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To: Board Members

Date: January 26, 2018

From: Committee Chairs

Telephone: (916) 575-7170

Subject: Agenda Item 7 – Update, Discussion and Possible Action Regarding Board Committee Reports

A. Dispensing Optician Committee (DOC)

From Ruby Garcia, DOC Chair

The DOC is moving from its monthly schedule in 2017 to meeting quarterly in 2018. The meeting dates will coincide with the already schedule Board committee meetings. This saves in resources and allows staff and the members additional time in between meetings to implement its goals.

As such, the next scheduled meeting is March 23, 2018. While the agenda has not been finalized, the DOC anticipates discussions surrounding the national exam and presentations from different examination administrators. In addition, it will consider any recommendations from the DOC Chair and Vice Chair on the Disciplinary Guidelines for the Registered Dispensing Optician Program, discuss its progress on its outreach campaign and receive updates regarding the occupational analyses for the two national exams.

B. Consumer Protection Committee (CPC)

From Mark Morodomi, CPC Chair

1. Disciplinary Guidelines

The Board's Strategic Plan Object 4.8 is to analyze the [2012 Disciplinary Guidelines](#) for optometrists and revise where necessary, to promote consistency and fairness with enforcement decisions and enhance consumer protection. While Board staff initially proposed starting this process in October 2018, the Dispensing Optician Committee is developing the Registered Dispensing Optician (RDO) Program Disciplinary Guidelines now. Thus, staff recommended, and the CPC agreed, to do a concurrent review for efficiency – allowing the Board to submit one rulemaking packet through the Office of Administrative Law.

Given the complexity of the Disciplinary Guidelines, the CPC selected two members (Mark Morodomi and Dr. Debra McIntyre) to assist in reviewing the current guidelines, analyze other guidelines from healing arts boards, and develop recommendations for CPC consideration.

2. Inspection Program

The CPC reviewed research presented by staff regarding six DCA Boards and Bureaus with existing inspection programs including Veterinary Medical Board, California State Board of

Pharmacy, Board of Barbering and Cosmetology, Dental Board of California, Cemetery and Funeral Bureau, and the Bureau of Electronic & Appliance Repair, Home Furnishings & Thermal Insulation.

The CPC discussed the different programs and compared it to the Board's population, staff size, and funding. In addition, the committee discussed pursuing a proactive inspection program rather than a complaint driven [i.e., reactive] inspection program - based on existing resources. The inspection program would also include an educational element for licensees – informing them of applicable statutes, things the inspectors will be looking for and checklists they will use. Licensees would also be provided time to come into compliance, should a potential violation exist.

The CPC requested additional information from staff to help develop the inspection program infrastructure. Specifically, staff will work with the committee to develop inspection content using the Board's existing Worksite Monitoring and Auditing Plans, focus on subject matter expert recruitment, and provide more data regarding specific practice locations and grouping by county. Staff will also partner with other Boards to develop training programs for inspectors.

The CPC will continue to update the Board on the inspection program development.

C. Public Relations and Outreach Committee (PROC)

From Maria Sperber, PROC Chair

1. Board Publications

The PROC reviewed publications posted on the Board's website to ensure the disseminated information was current and relevant to consumers. These publications included the following:

- [Online Refractions: Not a Comprehensive Eye Exam](#)
- [Cosmetic Contact Lenses - Change the Look of Your Eyes Safely and Legally](#)
- [Focus on Your Eyes - What to Expect at an Eye Examination](#)

In addition, the CPC reviewed helpful links the Board provides:

- [HIPAA - National Standards to Protect the Privacy of Personal Health Information](#)
- [The Eyes Have It - Get Your Prescription](#)
- [Your Privacy Rights - A Consumer Guide to Health Information Privacy in California](#)

The PROC decided these publications are still current and relevant to consumers and should remain on the Board's website.

In addition, the DCA Public Affairs team presented an updated Outreach Plan Timeline to include more specific details and goals that assist in implementation (Attachment 1). The CPC discussed key messaging while focusing on the overall eye health theme. Short videos will be created educating consumers about the differences of refractions, vision screenings, and comprehensive eye exams, the importance of children obtaining comprehensive eye examinations before starting school, and the dangers of cosmetic contact lenses.

In addition, the timeline includes a #ShowOffYourFrameGame! campaign encouraging children with glasses to wear them in class.

