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**To:** Board Members **Date:** August 3, 2018

**From:** Todd Kerrin **Telephone:** (916) 575-7170  
Policy Analyst

**Subject:** **Agenda Item 9 – Update and Possible Action on 2017-18 Legislation Impacting the Practice of Optometry, Healing Arts Boards and Department Wide Programs**

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The following bills, as currently written, impact the Board's functions and the practice of optometry. Legislation versions and status change frequently. For this reason, staff does not print or attach specific bill language. To view the most current bill version, status and corresponding analysis, please click on the applicable hyperlinks below. The information below is current as of April 12, 2018.

#### A. Optometry

##### 1. **SB [1386](#) (McGuire) Professions and vocations**

**Summary:** This bill would repeal the Branch Office License and set a cap on the number of offices in which an optometrist may own or share ownership interest at 11.

**Status:** In Assembly, referred to Appropriations.

**Staff Comments:** As discussed at the June 29<sup>th</sup> meeting of the Legislation and Regulation Committee, the committee is recommending that the Board continue their support of SB 1386, with an additional directive to staff to draft an additional letter of support to be sent to the governor pending the bill's passage out of the legislature.

##### 3. **SB [1480](#) and [1491](#) (Hill)**

**Summary:** These committee bills are intended to consolidate non-controversial provisions related to various health related regulatory programs, including the Board of Optometry. They include creating a more clear way for the Board to allow the renewal or restoration of all expired license types, and updating the renewal date of a license to fall based on the date of issuance rather than the birth month of the licensee

**Status:** [SB 1480](#) is in Assembly Appropriations; [SB 1491](#) is in Assembly Appropriations

**Analysis:** [SB 1480: 06/15/18- Assembly Business and Professions](#)  
[05/26/18- Senate Floor Analyses](#)  
[05/22/18- Senate Appropriations](#)  
[04/19/18- Senate Business, Professions And Economic Development](#)

[SB 1491: 06/15/18- Assembly Business And Professions](#)

[05/16/18- Senate Floor Analyses](#)

[04/19/18- Senate Business, Professions And Economic Development](#)

## B. Healing Arts Boards

### 1. AB [2461](#) (Flora and Obernolte)

**Summary:** This bill requires the Department of Justice to provide subsequent arrest notifications to Boards whose licensees are fingerprinted as a condition of licensure.

**Status:** In Senate, referred to Appropriations.

**Analysis:** [03/19/18- Assembly Public Safety](#)  
[04/02/18- Assembly Appropriations](#)  
[05/29/18- Assembly Floor Analysis](#)  
[06/25/18- Senate Public Safety](#)

## C. Department Wide:

### 1. AB [2138](#) (Chiu) Licensing boards: denial of application: criminal conviction

**Summary:** This bill narrows a board's discretion to deny a professional license in various cases, primarily related to an applicant's criminal history. This bill also adds reporting and record retention requirements regarding applicants with previous criminal history, and mandates that the Board develop criteria for determining whether a particular crime "is directly and adversely related to the qualifications, functions, or duties" of the regulated profession.

**Status:** In Senate, referred to Appropriations.

**Analysis:** [06/25/18- Senate Public Safety](#)

**Staff Comments:** Similar to SB 1386, the Legislation and Regulation Committee at their June 29<sup>th</sup> meeting moved to recommend continued opposition to AB 2138.