



**DISPENSING OPTICIAN COMMITTEE  
 MARCH 15, 2019  
 DRAFT MEETING MINUTES**

**Burbank City Hall  
 City Council Chambers  
 275 E. Olive Ave  
 Burbank, CA 91502**

**Access Webcast for Discussions: [4:05:16](#)**

<b>Members Present</b>	<b>Staff Present</b>
Martha Garcia, CLD, SLD, Chair	Shara Murphy, Executive Officer
Adam Bentley, SLD	Mina Hamilton, Legal Counsel
William Kysella, JD, Public Member	Anahita Crawford, Deputy Attorney General
Kanchan Mattoo, Public Member	Jessica Swan, Administrative Analyst
Anna Watts, CLD, SLD	Natalia Leeper, RDO Licensing Coordinator
<b>Members Absent</b>	<b>Guest List</b>
	On File

**1. Call to Order / Roll Call**

*Audio of Discussion:* [0:00 / 4:05:16](#)

Martha Garcia, Committee Chair, called the meeting to order at 10:02 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:* [0:35 / 4:05:16](#)

There were no public comments.

**3. Approval of Committee Minutes: January 4, 2019**

*Audio of Discussion:* [0:35 / 4:05:16](#)

**Bill Kysella moved to approve the January 4, 2019 meeting minutes and authorize staff to make the requested edits. Adam Bentley seconded. The Committee voted unanimously (5-0) and the motion passed.**

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

#### 4. Executive Officer's Report

##### A. Introduction of New Program Staff

Audio of Discussion: [2:44 / 4:05:16](#)

##### B. Registered Dispensing Optician (RDO) Program Fingerprint Delinquency Communication

Audio of Discussion: [3:38 / 4:05:16](#)

Mr. Mattoo asked for clarification on the ratio of delinquent to compliant registrants.

##### C. Status Update on Contact and Spectacle Lens Dispenser Occupational Analyses

Audio of Discussion: [6:39 / 4:05:16](#)

Ms. Garcia commented on the Committee's reasoning for performing the Contact Lens Occupational Analysis prior to performing the Spectacle Lens Occupational Analysis versus performing both at the same time. She requested clarification whether this matter should return to the Board for full discussion regarding occupational analysis and testing.

##### D. Overview of Initial Registration Process

Audio of Discussion: [39:46 / 4:05:16](#)

Ms. Garcia questioned the reasoning behind additional registration and application fees for secondary registrations for the same licensee. Ms. Murphy explained that staff looked into whether it would increase processing time efficiency to have applicants pay the full amount for registrations at the front end of the process. The determination was to maintain the two-step process because according to the Board's regulatory authority, refunds of only \$50 are allowed. Ms. Garcia would like the Registered Dispensing Optician licensing program fees to be discussed at a future agenda item.

There were no public comments.

#### 5. Discussion and Possible Action on Future Dispensing Optician Committee Meeting Dates

*Audio of Discussion:* [50:42 / 4:05:16](#)

The Committee proposed the following dates for future meetings:

June 7, 2019 – Teleconference  
Sept. 20, 2019 or Sept. 27, 2019 – Proposed

There were no public comments.

## **6. Status Report Related to RDO New Applications & Renewals**

*Audio of Discussion:* [1:01:16 / 4:05:16](#)

Mr. Bentley requested a metric to see the number of licensees who are renewing vs. the number who are not renewing.

There were no public comments.

## **(TAKEN OUT OF ORDER) 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) and Possible Action to Recommend to Full Board Approval of Implementing Regulations**

*Audio of Discussion:* [1:08:13 / 4:05:16](#)

Ms. Hamilton provided an overview on AB 2138 and the effects on the Committee's regulations. She started with the substantial relationship criteria, which determines if a crime committed is substantially related to the qualifications or duties of an dispensing optician. AB 2138 sets out three factors which must be considered: the nature and gravity of offense; the number of years elapsed since the crime was committed and the nature and duties of the licensure sought. Ms. Hamilton also noted the proposed text was based upon a template provided by DCA Legal Affairs office to all healing arts boards.

Mr. Kysella raised the necessity of adding additional substantially related crimes into regulation. He wanted to make sure the Board was not adding additional barriers for licensure beyond what was required by AB 2138. Ms. Hamilton pointed out that Physician Assistant Board already has additional crimes listed as substantially related within regulation, as PAs have very close contact with patients. Anahita Crawford, from the Office of the Attorney General, also noted that certain crimes are going to be presumed as substantially related crimes. Ms. Murphy felt the inclusion of certain crimes was important since the optician may have close contact with patients, and the relationship between the crime committed and the duties performed by an optician with patients may be of interest for licensing.

**A recess was taken at 11:02 a.m. Committee resumed open session at 11:20 a.m.**

Ms. Hamilton next referred to proposed regulations changing the rehabilitation criteria; she reviewed the current law in place and several factors were added into the template by DCA Legal as mandated by AB 2138.