2. Website Design

The CPC requested staff research changing the Board's website template to match the MBC design shown here: www.mbc.ca.gov. Staff reached out to DCA's internet team and had the Board placed on a wait list. DCA anticipates being able to start developing a new website design in August 2018.

D. Practice and Education Committee

From Madhu Chawla, PEC Chair

1. California Code of Regulations (CCR) § 1536 Continuing Optometric Education: Purpose and Requirements – Live Webinars

Board staff is developing a CE course which can be delivered live at CE events and via a webinar on our website. However, course development is not yet completed. Once completed, the PEC will review and decide if it meets the criteria set forth in California Code of Regulations § 1536. This topic was postponed until the content is ready.

The PEC determined eight courses met the criteria set forth in CCR § 1536 and issued approvals. Ten courses were denied, as the PEC determined not enough information was submitted to warrant approval. Feedback was provided to the provider developing the courses, should the provider wish to resubmit in the future.

2. Practice Related Information on Board Website

The PEC discussed practice-related publications on the Board's website. Specifically, members reviewed the following information to determine if the information was still current and relevant to the practice:

- [Release of Prescriptions for Eyeglasses and Contact Lenses - Fact Sheet](#)
- [Spotting Vision Problems](#)
- [The Contact Lens Rule: A Guide for Prescribers and Sellers](#)
- [Web Resources Related to Optometry](#)

The PEC determined all publications were current and relevant to the practice.

E. Children's Vision Workgroup

From Rachel Michelin and Dr. Glenn Kawaguchi, OD

As previously reported, Assembly Member Autumn Burke has agreed to sponsor a Children's Vision bill for the Board again this session. The Children's Vision Workgroup met with Asm. Burke's office in January and continues to work with her office to determine the best approach moving forward. The workgroup will continue to keep the Board updated as the process progresses and seek input and assistance once language is in print.

F. Legislation and Regulation Committee (LRC)

From Rachel Michelin, LRC Chair

1. Mobile Clinic Task Force

During its November meeting, the Board requested the Mobile Clinic Taskforce hold another stakeholder meeting to further discuss licensing optometrists to provide home-bound patient care services. Some members believed a separate license is best for consumer protection, would provide the necessary audit resources, and is easier than requiring notification for each instance. Member requested to hear the specific concerns stakeholders related to this issue.

The taskforce met with stakeholders in December 2017. The stakeholders included representatives from the Congress of California Seniors, educators from schools/colleges of optometry, the California Optometric Association, VSP and Luxottica. After further discussion, it was apparent additional stakeholder meetings were necessary to adequately address the concerns.

The taskforce plans to hold multiple meetings in early 2018 and bring recommendations back the LRC and the Board.

2. Immunization Form and Proposed Regulation

The LRC was ready to review a proposed immunization form and regulation developed by staff and legal counsel to implement AB 443 provisions. However, it was determined the existing statute needed to be amended prior to pursuing regulations. Specifically, BPC § 3041 was amended to state, in pertinent part, the following:

...

(g) (1) *An optometrist certified pursuant to Section 3014.3 shall be certified for the administration of immunizations after the optometrist meets all of the following requirements:*

(A) *Completes an immunization training program **endorsed by the federal Centers for Disease Control and Prevention (CDC)** that, at a minimum, includes hands-on injection technique, clinical evaluation of indications and contraindications of vaccines, and the recognition and treatment of emergency reactions to vaccines, and maintains that training [emphasis added].*

...

However, the CDC does not endorse training programs. Thus, staff recommended and the LRC agreed to postpone initiating the rulemaking process until the statute is amended.

3. BPC § 3070: Statement of Licensure

This item was postponed to a future LRC meeting. Updates will be provided to the Board in April.

4. Optometrist Application and Livescan Form

This item was postponed to a future LRC meeting. Updates will be provided to the Board in April.

5. Proposed 2018 Legislation

The LRC discussed the attached legislative proposals and voted to move them forward for Board approval (Attachment 2). The Board already voted to approve repealing BPC § 3077. All other items should be discussed and voted on by the Board.

6. Proposed 2018 Rulemaking Calendar

The LRC discussed the attached 2018 Rulemaking Calendar and voted to move it forward for Board approval (Attachment 3).

