, cooking, reading, watching TV, or using their computer or smart phone. As a result, vision loss can impact the overall health and wellbeing of seniors, increasing depression, causing difficulty in identifying medication, and increasing risk from falls or fractures. Quality, comprehensive vision care could help ease their suffering and delay their entry into a nursing home or hospital.

The American Academy of Ophthalmology also notes the additional health benefits of eye exams for seniors. These exams can uncover symptoms of significant health problems—including carotid artery blockages, hypertension, high cholesterol, and diabetes. If these warning signs are detected, the Optometrist can promptly refer the patient to their primary care provider for diagnosis and treatment. This provides another layer of health screening to those who may not be able to make regular visits to their primary care provider's office.

Solution:

This bill, sponsored by the California State Board of Optometry, would allow licensed Optometrists to bring much-needed vision services and testing into the home for those who need it the most: homebound senior citizens. The Board recognizes the need to promote access to quality optometric services and patients' desires to receive quality care outside traditional brick and mortar practice locations.

With advancements in treating ocular disease with therapeutics, and the availability of portable instruments and equipment, Optometrists have the ability to provide a more comprehensive eye examination in a home setting than in the past. Additionally, further definition in statute of optometric care in a home setting and requiring registration with the Board will help to uphold the Board's primary mandate of protecting consumers.

This change would increase access to Optometric care for a critically underserved population, including but not limited to the elderly, mentally and physically disabled. Without these services, these impacted

ASSEMBLY BILL

No. 458

Introduced by Assembly Member Nazarian

February 11, 2019

An act to amend Section 6701 of the Business and Professions Code, relating to engineers.

LEGISLATIVE COUNSEL’S DIGEST

AB 458, as introduced, Nazarian. Professional engineers.

Existing law, the Professional Engineers Act, provides for the licensure and regulation of professional engineers by the Board for Professional Engineers, Land Surveyors, and Geologists. Existing law defines the term “professional engineer” for purposes of that act.

This bill would make nonsubstantive changes to that definition.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6701 of the Business and Professions
2 Code is amended to read:
3 6701. “Professional engineer,” ~~within the meaning and intent~~
4 ~~of this act, refers to~~ *for purposes of this chapter, means* a person
5 engaged in the professional practice of rendering service or creative
6 work requiring education, ~~training~~ *training*, and experience in
7 engineering sciences and the application of special knowledge of
8 the mathematical, ~~physical~~ *physical*, and engineering sciences in
9 such professional or creative work as consultation, investigation,
10 evaluation, ~~planning~~ *planning*, or design of public or private

- 1 utilities, structures, machines, processes, circuits, buildings,
- 2 ~~equipment~~ *equipment*, or projects, and supervision of construction
- 3 for the purpose of securing compliance with specifications and
- 4 design for ~~any such~~ *that* work.



AB 458, IN-HOME OPTOMETRIC CARE
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individuals are unable to obtain proper eye care, which reduces their quality of life and decreases their standard of living. This change would help to increase access to much needed vision services, while maintaining strong consumer protection standards.

Support:

California State Board of Optometry
(Sponsor)

Opposition:

None on file

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