There were no public comments.

**Bill Kysella moved to recommend to the Board to begin the regulation process and to include the circumstances, nature and gravity of the crimes in number one; to take those edits as otherwise consistent with the template suggestions to the Board’s meeting in April as the DOC’s recommendation. Kanchan Mattoo seconded. The Committee voted unanimously (5-0) motion and the motion passed.**

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

**7. Update and Discussion Regarding Draft Disciplinary Guidelines**

*Audio of Discussion:* [3:13:00 / 4:05:16](#)

The Committee was provided the latest version of the draft disciplinary guidelines for Opticians by Ms. Hamilton. She noted the Guidelines were still a work in progress as several parts of the Uniform Standards were not finalized. The Committee did not have any comments or changes.

There were no public comments.

**9. Discussion and Possible Action Regarding Committee Priorities Through Next Strategic Planning Process**

*Audio of Discussion:* [3:14:16 / 4:05:16](#)

Ms. Murphy brought the current strategic plan before the committee for discussion. A memo was provided to the committee summarizing key priorities. Issues discussed included:

- What the initial educational requirements should be for licensees as well as continuing education. California does not have any educational requirements currently. Staff needs to look for the original document regarding this discussion which looked at the educational requirements of other states.
- Review of the shadow industry practicing under optometrists but not registered with the Board. Legislative change is required to create a path to get opticians in private practice under the Board’s jurisdiction.

The Committee directed staff to review the “shadow” industry of unlicensed employees.

There were no public comments.

## **10. Future Agenda Items**

*Audio of Discussion:* [4:02:20 / 4:05:16](#)

Ms. Garcia would like to have a discussion regarding the cost of becoming registered as a contact lens and/or spectacle lens dispenser, as \$700 is rather high.

Mr. Mattoo would like to discuss how the registration fees affect the Registered Dispensing Optician fund.

There were no public comments.

## **11. Adjournment**

The Committee adjourned at 3:07 p.m.



## ISSUE MEMORANDUM

<b>DATE</b>	June 7, 2019
<b>TO</b>	Members, Dispensing Optician Committee of the California State Board of Optometry (CSBO)
<b>FROM</b>	Shara P. Murphy, Executive Officer
<b>SUBJECT</b>	Agenda Item 4A – Status Report on Occupational Analysis

Dr. Heidi Lincer, Chief of the Office of Professional Examination Services, will provide a verbal update on the status of the Contact Lens Dispenser Occupational Analysis.



## ISSUE MEMORANDUM

<b>DATE</b>	June 7, 2019
<b>TO</b>	Members, California State Board of Optometry (CSBO)
<b>FROM</b>	Shara P. Murphy, Executive Officer prepared by Arsha Qasmi, Lead Analyst - Licensing
<b>SUBJECT</b>	Agenda Item 4B – Licensing Memo

### **New Applications for Registration – Process Improvements**

To address concerns regarding processing times within the Opticianry program, staff spent considerable time and energy in February and March, 2019 auditing processes and procedures (including SLD, CLD, RDO, and NCLS registrations). In March, staff implemented a new procedure whereby Opticianry program staff contacts new applicants within 30 days of application receipt. Applicants are sent a deficiency letter outlining all missing information. Concurrently, the Licensing Lead has worked with BreEZe to implement changes to the application, removing the statement requesting notarization of the application and clarifying the fingerprint requirement. These changes improve processing times and reduce the volume of calls and postal mail received by the Board.

Keeping in mind the Board’s goal of going paperless, staff is working to eliminate paper applications. At present time, if an application expires prior to acceptance or rejection, the applicant cannot go back into BreEZe and submit another application. The applicant must contact Board staff to receive a paper application. Staff is working with the BreEZe team to correct this.

Board staff has observed an increase in the number of opticianry applications received, which is to be expected with American Board of Opticianry exam results posting in May. Despite this uptick, Opticianry program processing times are currently between 6-8 weeks, a reduction of nearly 6 weeks.

### **Opticianry Professional Organization Outreach**

Board staff has been focused on outreach and education for both new and existing opticians. Staff recently was invited to California Association of Dispensing Opticians and California State Society of Opticians to speak with applicants and existing opticians regarding the Board’s processes and the Opticianry Practice Act. In doing so, staff anticipates applicants will understand the application process, and be more aware of the laws that govern opticians.