Attachments

1. Outreach Campaign Timeline
2. Legislative Proposals
3. Proposed 2018 Rulemaking Calendar

CA OPTOMETRY BOARD OUTREACH PLAN
TIMELINE

2018	Q1															Q2										
	JANUARY					FEBRUARY					MARCH					APRIL					MAY					
Week of...	1	8	15	22	29	5	12	19	26	-	5	12	19	26	-	2	9	16	23	-	7	14	21	28	-	4
VIDEOS																										
Script Development	Kids Eye Health	Kids Eye Health	Kids Eye Health	Kids Eye Health	Kids Eye Health																Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses
Filming/Editing	Kids Eye Health	Kids Eye Health	Kids Eye Health	Kids Eye Health	Kids Eye Health																					
Run						Kids Eye Health	Kids Eye Health																			
VIDEOS																										
Script Development	Eye Health - Yearly Comp Exam	Guide to Eye Health - Yearly Comp Exam	Guide to Eye Health - Yearly Comp Exam	Guide to Eye Health - Yearly Comp Exam	Guide to Eye Health - Yearly Comp Exam																					
Filming/Editing	Eye Health - Yearly Comp Exam	Guide to Eye Health - Yearly Comp Exam	Guide to Eye Health - Yearly Comp Exam	Guide to Eye Health - Yearly Comp Exam	Guide to Eye Health - Yearly Comp Exam																					
Run						Guide to Eye Health - Yearly Comp Exam	Guide to Eye Health - Yearly Comp Exam																			
CREATIVE																										
Brochures/Fliers	Kids Eye Health	Kids Eye Health	Kids Eye Health	Kids Eye Health	Kids Eye Health																					
Social Media	Kids Eye Health	Kids Eye Health	Kids Eye Health	Kids Eye Health	Kids Eye Health	Develop - Save your Vision Month	Develop - Save your Vision Month	Develop - Save your Vision Month	Develop - Save your Vision Month																	
CREATIVE																										
Brochures/Fliers																										
Social Media																										BACK2SCHOOL - #ShowOffYourFrameGame!
PUBLIC RELATIONS																										
Outreach Events																										
News Releases																										
Op-Ed	Glaucoma Awareness	Glaucoma Awareness	Glaucoma Awareness	Glaucoma Awareness	Glaucoma Awareness																					
SOCIAL MEDIA																										
Twitter	Glaucoma Awareness	Glaucoma Awareness	Glaucoma Awareness	Glaucoma Awareness	Glaucoma Awareness	Kids Eye Health	Kids Eye Health	Kids Eye Health	Kids Eye Health		Save Your Vision Month	Save Your Vision Month	Save Your Vision Month	Save Your Vision Month												
Facebook	Glaucoma Awareness	Glaucoma Awareness	Glaucoma Awareness	Glaucoma Awareness	Glaucoma Awareness	Kids Eye Health	Kids Eye Health	Kids Eye Health	Kids Eye Health		Save Your Vision Month	Save Your Vision Month	Save Your Vision Month	Save Your Vision Month												
ONLINE																										
The DCA Page Blog	Glaucoma Awareness										Save Your Vision Month															
Board Website	Glaucoma Awareness	Glaucoma Awareness	Glaucoma Awareness	Glaucoma Awareness	Glaucoma Awareness						Save Your Vision Month	Save Your Vision Month	Save Your Vision Month	Save Your Vision Month												



