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To: Board Members **Date:** April 21, 2017

From: Madhu Chawla, OD **Telephone:** (916) 575-7170
Board President

Subject: **Agenda Item 12 – Update, Discussion and Possible Action Regarding the Board’s 2017-2020 Strategic Plan**

The Board held a Strategic Planning Session on January 26, 2017. The attached Draft Strategic Plan was developed by SOLID Training Solutions based on that session. Staff would like to point out that several objectives initially started with “task the...;” however, SOLID removed all of those references, because specific task assignments are generally given during the action planning phase.

The President’s Message will be provided to the members during the Board meeting.

Please review and provide input to the plan. After discussion and input have been provided, staff requests the Board adopt the Strategic Plan (as is or as amended).

Attachment

1. DRAFT Strategic Plan



2017-2020 Strategic Plan

Prepared by
SOLID Planning Solutions
Department of Consumer Affairs
Adopted



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MEMBERS OF THE CALIFORNIA STATE BOARD OF OPTOMETRY

Madhu Chawla, OD, President

Donna Burke, Vice President

Lillian Wang, Secretary

Cyd Brandvein

Martha Garcia, CLD, SLD

Glenn Kawaguchi, OD

Debra McIntyre, OD

Rachel Michelin

Mark Morodomi

Maria Salazar Sperber

David Turetsky, OD

Edmund G. Brown, Jr., Governor

Alexis Podesta, Secretary, Business Consumer Services and Housing Agency

Dean Grafillo, Director, Department of Consumer Affairs

Jessica Siefertman, Executive Officer, California State Board of Optometry

MESSAGE FROM THE PRESIDENT

[INSERT MESSAGE HERE]

ABOUT THE BOARD

Since its inception over 100 years ago, the California State Board of Optometry (Board) has supported and helped consumers by advocating consumer interests before lawmakers, regulating to protect consumers from unlicensed practitioners and guarding our licensees against unfair competition, enforcing laws to protect the consumer and resolving disputes between business and a customer or a consumer and a licensee.

Our authority to protect the health and safety of California patients receiving optometric care through licensing, education, and regulation of the practice of Optometry was expanded on January 1, 2016, when Governor Jerry Brown signed Assembly Bill 684, transferring the practice of optical dispensary from the Medical Board of California (MBC) to our State Board. Overnight, the Board's regulatory population grew by 50% - expanding its regulatory oversight from 8,000 licensees to roughly 12,000 licensees and registrants.

Today, the Board regulates the largest population of optometrists and dispensers in the United States with over 17,400 licenses, registrations, and permits. The Board is also responsible for issuing optometry certifications for Diagnostic Pharmaceutical Agents, Therapeutic Pharmaceutical Agents, Lacrimal Irrigation and Dilation, and Glaucoma.

With this significant change in population come new, emerging responsibilities. Our Board stands ready and has the capabilities and resources to maintain the same level of accountability, efficiency, effectiveness, integrity and customer service it has delivered since the last Sunset Review. Further, it is in the best interest of California consumers to continue protecting their eye care health and safety through the Board in its current constituted state – an independent Board that relies on the Department of Consumer Affairs (DCA) for administrative support.

As we continue our evolution – from a Board with challenges in 2002 to a well-functioning Board today – we are poised to meet the regulatory changes, adjust through internal improvements to our organizational structure and set a new path forward through a revised Strategic Plan that better aligns with our evolving consumer protection mandate. The Board currently has the following four committees, all composed of professional and public members.

Achieving our Mission and Positioned to Move Forward

The Board's mission is to protect the health and safety of California consumers through licensing, education, and regulation of the practice of Optometry. The Board accomplishes its mission through the following responsibilities:

- Promulgating regulations governing Board procedures, admission of applicants for examination for an optometric license; minimum standards of optometric and dispensing services offered and performed, the equipment and sanitary conditions in all registered locations;
- Investigating consumer complaints and criminal convictions including, but not limited to substance abuse, unprofessional conduct, incompetence, fraudulent action, and unlawful activity;
- Taking disciplinary action for violations of laws and regulations governing the practice of optometry and dispensing when warranted.
- Accrediting schools and colleges of optometry;
- Establishing educational and examination requirements to ensure the competence of candidates for licensure/registration;
- Setting and enforcing standards for continued competency of existing licensees;
- Establishing educational and examination requirements for optometrists seeking certification to use and prescribe certain pharmaceutical agents and other procedures; and
- Issuing branch offices licenses, statements of licensure and fictitious name permits.