# ISSUE MEMORANDUM

<b>DATE</b>	June 7, 2019
<b>TO</b>	Members, California State Board of Optometry (CSBO), Dispensing Optician Committee (DOC)
<b>FROM</b>	Shara Murphy, Executive Officer Prepared by Cheree Kimball, Lead Enforcement Analyst
<b>SUBJECT</b>	Agenda Item #4C: Enforcement Program

## Enforcement Goals

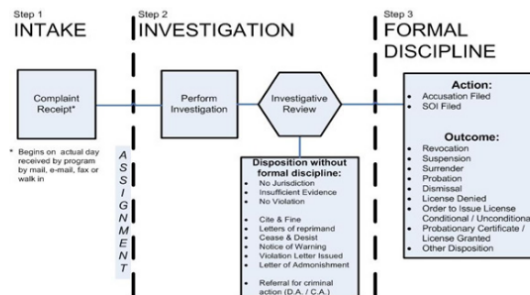
During the February 1, 2019 Board Meeting, Board President Cyd Brandvein requested that Enforcement Staff review enforcement goals.

## Enforcement Performance Measures

In 2010, the Department of Consumer Affairs (DCA) launched the [Consumer Protection Enforcement Initiative](#) (CPEI) (Attachment 1) with the goal of reducing the average enforcement completion timeline across DCA’s healing arts boards.

DCA worked with Boards and Bureaus to develop targets for specific sections of the overall enforcement process. To help track and share the progress towards these targets, DCA developed [Enforcement Performance Measures](#) (Attachment 2) which are reported quarterly to DCA and made available to the public on the [DCA website](#).

Figure 1. Proposed Macro Process for DCA Enforcement



Definitions of the above steps are:

- ▶ **Intake:** This step begins on the actual day the complaint is received by the program, as opposed to when the complaint is date-stamped. Intake also includes acknowledgement of a complaint. It does NOT include jurisdictional review.
- ▶ **Assignment:** The point at which the investigation process begins. This includes assignment to any individual, regardless of job classification.
- ▶ **Investigation:** After assignment, collection and verification of facts to determine jurisdiction and potential violations of law, regardless of who performs it.
- ▶ **Formal Discipline:** Any administrative action that could affect the issuance or status of the professional’s license.



## **Defined Macro Processes**

**Intake:** PM2 of the Enforcement Performance Measures Report measures the number of days between when a case is received until it is either assigned to an analyst for investigation or closed as non-jurisdictional. For CBO, the target average for Intake is 7 days.

**Investigation:** PM3 measures the number of days between when a case is received until it is closed, but only for those cases that are not referred to the Office of the Attorney General (OAG) for disciplinary action. For these cases, the time tracked may include a desk investigation conducted by the assigned analyst, a field investigation conducted by DOI, and a review by an Expert Witness. For CBO, the target average for Investigation is 90 days.

**Formal Discipline:** PM4 measures the number of days between when a case is received until it is closed, but only for those cases that are referred to the OAG for disciplinary action. For these cases, the time tracked may include a desk investigation conducted by the assigned analyst, a field investigation conducted by DOI, a review by an Expert Witness, transmittal of case materials to the OAG office, the full administrative discipline process, and Board review and consideration of the decision in the matter, staff time to process the Board ordered decision, and the time between the order date and effective date of the final decision. For CBO, the target average for Formal Discipline is 540 days.

## **Quarterly Performance Measure Reports**

[Quarterly Performance Measure Reports](#) (Attachment 3) were published by DCA to its website from 2010 until December 2017, when DCA took a hiatus from producing the reports.

DCA has recently started collecting this data again and has broken the data down into subsections of the macro processes. For example, PM4 is broken down to reflect the average number of days that the cases spent in intake, investigation, at the OAG, and, once a draft decision has been received, the time between when the draft is received and when the decision is effective. This will allow us to assess where cases are spending the most time so we can work more directly and effectively on reducing overall case times.

## **The Plan**

Once the new Quarterly Performance Measure Report data is compiled, we will analyze the data to determine where delays in the process may be occurring and what steps can be implemented to reduce or eliminate those delays. Then we will set specific and measurable goals for the reduction of those delays.

**Enforcement Statistics**

	Q1 – FY18/19						Q2 – FY18/19						Q3 – FY18/19						FY Total	
	Routine		Urgent		High		Routine		Urgent		High		Routine		Expedite		High		OPT	RDO
Cases by Priority	OPT	RDO	OPT	RDO	OPT	RDO	OPT	RDO	OPT	RDO	OPT	RDO	OPT	RDO	OPT	RDO	OPT	RDO	OPT	RDO
Received	50	52	0	0	4	0	44	34	0	0	4	1	47	42	0	0	4	4	153	133
Closed	40	44	0	0	3	0	42	45	0	0	3	1	42	49	0	0	1	0	131	139
Average Age (days) – Closed	146	120	0	0	150	0	200	135	0	0	268	163	223	126	0	0	3	0	217	129
Pending	160	130	0	0	17	2	164	124	0	0	15	2	168	120	0	0	16	3	184	123
Average Age (days) – Pending	291	239	0	0	200	155	164	283	0	0	242	226	348	326	0	0	265	219	341	324
Referred to AG	0	1	0	0	2	0	2	2	0	0	0	0	1	0	0	0	2	0	7	3
Pending at AG	6	26	0	0	3	0	8	27	0	0	3	0	7	26	0	0	3	0	10	26
Final Disciplinary Orders	4	5	0	0	0	1	0	0	0	0	0	0	1	1	0	0	0	0	5	7