				Q3															Q4								
JUNE				JULY					AUGUST					SEPTEMBER					OCTOBER					NOVEMBER			
11	18	25	-	2	9	16	23	30	6	13	20	27	-	3	10	17	24	-	1	8	15	22	29	5	12	19	
Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses																								
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									BACK2SCHOOL - Kids Eye Health Video	BACK2SCHOOL - Kids Eye Health Video	BACK2SCHOOL - Kids Eye Health Video	BACK2SCHOOL - Kids Eye Health Video				LAUNCH - Halloween Contact Lenses											
											Contact Lens Health Video																
				DEVELOP - Halloween Contact Lenses	DEVELOP - Halloween Contact Lenses	DEVELOP - Halloween Contact Lenses	DEVELOP - Halloween Contact Lenses	DEVELOP - Halloween Contact Lenses	DEVELOP - Halloween Contact Lenses	DEVELOP - Halloween Contact Lenses	DEVELOP - Halloween Contact Lenses					Halloween Contact Lenses	Halloween Contact Lenses		Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses						
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BACK2SCHOOL - #ShowOffYourFrameGame!	BACK2SCHOOL - #ShowOffYourFrameGame!	BACK2SCHOOL - #ShowOffYourFrameGame!	BACK2SCHOOL - #ShowOffYourFrameGame!	BACK2SCHOOL - #ShowOffYourFrameGame!	BACK2SCHOOL - #ShowOffYourFrameGame!																						
									BACK2SCHOOL - Kids Eye Health							Halloween Contact Lens Safety	Halloween Contact Lens Safety										
									BACK2SCHOOL - #ShowOffYourFrameGame!	BACK2SCHOOL - #ShowOffYourFrameGame!	BACK2SCHOOL - #ShowOffYourFrameGame!	BACK2SCHOOL - #ShowOffYourFrameGame!				Halloween Contact Lenses	Halloween Contact Lenses		Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses	National Diabetes Month - All DCA	National Diabetes Month - All DCA	National Diabetes Month - All DCA		
									BACK2SCHOOL - #ShowOffYourFrameGame!	BACK2SCHOOL - #ShowOffYourFrameGame!	BACK2SCHOOL - #ShowOffYourFrameGame!	BACK2SCHOOL - #ShowOffYourFrameGame!				Halloween Contact Lenses	Halloween Contact Lenses		Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses	National Diabetes Month - All DCA	National Diabetes Month - All DCA	National Diabetes Month - All DCA		
									BACK2SCHOOL - Kids Eye Health		Contact Lens Health Week								Halloween Contact Lenses					National Diabetes Month - All DCA			
									BACK2SCHOOL - Kids Eye Health	BACK2SCHOOL - Kids Eye Health	BACK2SCHOOL - Kids Eye Health	BACK2SCHOOL - Kids Eye Health				Halloween Contact Lenses	Halloween Contact Lenses		Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses	Halloween Contact Lenses	National Diabetes Month - All DCA	National Diabetes Month - All DCA	National Diabetes Month - All DCA		

R		DECEMBER				
26	-	3	10	17	24	-
National Diabetes Month - All DCA						
National Diabetes Month - All DCA						
National Diabetes Month - All DCA						

LEGISLATIVE PROPOSAL LANGUAGE

Additions: Underlined

Deletions: ~~Strikethrough~~

(1) Amend Business and Professions Code, Division 2, Chapter 7, Article 1, Section 3010.1 to read as follows:

3004.

As used in this chapter, "board" means the California State Board of Optometry.

(2) Amend Business and Professions Code, Division 2, Chapter 7, Article 2, Section 3010.1 to read as follows:

3010.1.

Protection of the public shall be the highest priority for the California State Board of Optometry in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

(3) Amend Business and Professions Code, Division 2, Chapter 7, Article 3, Section 3010.2 to read as follows:

3041.2.

(a) The California State Board of Optometry shall, by regulation, establish educational and examination requirements for licensure to ensure the competence of optometrists to practice pursuant to subdivision (a) of Section 3041. Satisfactory completion of the educational and examination requirements shall be a condition for the issuance of an original optometrist license under this chapter, on and after January 1, 1980. Only those optometrists who have successfully completed educational and examination requirements as determined by the California State Board of Optometry shall be permitted the use of pharmaceutical agents specified by subdivision (a) of Section 3041.

(b) Nothing in this section shall authorize an optometrist issued an original optometrist license under this chapter before January 1, 1996, to use or prescribe therapeutic pharmaceutical agents specified in subdivision (d) of Section 3041 without otherwise meeting the requirements of Section 3041.3.

(4) Repeal Business and Professions Code, Division 2, Chapter 7, Article 4, Section 3077:

~~As used in this section, "office" means any office or other place for the practice of optometry.~~

~~(a) No person, singly or in combination with others, may have an office unless he or she is licensed to practice optometry under this chapter.~~

~~(b) An optometrist, or two or more optometrists jointly, may have one office without obtaining a branch office license from the board.~~

~~(c) On and after October 1, 1959, no optometrist, and no two or more optometrists jointly, may have more than one office unless he or she or they comply with the provisions of this chapter as to an additional office. The additional office, for the purposes of this chapter, constitutes a branch office.~~

~~(d) Any optometrist who has, or any two or more optometrists, jointly, who have, a branch office prior to January 1, 1957, and who desire to continue the branch office on or after that date shall notify the board in writing of that desire in a manner prescribed by the board.~~

