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To: Board Members **Date:** August 4, 2017

From: Martha Garcia, CLD, SLD **Telephone:** (916) 575-7170
Dispensing Optician Committee Chair

Subject: **Agenda Item 17 – Update, Discussion, and Possible Action Regarding
Dispensing Optician Committee Recommendations**

The newly formed Dispensing Optician Committee (DOC) held its first meeting on July 14, 2017 in Ontario, CA. The DOC received an overview from the Executive Officer on the Registered Dispensing Optician (RDO) Program and the creation of the DOC. DOC members learned about the Board's responsibilities, registration types and requirements, how and why the DOC was created, Board strategic plan objectives and emerging matters facing the RDO Program.

In addition, the Board's Deputy Attorney General (DAG) Liaison provided an overview of the disciplinary process and explained the importance of disciplinary guidelines – something the DOC is mandated to review – but they must be created first. The DAG Liaison also reviewed statutory items that could potentially improve consumer protection.

Since the DOC will be focusing on several improvements that would require legislative and regulatory changes, DCA's Office of Legislative and Regulatory Review provided a training of the legislative and regulatory process.

While all DOC members will participate in the Board Member Orientation Training, some members are not able to take the training until September. Thus, the Board's legal counsel provided an overview on the Bagley-Keene Open Meeting Act in order to provide the DOC with basic foundation to help navigate meetings prior to the full training.

After a day of presentations, the DOC thoughtfully discussed all matters for them to address. The DOC recognized one change they may be able to make immediately (upon Board approval): removing the notary requirement on the applications. Currently, all RDO Program applications require a notary. This seems unnecessary when the same goal may be achieved through an adequate attestation statement – similar to that of the optometrist applications. In addition, this requirement slows the application process down. Although applicants may apply online, they must still print the application, take it to get notarized, and mail the application to the Board.

The DOC's first recommendation to the Board is to approve replacing the notary requirement with an attestation statement approved by legal counsel. Staff requests that, if approved, it directs staff to process online applications without the notary statement.

Further, in addition to focusing on mandated tasks (e.g., disciplinary guidelines) the DOC would like to focus its efforts on the following items:

1. Outreach
2. Payment methodology
3. Education requirements/testing/licensing pathways and applications
4. Updating terminology
5. Scope of licensure; in 'private settings'
6. Valid business relationship/decoupling/mobility
7. Required continued education
8. Harmonizing the statutes
9. Strategic Plan Objectives
10. Out of State/Electronic Commerce

The DOC established its 2017 meeting calendar:

- August 18 – Sacramento
- September 22 – Southern California
- November 2 – Sacramento

Action Requested

If the Board agrees with the DOC's recommendation to replace the notary requirement with an attestation statement, please vote to approve the recommendation and direct staff to process online applications without the notary.

In addition, if the Board agrees with the matters identified above, please approve the DOC to move forward with their proposed plan.