# ISSUE MEMORANDUM

<b>DATE</b>	June 7, 2019
<b>TO</b>	Dispensing Optician Committee Members, California State Board of Optometry
<b>FROM</b>	Shara Murphy, Executive Officer Marc Johnson, Policy Analyst
<b>SUBJECT</b>	<b>Agenda Item #5 – Overview of Research into Unlicensed Optometric Assistants</b>

## Summary

At the March 15, 2019 Dispensing Optician Committee (DOC) meeting, as part of [Agenda Item #9](#), the DOC discussed upcoming committee priorities. Paramount was the problem of unlicensed optometric assistants (OA) who perform many critical functions with patient evaluation and care while working in an optometry or opticianry office; concern was raised about these assistants not being appropriately trained and regulated to ensure consumer protection. The DOC reported to the Board these concerns at the [April 5, 2019 meeting](#), and the Board subsequently directed staff to research these issues and bring back information and potential recommendations for registration standards. As a first step, this memo sets out research on the industry and potential interventions, but does not make any policy recommendations at this time.

## Background

### **History**

The issue of optometric assistants has been discussed by the Board periodically for many years. Optometric assistants (OAs) perform a variety of tasks under the direct supervision of an optometrist; however, the Optometry Practice Act does not contain standards regulating the training or educational requirements for OAs. Within the last 20 years, the issue was raised in the Board's 2002 Sunset Review and subsequently in the Board's [2012 Sunset Review](#). As part of those Sunset Reviews, the California Legislature requested the Board conduct an occupational analysis of OAs in 2002, and again in 2012 as part of the Board's Sunset Review process.

The Legislature's 2002 and 2012 requests for the Board were to identify the tasks performed by an OA, as well as the knowledge, training, and skill level required to perform these tasks, via an occupational analysis. The occupational analysis will determine if an examination and possible certification is necessary for optometric assistants, and was intended to bolster the Board's mandate to protect the health, safety and welfare of the public. Following the analysis, the Board would potentially

develop regulations establishing the educational and training requirements for optometric assistants. BCPs to conduct the occupational analysis were submitted in 2003 and 2013; the cost for completing the 2013 occupational analysis was estimated at \$40,822 in 2014. Both were denied. The OA issue was not raised as part of the Board's 2016 Sunset Review.

### **Current Law**

Several statutory changes have occurred in the last 20 years, most recently in 2010 by [Assembly Bill 2683](#) (Hernandez, Chapter 604, Statutes of 2010) which further clarified that assistants under the direct oversight of an ophthalmologist or optometrist may carry out certain tasks and functions in any setting where ophthalmology or optometry is practiced.

[BPC §2544](#) sets out the following relating to OAs:

*(a) Notwithstanding any other provision of law, an assistant in any setting where optometry or ophthalmology is practiced who is acting under the direct responsibility and supervision of a physician and surgeon or optometrist may fit prescription lenses. Under the direct responsibility and supervision of an ophthalmologist or optometrist, an assistant in any setting where optometry or ophthalmology is practiced may also do the following:*

- (1) Prepare patients for examination.*
- (2) Collect preliminary patient data, including taking a patient history.*
- (3) Perform simple noninvasive testing of visual acuity, pupils, and ocular motility.*
- (4) Perform automated visual field testing.*
- (5) Perform ophthalmic photography and digital imaging.*
- (6) Perform tonometry.*
- (7) Perform lensometry.*
- (8) Perform nonsubjective auto refraction in connection with subjective refraction procedures performed by an ophthalmologist or optometrist.*
- (9) Administer cycloplegiacs, mydriatics, and topical anesthetics that are not controlled substances, for ophthalmic purposes.*
- (10) Perform pachymetry, keratometry, A scans, B scans, and electrodiagnostic testing.*

*(b) For the purposes of this section, "setting" includes, but is not limited to, any facility licensed by the State Department of Public Health or the State Department of Social Services.*

*(c) Nothing in this section shall be construed to authorize activities that corporations and other artificial legal entities are prohibited from conducting by Section 2400.*

### **Enforcement**

The Board does not receive complaints about OAs since they are not registered with the Board; action is only taken against the optometry licensee associated with the

complaint. As a result, enforcement is not able to track complaints made against unregistered OAs by consumers. A review of all complaints filed against Optometry licensees in 2018 – 2019 reveals about seven total instances which may indicate an issue with unregistered OAs at those offices. Some of the complaints include (for confidentiality reasons, the text is paraphrased):

- *“the Optometrist has several unlicensed optical technicians....who operate sophisticated machinery, who provide no documentation they should be licensed..”*
- *“the optometrist’s secretary said my charts were missing and did not call me back...”*
- *“staff insisted on her obtaining a new eye exam and refused to sell contact lenses...”*
- *“the office manager performed several tests, including patching up the eye and letter tests. He says she is doing better, and that no doctor does the eye exams.”*
- *No doctor was present, just a computer screen did the exam...no dilation was performed..”*