~~(e) On and after January 1, 1957, any optometrist, or any two or more optometrists, jointly, who desire to open a branch office shall notify the board in writing in a manner prescribed by the board.~~

~~(f) On and after January 1, 1957, no branch office may be opened or operated without a branch office license. Branch office licenses shall be valid for the calendar year in or for which they are issued and shall be renewable on January 1 of each year thereafter. Branch office licenses shall be issued or renewed only upon the payment of the fee therefor prescribed by this chapter. On or after October 1, 1959, no more than one branch office license shall be issued to any optometrist or to any two or more optometrists, jointly.~~

~~(g) Any failure to comply with the provisions of this chapter relating to branch offices or branch office licenses as to any branch office shall work the suspension of the optometrist license of each optometrist who, individually or with others, has a branch office. An optometrist license so suspended shall not be restored except upon compliance with those provisions and the payment of the fee prescribed by this chapter for restoration of a license after suspension for failure to comply with the provisions of this chapter relating to branch offices.~~

~~(h) The holder or holders of a branch office license shall pay the annual renewal fee therefor in the amount required by this chapter between the first day of January and the first day of February of each year. The failure to pay the fee in advance on or before February 1 of each year during the time it is in force shall ipso facto work the suspension of the branch office license. The license shall not be restored except upon written application and the payment of the penalty prescribed by this chapter, and, in addition, all delinquent branch office fees.~~

~~(i) Nothing in this chapter shall limit or authorize the board to limit the number of branch offices that are in operation on October 1, 1959, and that conform to this chapter, nor prevent an optometrist from acquiring any branch office or offices of his or her parent. The sale after October 1, 1959, of any branch office shall terminate the privilege of operating the branch office, and no new branch office license shall be issued in place of the license issued for the branch office, unless the branch office is the only one operated by the optometrist or by two or more optometrists jointly.~~

~~Nothing in this chapter shall prevent an optometrist from owning, maintaining, or operating more than one branch office if he or she is in personal attendance at each of his or her offices 50 percent of the time during which the office is open for the practice of optometry.~~

~~(j) The board shall have the power to adopt, amend, and repeal rules and regulations to carry out the provisions of this section.~~

~~(k) Notwithstanding any other provision of this section, neither an optometrist nor an individual practice association shall be deemed to have an additional office solely by reason of the optometrist's participation in an individual practice association or the individual practice association's creation or operation. As used in this subdivision, the term "individual practice association" means an entity that meets all of the following requirements:~~

~~(1) Complies with the definition of an optometric corporation in Section 3160.~~

~~(2) Operates primarily for the purpose of securing contracts with health care service plans or other third-party payers that make available eye/vision services to enrollees or subscribers through a panel of optometrists.~~

~~(3) Contracts with optometrists to serve on the panel of optometrists, but does not obtain an ownership interest in, or otherwise exercise control over, the respective optometric practices of those optometrists on the panel.~~

~~Nothing in this subdivision shall be construed to exempt an optometrist who is a member of an individual practice association and who practices optometry in more than one physical location,~~

~~from the requirement of obtaining a branch office license for each of those locations, as required by this section. However, an optometrist shall not be required to obtain a branch office license solely as a result of his or her participation in an individual practice association in which the members of the individual practice association practice optometry in a number of different locations, and each optometrist is listed as a member of that individual practice association.~~

(5) Amend Business and Professions Code, Division 2, Chapter 7, Article 7, Section 3146 to read as follows:

3146.

An optometrist license issued under this chapter expires at midnight on the last day of the month in which the license was issued during the second year of a two-year term if not renewed. ~~at midnight on the last day of the licenseholder's birth month following its original issuance and thereafter at midnight on the last day of the licenseholder's birth month every two years if not renewed.~~ To renew an unexpired license, the optometrist licenseholder shall apply for renewal on a form prescribed by the board and pay the renewal fee prescribed by this chapter.

(6) Amend Business and Professions Code, Division 2, Chapter 7, Article 7, Section 3147 to read as follows:

3147.

(a) Except as otherwise provided by Section 114, an expired optometrist license may be renewed at any time within three years after its expiration, and a retired license issued for less than three years may be reactivated to active status, by filing an application for renewal or reactivation on a form prescribed by the board, paying all accrued and unpaid renewal fees or reactivation fees determined by the board, paying any delinquency fees prescribed by the board, and submitting proof of completion of the required number of hours of continuing education for the last two years, as prescribed by the board pursuant to Section 3059. Renewal or reactivation to active status under this section shall be effective on the date on which all of those requirements are satisfied. If so renewed or reactivated to active status, the license shall continue as provided in Sections 3146 and 3147.5.