California became the third state to regulate the optometry profession in 1903, and a new Optometry Practice Act, enacted in 1913, created the Board, defined its duties and powers, and prescribed a penalty for violations of the Act. The Act was later incorporated in the Business and Professions Code (BPC). Empowered with rulemaking authority (BPC Sections 3025 and 3025.5), the Board promulgated the first rule for the practice of optometry in 1923. In the same year, the legislature passed a law requiring all applicants for licensure to meet certain educational requirements, i.e., graduate from an accredited school or college of optometry and charged the Board with the responsibility of accrediting these schools. Prior to this time, individuals desiring to practice were not required to have any specific formal education.

On January 1, 2016, Assembly Bill 684, moved the RDO Program under the Board's jurisdiction, and created a Dispensing Optician Committee, comprised of two public members, two dispensers, and one Board Member to advise the Board on dispensing-related matters and education for registered opticians. Assembly Bill 684 replaced one of the Board's professional members with registered optician.

Board Committees

The Board has the following committees composed of professional and public members:

- Legislation and Regulation
Responsible for recommending legislative and regulatory priorities to the Board and assisting staff with drafting language for Board-sponsored legislation and recommending official positions on current legislation. The committee also recommends regulatory additions and amendments.
- Practice and Education
Advises Board staff on matters relating to optometric practice, including standards of practice and scope of practice issues. Reviews staff responses to proposed regulatory changes that may affect optometric practice. Also reviews requests for approval of continuing education courses, and offers guidance to Board staff regarding continuing education issues.
- Consumer Protection
Oversees the development and administration of legally defensible licensing examinations and consults on improvements/enhancements to licensing and enforcement policies and procedures.
- Public Relations – Outreach
Assists with the development of outreach and development of educational materials to the Board’s stakeholders.
- Children’s Vision Workgroup
SB 402 was created to address the gap in providing eye exams to entry elementary school students as a result of budgetary cuts in the public school system. Among other things, it mandated that children entering school receive a comprehensive eye exam in order to combat the one in three school vision screenings which miss vision problems. Due to the failure of SB 402 to pass out of the Senate Appropriations Committee, the Board created this workgroup, comprised of two members, tasked with meeting with stakeholders on this issue and providing legislation recommendations to the Board for consideration during the 2017 legislative session.
- Mobile Clinic Workgroup
Protecting and providing families’ access to convenient, quality eye care, and support to optometrists so they continue providing the vision care services Californians need and deserve in many environments, the Board created the Mobile Clinic Workgroup. Prior to the workgroup, Senate Bill 349 was introduced, which focused on creating guidelines for mobile optometric facilities; however, it failed to pass out of the Senate Committee on Business and Professions in 2015. The workgroup, comprised of two members, is tasked with

meeting with stakeholders on this issue and providing legislation recommendations to the Board for consideration during the 2017 legislative session.

- Foreign Graduate Workgroup

Recognizing that there was no pathway for foreign graduates to become licensed in California after they pass all required state and national examinations, the Board sponsored Senate Bill 496 (Senator Nguyen). If passed, this would have created the pathway for foreign graduates to become licensed in California; however, it was pulled by the author in 2015 after receiving several equivalency concerns from schools/colleges of optometry and the professional association. In order to determine the best avenue to move forward, the Board created this workgroup, comprised of two members, and tasked it to meet with stakeholders, including the accredited schools and colleges of optometry, to provide stronger legislation recommendations to the Board for consideration during the next legislative session.