## **Discussion**

### **Governmental Vocational Classifications**

Governmental vocational classification of an OA does not appear to be specifically defined. The California Employment Development Department (CA EDD) does not define optometric assistants as an individual vocation, but states they may also be part of a [“medical assistant” category](#) and can be called “optometric assistants”. However, most of the duties which would be performed by an OA are better defined in CA EDD’s [vocational definition of opticians](#), which also states that those opticians may also be called optometric assistants. The Federal Bureau of Labor Statistics (BLS) does not define optometric assistants, but fits many of their duties under [the “optician” vocation](#). The optician duties listed by BLS are similar to duties listed by the CA EDD.

### **Other DCA Boards – Use of Assistants**

Dental Board of California (DBC): The Dental Board licenses Dental Assistants (DA), whom are required to pass a practical and written exam, a law and ethics exam, and complete various Board approved courses before being issued a license. The basic duties of a DA are set out in [BPC §1705.1](#). DAs can perform a variety of tasks under the supervision of a licensed dentist, including performing basic non-diagnostic exams, removing orthodontic appliances, applying a limited amount of medicines and monitoring basic vitals of a patient.

California State Pharmacy Board (CSPB): The CSPB licenses pharmacy technicians, whom are required to complete coursework with an associate’s degree result, pass a Board approved exam administered by a national organization, and meet various other Board requirements before being issued a license. Their duties are set out in [CCR §1793.2](#) and include drug removal, counting, pouring, labelling and packaging. The



CSPB also sets out basic duties of non-licensed pharmacy personnel in [CCR §1793.3](#), but those duties are limited to data entry, administrative support and basic refills, all under the direct supervision of a licensed pharmacist.

Medical Board of California (MBC): Medical assistants are not licensed, certified, or registered by the MBC. [BPC §2069](#) defines what a medical assistant is and [CCR §1366](#) sets out requirements for what an assistant may do and the training required. In general, a medical assistant is a person who may be unlicensed, who performs basic administrative, clerical, and technical supportive services, under the direct supervision of a licensed physician/surgeon, podiatrist, nurse practitioner or physician assistant. Assistants are also required to obtain certain training to administer drugs or withdraw blood. Additionally, the medical assistant's employer and/or supervising physician's or podiatrist's malpractice insurance carrier may require that the medical assistant be certified by a national or private association per CCR §1366.3.

Physical Therapy Board of California (PTB): The PTB licenses Physical Therapy Assistants (PTA). PTB does not require a license for an individual who is working as a PTA. [CCR Title 16, §1399](#) sets out the requirements for use of physical therapy aides. Under the direct supervision of a Physical Therapist, PTAs may perform basic physical therapy services and also may perform non-patient related tasks such as patient registration, physical support during a transfer and various administrative functions.

### **Other States**

Although staff did not survey all 50 states, a sampling of several other states as a comparison was performed. None were found to register or license optometric assistants, but some duties of an OA are defined, similar to California.

North Carolina does not appear to register or license assistants. North Carolina sets out [in regulation](#) the duties of an optometric assistant, optometric lab assistant and optometric technician. These duties are similar to what is defined in California law. These assistants are defined as 'paraoptometric personnel' (a designation by the American Academy of Optometry, see further description below).

Illinois does not appear to register or license assistants. Duties of an assistant are defined [in regulation](#), under the direct supervision of an optometrist, using the optometrist's "professional judgement". Regulations also specifically describe what an unlicensed person *may not* do. These duties are similar to what is defined in California law.

Florida does not appear to register or license assistants but does define them as "supportive personnel". Duties of supportive personnel are defined [in regulation](#). These duties are similar to what is defined in California law. A regulation also sets out the *performance* of delegated tasks by non-licensed personnel.



New York does not appear to register or license assistants. Duties of an assistant or supportive personnel do not appear to be defined in [law or regulation](#).

**Professional / Industry Definitions**

Definition of what an unlicensed OA does by professional or industry associations varies. The American Academy of Optometry and the Optometric Extension Program Foundation do not appear to define optometric assistants. The American Board of Opticianry does not include a designation or training for a sub-class of opticianry.

The American Optometric Association does not define unlicensed OAs as “assistants” but calls them [“paraoptometrics”](#). There are several sub-classes of paraoptometrics, but according to the AOA, paraoptometrics are *“allied health professionals who assist optometrists in providing their highest level of vision care to patients. Front office procedures, chair-side assisting, pre-testing, contact lens instruction, frame styling and fitting, and vision therapy are just a few of the many duties paraoptometrics perform while working directly with an optometrist.”* AOA does offer a [certification program](#) and a [comprehensive study guide](#). According to the AOA, there are approximately 180 paraoptometrics in California, and 6,792 total in the United States.