(b) Expired Statement of Licensures, Branch Office Licenses, and Fictitious Name Permits issued pursuant to Sections 3070, 3077 and 3078 respectively may be renewed at any time by filing an application for renewal, paying all accrued and unpaid renewal fees, and paying any delinquency fees prescribed by the Board.

(7) Amend Business and Professions Code, Division 2, Chapter 1, Article 11, Section 801 to read as follows:

801.

(a) (1) Except as provided in Section 801.01 and subdivisions (b), (c), and (d) of this section, every insurer providing professional liability insurance to a person who holds a license, certificate, or similar authority from or under any agency specified in subdivision (a) of Section 800 shall send a complete report to that agency as to any settlement **or** arbitration award over three thousand dollars (\$3,000) of a claim or action for damages for death or personal injury caused by that person's negligence, error, or omission in practice, or by his or her rendering of unauthorized professional services. The report shall be sent within 30 days after the written

settlement agreement has been reduced to writing and signed by all parties thereto **or** within 30 days after service of the arbitration award on the parties.

(2) Any agency specified in subdivision (a) of Section 800 may develop a prescribed form for the report.

(3) The report shall be deemed complete only if the insurer providing professional liability insurance to the licensee includes the following information:

(A) The name and last known business and residential addresses of every plaintiff or claimant involved in the matter, whether the person received an award under the settlement or arbitration.

(B) The name and last known business and residential addresses of every licensee who was alleged to have acted improperly, whether that person was a named defendant in the action and whether that person was required to pay any damages pursuant to the settlement or arbitration award.

(C) The name, address, and principal place of business of every insurer providing professional liability insurance to any person described in subparagraph (B), and the insured's policy number.

(D) The name of the court in which the action or any part of the action was filed, and the date of filing and case number of each action.

(E) A description or summary of the facts of each claim, charge, or allegation, including the date of occurrence and the licensee's role in the care or professional services provided to the patient with respect to those services at issue in the claim or action.

(F) The name and last known business address of each attorney who represented a party in the settlement, arbitration, or civil action, including the name of the client he or she represented.

(G) The amount of the arbitration award, the date of its service on the parties, and a copy of the award document; or the amount of the settlement and the date it was reduced to writing and signed by all parties. If an otherwise reportable settlement is entered into after a reportable arbitration award is issued, the report shall include both the settlement and a copy of the award.

(H) Any other information the agency may, by regulation, require.

(b) Every insurer providing professional liability insurance to a person licensed pursuant to Chapter 13 (commencing with Section 4980), Chapter 14 (commencing with Section 4990), or Chapter 16 (commencing with Section 4999.10) shall send a complete report to the Board of Behavioral Sciences as to any settlement or arbitration award over ten thousand dollars (\$10,000) of a claim or action for damages for death or personal injury caused by that person's negligence, error, or omission in practice, or by his or her rendering of unauthorized professional services. The report shall be sent within 30 days after the written settlement agreement has been reduced to writing and signed by all parties thereto or within 30 days after service of the arbitration award on the parties.

(c) Every insurer providing professional liability insurance to a dentist licensed pursuant to Chapter 4 (commencing with Section 1600) shall send a complete report to the Dental Board of California as to any settlement or arbitration award over ten thousand dollars (\$10,000) of a claim or action for damages for death or personal injury caused by that person's negligence, error, or omission in practice, or rendering of unauthorized professional services. The report shall be sent within 30 days after the written settlement agreement has been reduced to writing and signed by all parties thereto or within 30 days after service of the arbitration award on the parties.

(d) Every insurer providing liability insurance to a veterinarian licensed pursuant to Chapter 11 (commencing with Section 4800) shall send a complete report to the Veterinary Medical Board of any settlement or arbitration award over ten thousand dollars (\$10,000) of a claim or action for damages for death or injury caused by that person's negligence, error, or omission in practice, or rendering of unauthorized professional service. The report shall be sent within 30 days after the written settlement agreement has been reduced to writing and signed by all parties thereto or within 30 days after service of the arbitration award on the parties.

