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

From: David Turetsky, OD **Telephone:** (916) 575-7170
Board Vice President

Subject: **Agenda Item 22 – Update, Discussion and Possible Action Regarding the Board’s 2017-2020 Strategic Plan**

The Board held a Strategic Planning Session on January 26, 2017. A draft Strategic Plan was developed by SOLID Training Solutions based on that session and presented at the April 2017 Board meeting. However, the Board decided to push the matter to the next meeting to allow time for a President’s Message to be entered.

In July 2017, the Board’s new officers assumed their leadership roles. The Vice President serves as the Board’s Strategic Planning liaison with staff and assists staff in the monitoring and reporting of the Strategic Plan to the Board. In an effort to ensure the Strategic Plan encompassed all matters facing the Board, an in depth review of the issues raised by the Legislature and the Board in its 2016 Sunset Report was conducted and compared to the Strategic Plan. Unaddressed matters were added to the Strategic Plan for Board consideration.

Please review and provide input to the attached plan. After discussion, please vote to 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

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David Turetsky, OD, Vice President

Rachel Michelin, Secretary

Donna Burke

Madhu Chawla, OD

Martha Garcia, CLD, SLD

Glenn Kawaguchi, OD

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Alexis Podesta, Secretary, Business Consumer Services and Housing Agency

Dean Grafillo, Director, Department of Consumer Affairs

Jessica Sieferman, Executive Officer, California State Board of Optometry

MESSAGE FROM THE PRESIDENT



The California State Board of Optometry (Board) is pleased to present its 2017-2020 Strategic Plan. Development of this Strategic Plan has been a collaborative effort between Board Members, Board staff, and the public and we thank everyone for their input and support throughout the process. This plan reflects the Board's continued commitment to work closely with stakeholders to meet its mission to protect the health and safety of California consumers through licensing, education and regulation of the practice of optometry.

We begin this transformative period with a reimagined Strategic Plan, one that guides us in our analysis and response to new and emerging issues in the fields of optometry and healthcare. Our four-year pathway will address timely and diverse topics that are fundamental to consumer protection. These include organizational realignment, access to quality eye care, technology and innovation, new or emerging business models in optometric care, and professional and technical excellence.

Already in progress is an organizational realignment. We are fulfilling our Board's regulatory requirement by integrating Registered Dispensing Opticians into our Board, constituting the Dispensing Opticians Committee and establishing a new and productive partnership with opticians throughout the State.

As we look at access to quality eye care, we will sponsor legislation, understand the future role of mobile optometric facilities as well as examine alternative methodologies for delivery of optometric and dispensing services in the most underserved areas of California. We will also be evaluating, assessing and educating the public regarding new technological advancements in eye care such as online, telemedicine and concierge services in California in keeping with our mission to promote consumer protection and care. And lastly, evaluating and refreshing regulations such as licensing processes and electronic database use will help keep us current with today's optometric and opticianry practices.

While these issues are priorities for the Board, we remain focused in our commitment to strongly advocate for public protection through our actions as a unified public policy voice. On behalf of the Board, we thank you for your interest in our Strategic Plan.

Sincerely,

A handwritten signature in cursive script that reads "Cyd".

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

The Board created a DOC Appointments Committee, comprised of two members, to vet potential candidates and make recommendations to the full Board. The DOC will begin meeting in mid-2017.

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.
- 3.8 Explore the feasibility of proposing legislation to merge the RDO and Optometry funds to stabilize the long-term Optometry fund condition. (Issue 1, Issue 2, Organizational Realignment)

3.9 Explore the feasibility of proposing legislation to merge the RDO program into the Optometry Practice Act. (issue 2, Organizational Realignment)

3.10 Work in conjunction with all stakeholders to ensure consumer protection is weighed equally with consumer choice so legislation and/or regulation promotes fair access to goods and services while informing consumers of the risks and benefits such goods and services afford. (issue 14)

3.11. Develop and implement a new inspection program using best practices from other existing programs within DCA. If necessary, sponsor/approve legislation or regulatory amendments to improve inspection authority language. (Issue #10)

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.
- 4.10 Improve working relationships with the Attorney General's Office, Division of Investigation, District Attorneys and other Government Agencies to identify and fix enforcement bottlenecks and streamline enforcement processes.
- 4.11 Develop and implement a new inspection program using best practices from other existing programs within DCA. (Issue #10)

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.

5.9 Conduct an in depth audit the Board's website and update information for consumers, licensees, and registrants. (Issue #12)

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.