Internet searches for “optometric assistant” or “optometrist assistant” return jobs and training options. Multiple OA training programs exist, with one example from [National Career Education](#) (a private vocational college) offering an “optometric assistant diploma”. The California Bureau of Private Postsecondary Education, who regulates private postsecondary schools, only lists two schools in California who offer training in the OA field.

<b>Jurisdiction</b>	<b>Regulation</b>	<b>Registration</b>
<i>State of North Carolina</i>	<i>Paraoptometrics</i>	<i>None</i>
<i>State of Illinois</i>	<i>Optometric assistants</i>	<i>None</i>
<i>State of Florida</i>	<i>Optometric Supportive Personnel</i>	<i>None</i>
<i>State of New York</i>	<i>None</i>	<i>None</i>
<b>Organization</b>	<b>Classification</b>	<b>Certification</b>
<i>American Academy of Optometry</i>	<i>None</i>	<i>None</i>
<i>Optometric Extension Program Foundation</i>	<i>None</i>	<i>None</i>
<i>American Optometric Association</i>	<i>Paraoptometrics</i>	<i>Entry, Intermediate, Advanced, and Specialty in billing</i>
<i>American Board of Opticianry</i>	<i>None</i>	<i>None</i>

## **Further Considerations**

The Board may wish to consider the following issues:

1. In the past, the Legislature has clearly identified the regulation of OAs as an issue. Additionally, in past Board discussions, concern has been raised about the confusion over the scope of practice for these assistants, and some assistants interpreted the Act incorrectly and were operating outside of their scope of practice. Anecdotally, some of these assistants may be calling themselves 'opticians' when they are clearly not registered as such. As the Board's highest priority is protection of the public, these are clear concerns to address.

2. Scope of registration: if the Board were to create a new OA registration, would it apply to all employees of an optometric office? In a physician's office, some staff is registered (such as licensed nurse practitioners), while others are not (such as medical assistants or record keepers). How would this change the staffing needs of optometrists?

3. Creation of a new registration (or expansion of the Optician Program) would be a multi-step process, and would likely take several years.

- The Board would need to apply for an Optometry Fund augmentation in a Budget Change Proposal of approximately \$45,000 (versions of which have been rejected twice, 2002 and 2012.) to conduct an occupational analysis.
- Dependent upon approval, an occupational analysis (ranging in length from six-months to one-year) would then be conducted to determine the scope of duties performed by an OA.
- The Board would need to define, discuss and set out the specific duties of a new classification, based upon the statutory definition in BPC §2544; and additional statutory authority would be needed to collect registration and renewal fees.
- An increase in the population of regulated professionals would create additional workload for the Board and would require additional staff to process and monitor a new classification. At a minimum, an Office Technician for registration processing and a Staff Service Analyst for enforcement actions would likely be required. This would result in a significant impact to the Optometry Fund.
- Regulations to implement the new classification would be needed, including posting requirements, forms, registration requirements and enforcement actions and processes. This would take approximately a year to implement.
- Finally, a new classification might require representation by an additional professional member on the Board and/or DOC.

4. Given the scope of practice for an OA, timeline and inclusion of a new classification, does this issue belong within the DOC, the Board or newly-created committee/work group?



5. The Board's current 2017-2020 strategic plan does not set out goals for the registration of OAs, other than outreach to educate existing licensees about the scope of practice for an OA. The next strategic plan will be developed in the coming year, and the Board may wish to list goals related to development and registration of a new classification or regulations based in [BPC §2544](#).

6. The Dental and Pharmacy Boards outsource the exam and training requirements for assistants to national organizations. The Board may wish to create a new classification using the AOA's paraoptometric assistant program in a similar manner.

## Optometry License Applications FY 17/18 - 18/19

**OPT:** Optometrist License  
**BOL:** Branch Office License  
**SOL:** Statement of Licensure  
**FNP:** Fictitious Name Permit

		FY 17/18	Q1			Q2			Q3			Q4			FY 18/19	
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total	
<b>OPT Exam Requests</b>	Paper Exam Requests Received	16	0	0	0	0	0	0	0	0	0	1	0		1	
	Online Exam Requests Received	325	18	20	29	18	14	20	59	45	43	41	36		343	
	Approved Paper Exam Requests	13	1	0	0	0	0	0	0	0	0	0	0		1	
	Approved Online Exam Requests	318	20	13	0	49	17	14	59	46	46	42	34		340	
	Paper Exam Request Avg. Time (Days)	27	36	0	0	0	0	0	0	0	0	0	0		18	
	Online Exam Request Avg. Time (Days)	9	31	11	0	30	28	12	2	2	0	0	0		9	
	Withdrawn/Cancelled Applications	16	0	0	0	0	0	0	4	0	0	1	0		5	
	<b>OPT License Apps</b>	License Applications Opened	351	22	15	1	52	17	14	16	3	6	21	37		204
		Licenses Issued	210	68	53	32	33	11	13	14	15	4	4	12		259
	License Application Average Time (Days)	132	138	134	126	179	230	135	201	190	295	179	266		156	
	Withdrawn/Cancelled	44	4	3	3	2	0	3	0	2	5	3	7		32	