(e) The insurer shall notify the claimant, or if the claimant is represented by counsel, the insurer shall notify the claimant's attorney, that the report required by subdivision (a), (b), or (c) has been sent to the agency. If the attorney has not received this notice within 45 days after the settlement was reduced to writing and signed by all of the parties, the arbitration award was served on the parties, or the date of entry of the civil judgment, the attorney shall make the report to the agency.

(f) Notwithstanding any other provision of law, no insurer shall enter into a settlement without the written consent of the insured, except that this prohibition shall not void any settlement entered into without that written consent. The requirement of written consent shall only be waived by both the insured and the insurer. This section shall only apply to a settlement on a policy of insurance executed or renewed on or after January 1, 1971.

Board of Optometry
2018 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2017

Subject: Co-Location Reporting Requirement		CCR Title & Sections Affected: CCR Title 16 § 1514.1		Statute(s) Being Implemented: Business and Professions Code §655	
Responsible Agency Unit: Board of Optometry – Administrative Unit	Contact Person & Phone Number: Todd Kerrin (916) 575-7182	Projected Dates:			
		Notice Published: 04/06/2018	Public Hearing: 05/21/2018	Adoption by your agency: 11/04/2016	To OAL for review: 10/03/2018

Subject: Licensure Examination Requirements to Update Form 39A-1. Rev. 7-09, Form OLA-2, Rev. 11/07, and Form LBC-4, rev. 2/07		CCR Title & Sections Affected: CCR Title 16 §1523		Statute(s) Being Implemented: Business and Professions Code §3044, 3045 and 3057	
Responsible Agency Unit: Board of Optometry	Contact Person & Phone Number: Todd Kerrin (916) 575-7182	Projected Dates:			
		Notice Published: 05/04/2018	Public Hearing: 06/18/2018	Adoption by your agency: 5/27/2016	To OAL for review: 10/31/18

Subject: Delegation of Functions		CCR Title & Sections Affected: CCR Title 16 §1502		Statute(s) Being Implemented: Business and Professions Code §3025, 3027	
Responsible Agency Unit: Board of Optometry	Contact Person & Phone Number: Todd Kerrin (916) 575-7182	Projected Dates:			
		Notice Published: 06/01/2018	Public Hearing: 08/30/2018	Adoption by your agency: 2/19/2016	To OAL for review: 11/28/2018

Subject: Qualifications of Foreign Graduates		CCR Title & Sections Affected: CCR Title 16 §1530.1		Statute(s) Being Implemented: Business and Professions Code §3023.1, 3025, 3025.1, 3025.2 3047, 3050 and 3057.5	
Responsible Agency Unit: Board of Optometry	Contact Person & Phone Number: Todd Kerrin (916) 575-7182	Projected Dates:			
		Notice Published: 07/06/2018	Public Hearing: 10/04/2018	Adoption by your agency: 2/16/2016	To OAL for review: 01/02/2019

Subject: Certificates – Posting		CCR Title & Sections Affected: CCR Title 16 §1506		Statute(s) Being Implemented: Business and Professions Code §3025	
Responsible Agency Unit: Board of Optometry	Contact Person & Phone Number: Todd Kerrin (916) 575-7182	Projected Dates:			
		Notice Published: 08/03/2018	Public Hearing: 09/17/2018	Adoption by your agency: 8/28/2015	To OAL for review: 01/30/2019

Subject: Abandonment of Applications		CCR Title & Sections Affected: CCR Title 16 §1523.5		Statute(s) Being Implemented: Business and Professions Code §3025	
Responsible Agency Unit: Board of Optometry	Contact Person & Phone Number: Todd Kerrin (916) 575-7182	Projected Dates:			
		Notice Published: 09/07/2018	Public Hearing: 10/22/2018	Adoption by your agency: 2/19/2016	To OAL for review: 03/06/2019

Subject: Relating To Accreditation of Schools and Colleges of Optometry		CCR Title & Sections Affected: CCR Title 16 §1503		Statute(s) Being Implemented: Business and Professions Code §3023	
Responsible Agency Unit: Board of Optometry	Contact Person & Phone Number: Todd Kerrin (916) 575-7182	Projected Dates:			
		Notice Published: 10/05/2018	Public Hearing: 11/19/2018	Adoption by your agency: 8/26/2016	To OAL for review: 04/03/2019

Report on the status of all uncompleted rulemaking described on previous calendars: N/A
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