

**DISPENSING OPTICIAN COMMITTEE  
 JANUARY 4, 2019  
 DRAFT MEETING MINUTES**

**Department of Consumer Affairs  
 HQ2 Hearing Room  
 1747 North Market Boulevard,  
 Sacramento, CA 95834**

Link for Audio here: <https://www.optometry.ca.gov/meetings/20190104.mp3>

<b>Members Present</b>	<b>Staff Present</b>
Martha Garcia, CLD, SLD, Committee Chair	Shara Murphy, Executive Officer
Adam Bentley	Evan Gage, Assistant Executive Officer
William Kysella, JD, Public Member	Marc Johnson, Policy Analyst
Khan Mattoo, Public Member	Cheree Kimball, Enforcement Program Lead
Anna Watts, CLD, SLD	Natalia Lepper, RDO Licensing Coordinator
	Jessica Swan, Administrative Analyst
<b>Members Absent</b>	<b>Guest List</b>
	On File

**1. Call to Order/Roll Call/Establishment of Quorum and Chair’s Introduction**

**Audio of Discussion: 0:00**

Martha Garcia, Committee Chair, called the meeting to order at 11:00 a.m. Roll was taken with all committee members present and a 5-0 quorum was established.

**2. Public Comment for Items Not on the Agenda**

**Audio of Discussion: 1:20**

Meghan Loper, on behalf of Luxxotica, asked if the meeting was to be webcast.

**3. Review and Possible Approval of Dispensing Optician Committee (DOC) Minutes**

**A. August 2, 2018 - [https://www.optometry.ca.gov/meetings/materials/20190104\\_2.pdf](https://www.optometry.ca.gov/meetings/materials/20190104_2.pdf)**

**Audio of Discussion: 2:06**

Mr. Mattoo asked the spelling of his name be corrected within the minutes. No other changes were made. There was no public comment.

**MOTION: Mr. Kysella motioned that the August 2, 2018 meeting minutes be approved. Ms. Watts seconded the motion. Motion passed 5-0.**

Member	Aye	No	Abstain	Absent	Recusal
Garcia	X				
Bentley	X				
Kysella	X				
Mattoo	X				
Watts	X				

**4. Executive Officer’s Report**

Executive Officer Shara Murphy gave her report to the committee. Weblink:  
[https://www.optometry.ca.gov/meetings/materials/20190104\\_4.pdf](https://www.optometry.ca.gov/meetings/materials/20190104_4.pdf)

**A. Introduction of New Optometry Board Staff**

***Audio of Discussion: 3:40***

Ms. Murphy gave a brief background on herself. She also introduced Evan Gage, Assistant Executive Officer; Marc Johnson, Policy Analyst and Natalia Lepper, RDO Coordinator, as the newest additions to Optometry Board staff.

**B. Registered Dispensing Optician (RDO) Program Fingerprint Delinquency Communication to Renewal Applicants**

***Audio of Discussion: 10:50***

Ms. Murphy explained Board staff was continuing work to make sure all RDO licensees were completing the Live Scan process and reviewing any enforcement data. Mr. Kysella asked staff for better clarification on the exact number of licensees who were undergoing the process. The Committee also wanted further clarification on what the exact process for Live Scan is for opticians.

**C. Status Update of Occupational Analysis**

***Audio of Discussion: 36:36***

Ms. Murphy advised the committee that the Committee’s budget change proposal to conduct an Occupational Analysis was continuing and the signs for approval were favorable.

There was no public comment on these agenda items.

**5. RDO Licensing Program Update**

**A. New Application and Renewal Application Statistics.** Weblink:  
[https://www.optometry.ca.gov/meetings/materials/20190104\\_5.pdf](https://www.optometry.ca.gov/meetings/materials/20190104_5.pdf)

***Audio of Discussion: 38:36***

Ms. Lepper and Ms. Swan provided statistics for the RDO program. The Committee asked staff for better clarification on the numbers since they were not clear. Ms. Garcia also asked staff for a flowchart to better demonstrate the renewal process.

There was no public comment on this agenda item.

**Recess was taken at 11:05 a.m. to 11:25 a.m.**

**6. Update, Discussion and Possible Action Regarding Draft RDO Disciplinary Guidelines and Suggested Regulations; Recommendation to Full Board**

Weblink: [https://www.optometry.ca.gov/meetings/materials/20190104\\_6.pdf](https://www.optometry.ca.gov/meetings/materials/20190104_6.pdf)

***Audio of Discussion: 1:01:28***

Ms. Hamilton provided an overview of recent changes made to the Disciplinary Guidelines (Guidelines) by the Committee and additional red-line item changes proposed, which are largely based on the Board of Registered Nursing. She also gave a short history on the Uniform Standards for Substance Abusing Licensees (Standards) which are to be incorporated into the document.

On page 3, Mr. Kysella asked that a paragraph be added describing what the California State Board of Optometry and Dispensing Opticians Committee does. A global change was made to the reference to 'Opticians' more consistent.

Patrick Le, from the Department of Consumer Affairs, noted that the several changes may occur to the Standards in the coming weeks; staff was directed to incorporate those changes into the document.

The Committee asked that all blank spaces throughout the document be made standard as a global change. On page 13, the text referring to 'Cost Recovery' was moved to the 'Model Disciplinary Terms'.

On page 17, Ms. Murphy asked that the proposed text for the condition 19 'Worksite Monitor' be written in more general terms; Committee agrees. It was noted that the additional text specifying drug / alcohol testing was not clear based on the Standards and should be rewritten; Committee agrees.

As a global change, staff was directed to update the numbering of the conditions. On page 22, Ms. Hamilton described the addition of a 'Restricted Practice' condition; Committee agrees with this addition. On page 23, the term 'Continuing Education' was renamed to 'Professional Education'.

On page 25, it was noted that condition 34 'Biological Fluid Testing' may be changing as part of the updates to the Uniform Standards.

**Lunch was taken from 1:25 p.m. to 2:15 p.m.**

In addition to the changes made during the discussion, the Committee approved additions, deletions and changes to the Guidelines as proposed within the meeting materials. Staff was directed to incorporate all changes made at the meeting and bring back to the Committee at a future date.

Public Comment: Ms. Loper asked the Committee how the public may comment on the proposed document; Ms. Murphy replied that all changes will be posted online and comments will be taken.

**7. Review, Discussion, and Consideration of Requirements for Board's Implementation of AB 2138 (Chapter 995, Statutes of 2018, Chiu; Denial of Applications Based Upon Criminal Convictions); Suggested Updates to RDO Regulations; Recommendation to Full Board**

***Audio of Discussion: 3:36:14***

Ms. Hamilton noted implementation of AB 2138 was beginning with development of regulatory language by DCA Legal; the language has not been finalized as of the Committee meeting. She felt the language may be ready by the Committee's next meeting in March. Mr. Kysella raised the issue of prison training programs within the context of the implementation.

There was no public comment on this agenda item.

**8. Discussion and Possible Action Regarding DOC Priorities Through Next Strategic Planning Process**

***Audio of Discussion: 3:40:32***

Ms. Murphy noted staff would be working on the priority list for Committee direction at a future meeting. She also noted the next Committee meeting would potentially be a full day meeting.

There was no public comment on this agenda item.

**9. Future Agenda Items**

***Audio of Discussion: 3:59:16***

Ms. Watts raised the issue of opticians filling out the incorrect applications on the Board's website; Ms. Murphy replied that staff will go through website to update terms and language to make it more clear and will report to the Committee at a future meeting.

There was no public comment on this agenda item.

**10. Adjournment**

**The Committee adjourned at 4:15 p.m.**