## Optometry License Applications FY 17/18 - 18/19

OPT: Optometrist License  
 BOL: Branch Office License  
 SOL: Statement of Licensure  
 FNP: Fictitious Name Permit

	FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
	Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>BOLS</b>	Paper Applications Received	27	0	2	2	4	0	0	0	0	0	0	0	8
	Online Applications Received	53	4	5	3	4	4	2	2	1	2	0	0	27
	Paper Applications Approved	31	2	1	0	3	3	0	0	0	0	0	0	9
	Online Applications Approved	45	1	3	0	6	3	3	0	0	0	0	0	16
	Paper Applications Average Time (Days)	55	55	21	0	44	36	0	0	0	0	0	0	41
	Online Applications Average Time (Days)	43	25	10	0	44	23	25	0	0	0	0	0	29
	Withdrawn/Cancelled	11	2	2	1	2	0	0	0	0	3	0	0	10

	FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
	Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>SOLS</b>	Paper Applications Received	117	0	2	0	5	3	2	12	7	6	2	5	44
	Online Applications Received	165	24	33	17	30	15	30	125	88	69	45	40	516
	Paper Applications Approved	83	1	9	0	1	0	0	0	9	10	14	1	45
	Online Applications Approved	162	23	33	15	27	16	28	122	86	67	46	38	501
	Paper Application Average Time (Days)	38	46	98	0	87	0	0	0	98	65	53	20	74
	Online Application Average Time (Days)	30	0	0	0	0	0	0	0	0	0	0	0	0
	Withdrawn/Cancelled	45	0	1	1	11	0	0	0	7	2	1	0	23

	FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
	Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>FNPs</b>	Paper Applications Received	62	3	4	0	7	6	3	6	1	7	2	4	43
	Online Applications Received	114	11	9	3	13	22	10	26	12	33	16	12	167
	Paper Applications Approved	68	2	3	0	2	3	2	7	3	4	3	4	33
	Online Applications Approved	82	8	11	2	1	15	3	7	4	9	10	9	79
	Paper Application Average Time (Days)	79	54	52	0	82	55	106	86	102	90	91	83	81

<b>Online Application Average Time (Days)</b>	60	40	47	56	77	63	62	69	96	92	81	84		69
<b>Withdrawn/Cancelled</b>	32	0	2	0	0	1	0	4	12	13	8	4		44

## Optometry License Renewals FY 17/18 - 18/19

OPT: Optometrist License  
 BOL: Branch Office License  
 SOL: Statement of Licensure  
 FNP: Fictitious Name Permit

		FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
OPTs	Paper Renewals Approved	1355	91	118	94	136	52	26	8	4	5	5	3		542
	Online Renewals Approved	2385	201	232	213	236	268	229	382	299	280	313	333		2986
	Paper Renewals Average Time (Days)	9	7	8	5	10	22	19	25	91	49	28	212		12
	Online Renewals Average Time (Days)	5	2	3	6	7	2	1	2	2	2	2	3		2

		FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
BOLs	Paper Renewals Approved	210	0	0	0	0	0	0	0	0	0	0	0		0
	Online Renewals Approved	138	0	0	0	0	0	0	0	0	0	0	0		0
	Paper Renewals Average Time (Days)	6	0	0	0	0	0	0	0	0	0	0	0		0
	Online Renewals Average Time (Days)	1	0	0	0	0	0	0	0	0	0	0	0		0

		FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
SOLs	Paper Renewals Approved	112	15	17	9	13	5	3	1	0	10	0	2		75
	Online Renewals Approved	243	27	29	22	16	18	20	34	29	77	35	39		346
	Paper Renewals Average Time (Days)	3	6	5	6	3	6	19	3	0	309	0	31		6
	Online Renewals Average Time (Days)	2	0	0	0	0	0	0	0	0	8	0	0		0

		FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
FNPs	Paper Renewals Approved	881	0	1	1	0	3	11	6	1	1	8	1		33
	Online Renewals Approved	555	1	1	1	2	513	190	379	61	38	22	10		1218
	Paper Renewals Average Time (Days)	7	0	645	1	0	0	6	8	22	5	52	95		37
	Online Renewals Average Time (Days)	2	0	0	0	0	71	0	0	0	0	7	3		0