- Dispensing Optician Committee – Development Workgroup

Due to the retirement of the Board's Executive Officer in 2015, this workgroup was created to take the lead in the outreach, advertising, and vetting process to fill the Board's Executive Officer position. The workgroup worked hand in hand with DCA's Office of Human Resources and implemented new hiring techniques in order to perform a nationwide search for the ideal candidate.

STRATEGIC GOALS

1 *LICENSING*

2 *EXAMINATION*

3 *LAW AND REGULATION*

4 *ENFORCEMENT*

5 *OUTREACH*

6 *ORGANIZATIONAL EFFECTIVENESS*

California State Board of Optometry Mission, Vision, and Values

Mission

To protect the health and safety of California consumers through licensing, registration, education, and regulation of the practice of Optometry and Opticianry.

Vision

To promote high quality optometric and optical care for the people of California.

Values

Consumer Protection – *We make effective and informed decisions in the best interest and for the safety of Californians.*

Integrity – *We are committed to honesty, ethical conduct, and responsibility.*

Transparency – *We hold ourselves accountable to the people of California. We operate openly so that stakeholders can trust that we are fair and honest.*

Professionalism – *We ensure qualified, proficient, and skilled staff provides excellent service to the State of California.*

Excellence – *We have a passion for quality and strive for continuous improvement of our programs, services, and processes through employee empowerment and professional development.*

GOAL 1: LICENSING

- *The Board provides applicants and licensees a method for obtaining and maintaining license registration, business licenses, and certifications required to practice optometry in California.*

- 1.1 Streamline the initial license and renewal process, including paperless options and synchronizing multiple license renewal dates, to improve staff efficiency and licensee compliance.
- 1.2 Review the possibility of including continuing education requirements for both spectacle and contact lens dispenser licenses to protect consumers and maintain licensee competence.
- 1.3 Continue monitoring and exploring opportunities to enhance BreZE utilization (e.g. 100% continuing education compliance, usage of national database, etc.) to increase staff productivity and promote licensee compliance with continuing education requirements.

GOAL 2: EXAMINATION

- *The Board works to provide a fair, valid and legally defensible licensing exam (California Law and Regulation Examination) and exam process to ensure that only qualified and competent individuals are licensed to provide optometric services in California.*

- 2.1 Recruit more subject matter experts to create examination questions in order to strengthen the diversity of the test.
- 2.2 Analyze the examination requirements to evaluate for competency and the validity of the examination.
- 2.3 Create a budget change proposal to secure funds so the Board can perform an occupational analysis on the registered dispensing optician program in order to check for validity of the examination.
- 2.4 Consider the feasibility of developing a state law exam for opticians to verify their familiarity with California laws.

GOAL 3: LAW AND REGULATION

- *The Board works to establish and maintain fair and just laws and regulations that provide for the protection of consumer health and safety and reflect current and emerging, efficient and cost-effective practices.*

- 3.1 Review federal law to identify methods that will strengthen existing California legislation regarding the sale of contact lenses and eye glasses as a means of improving enforcement and enhancing consumer protection.
- 3.2 Contact members of congress and the Federal Trade Commission regarding the current 48 hour law to obtain information that would assist in closing existing loopholes.
- 3.3 Continue prioritization for review and updates to existing statutes, legislation, and regulations, for both optometry and dispensing opticians, in order to identify whether or not they are the cause of enforcement delays and determine promulgation of new regulations.
- 3.4 Continue partnering with the Medical Board of California to identify potential loopholes regarding online and kiosk refraction administration to enhance consumer protection.
- 3.5 Review current methods and explore new opportunities to increase access to care (e.g. scope of practice, mobile clinics, new technology, tele-medicine).
- 3.6 Review and identify existing practice requirements with regards to unnecessary licensing barriers in an effort to reduce barriers to entry, enhance consumer access to care, and maintain consumer protection.
- 3.7 Explore the feasibility of proposing legislation to synchronize the expiration dates of all license types for a given individual.

GOAL 4: ENFORCEMENT

- *The Board protects the health and safety of consumers of optometric services through the active enforcement of the laws and regulations governing the safe practice of optometry in California.*

- 4.1 Review enforcement timing between initial offense and when it is conveyed to the Board to act upon in order to protect the consumer and maintain patient access to care.
- 4.2 Explore the feasibility of participating in the FBI rap back program to expedite and enhance enforcement efforts.
- 4.3 Research the possibility of changing the statute to require licensees to self-report to the Board within thirty days of conviction or other disciplinary action as a means of expediting and enhancing enforcement efforts.
- 4.4 Research the possibility of requiring licensees to enroll in the national practitioner's databank to expedite and enhance enforcement efforts.
- 4.5 Develop proactive methods to enforce the unlicensed sale and distribution of cosmetic contact lenses.
- 4.6 Establish a partnership with DCA Boards and county and state organizations to identify and address unlicensed activity (e.g. contact lens sales and expired prescriptions) in an effort to protect consumers.
- 4.7 Review the corrective action for compliance (and revise if necessary) in order to deter unlicensed activity.
- 4.8 Analyze the 2012 disciplinary guidelines for optometrists and revise where necessary, to promote consistency and fairness with enforcement decisions and enhance consumer protection.

- 4.9 Adopt disciplinary guidelines for opticians to promote consistency and fairness with enforcement decisions and enhance consumer protection.

GOAL 5: OUTREACH

- *The Board proactively educates, informs, and engages consumers, licensees, students, and other stakeholders on the practice of optometry and the laws and regulations which govern it.*

- 5.1 Review and educate licensees about the scope of practice for optometric assistants, opticians, RDO's, CLD's and SLD's to mirror the letter and chart sent to optometrists clarifying privileges for specific licensing certifications in order to enhance consumer protection.
- 5.2 Educate practitioners about current federal law regarding contact lens prescription release (48 hour law).
- 5.3 Educate licensees and registrants about advertising requirements (e.g. free eye exams, free 2nd pair of glasses, etc.) to avoid misleading the public and reduce licensee confusion.
- 5.4 Educate the public on how to adequately fill contact lens prescriptions based on expiration dates and quantity limits to increase awareness and enhance consumer protection.
- 5.5 Develop a public relations campaign to educate unlicensed sellers regarding contact lens distribution laws to mitigate future violations, therefore protecting consumers.
- 5.6 Promote BreEZe's online renewal capability to licensees to decrease manual entries and improve staff efficiency.
- 5.7 Develop a communication plan utilizing technology to communicate more effectively with stakeholders, patients, and licensees.

- 5.8 Develop a communication plan to raise awareness of the importance of children's vision health and wellness.

GOAL 6: ORGANIZATIONAL EFFECTIVENESS

- *The Board works to develop and maintain an efficient and effective team of professional and public leaders and staff with sufficient resources to improve the Board's provision of programs and services.*

- 6.1 Provide customer service training for staff to improve communication with stakeholders.
- 6.2 Investigate technology options for conducting committee and special meetings to broaden access to stakeholders and consumers.
- 6.3 Provide teambuilding training or exercises to Board members to improve Board functioning.
- 6.4 Provide teambuilding exercises between Board members and staff to improve relationships.
- 6.5 Improve communication and build relationships between the Governor's office, legislators, and the Board to effectively achieve the Board's objectives.

Strategic Planning Process

To understand the environment in which the Board operates and identify factors that could impact the Board's success, the California Department of Consumer Affairs' SOLID unit conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- An online survey sent to the Board's stakeholders, comprised of industry professionals, professional associations, California colleges, government agencies, consumers and others who expressed interest in the strategic direction of the Bureau. The online survey received 428 responses.
- Telephone interviews with all eleven Board members as well as interviews with the Executive Officer and Assistant Executive Officer in November, 2016.
- Focus group discussion with Board staff in November, 2016.

The most significant themes and trends identified from the environmental scan were discussed by the Board members and executive team during a strategic planning session facilitated by SOLID on January 26, 2016. This information guided the Board in the development of its mission, vision, and values, while directing the strategic goals and objectives outlined in this 2017–2020 strategic plan.



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This strategic plan is based on stakeholder information and discussions facilitated by SOLID for the California Board of Optometry in January 2017. Subsequent amendments may have been made after Board adoption of this plan.