## Opticianry Program Applications FY 17/18 - 18/19

RDO: Registered Dispensing Optician

CLD: Contact Lens Dispenser

SLD: Spectacle Lens Dispenser

NRCLD: Non-Resident Contact Lens Dispenser

		FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
RDOs	Paper Applications Received	59	0	2	1	0	0	0	0	0	0	0	0		3
	Online Applications Received	152	10	21	17	22	21	17	8	15	17	17	29		194
	Paper Applications Approved	84	1	2	6	4	1	0	0	0	0	0	0		14
	Online Applications Approved	52	1	3	11	9	8	4	13	6	13	15	4		87
	Paper Applications Average Time (Days)	127	168	156	136	79	71	0	0	0	0	0	0		120
	Online Applications Average Time (Days)	80	82	142	103	85	100	82	72	116	102	55	72		87
	Expired/Withdrawn/Cancelled	44	1	8	24	2	7	9	23	14	14	11	15		128

		FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
CLDs	Paper Applications Received	62	0	1	0	1	2	3	2	2	2	1	0		14
	Online Applications Received	92	4	15	6	8	23	9	9	22	9	7	11		123
	Paper Applications Approved	67	2	0	1	9	1	0	1	1	2	1	1		19
	Online Applications Approved	60	10	6	9	32	13	8	28	19	16	9	6		156
	Paper Applications Average Time (Days)	88	156	0	199	80	103	0	77	0	115	121	11		105
	Online Applications Average Time (Days)	75	116	100	109	62	88	72	58	51	34	97	19		70
	Expired/Withdrawn/Cancelled	18	3	0	3	0	1	0	5	4	2	3	2		23

## Opticianry Program Applications FY 17/18 - 18/19

RDO: Registered Dispensing Optician

CLD: Contact Lens Dispenser

SLD: Spectacle Lens Dispenser

NRCLD: Non-Resident Contact Lens Dispenser

		FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>SLDs</b>	Paper Applications Received	153	4	8	2	4	6	6	2	2	5	2	1		42
	Online Applications Received	257	21	48	23	34	35	21	22	42	23	23	73		365
	Paper Applications Approved	196	3	8	4	8	2	5	3	8	4	3	2		50
	Online Applications Approved	146	8	21	22	48	26	28	40	46	33	26	38		336
	Paper Applications Average Time (Days)	120	59	59	146	116	141	66	114	94	334	112	36		112
	Online Applications Average Time (Days)	77	131	125	122	89	107	90	84	72	53	79	48		84
	Expired/Withdrawn/Cancelled	49	4	11	3	4	3	2	6	3	6	1	5		48

		FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>NRCLDs</b>	Paper Applications Received	2	0	0	0	0	0	0	0	0	0	0	0		0
	Online Applications Received	2	0	0	0	0	0	1	0	1	0	0	1		3
	Paper Applications Approved	2	0	0	0	0	0	0	0	0	0	0	0		0
	Online Applications Approved	0	0	0	1	0	0	0	0	1	1	0	0		3
	Paper Applications Average Time (Days)	225	0	0	0	0	0	0	0	0	0	0	0		0
	Online Applications Average Time (Days)	0	0	0	111	0	0	0	0	51	0	0	0		62
	Expired/Withdrawn/Cancelled	2	0	0	0	0	0	0	0	0	1	0	0		1





## Opticianry Program Applications FY 17/18 - 18/19

RDO: Registered Dispensing Optician

CLD: Contact Lens Dispenser

SLD: Spectacle Lens Dispenser

NRCLD: Non-Resident Contact Lens Dispenser

	FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
	Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
RDOs	Paper Applications Received	59	0	2	1	0	0	0	0	0	0	0	0	3
	Paper Applications Approved	84	1	2	6	4	1	0	0	0	0	0	0	14
	Paper Applications Average Time (Days)	127	168	156	136	79	71	0	0	0	0	0	0	120
	Online Applications Received	152	10	21	17	22	21	17	8	15	17	17	29	194
	Online Applications Approved	52	1	3	11	9	8	4	13	6	13	15	4	87
	Online Applications Average Time (Days)	80	82	142	103	85	100	82	72	116	102	55	72	87
	Expired/Withdrawn/Cancelled	44	1	8	24	2	7	9	23	14	14	11	15	128

	FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
	Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
CLDs	Paper Applications Received	62	0	1	0	1	2	3	2	2	2	1	0	14
	Paper Applications Approved	67	2	0	1	9	1	0	1	1	2	1	1	19
	Paper Applications Average Time (Days)	88	156	0	199	80	103	0	77	0	115	121	11	105
	Online Applications Received	92	4	15	6	8	23	9	9	22	9	7	11	123
	Online Applications Approved	60	10	6	9	32	13	8	28	19	16	9	6	156
	Online Applications Average Time (Days)	75	116	100	109	62	88	72	58	51	34	97	19	70
	Expired/Withdrawn/Cancelled	18	3	0	3	0	1	0	5	4	2	3	2	23

## Opticianry Program Applications FY 17/18 - 18/19

RDO: Registered Dispensing Optician

CLD: Contact Lens Dispenser

SLD: Spectacle Lens Dispenser

NRCLD: Non-Resident Contact Lens Dispenser

		FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>SLDs</b>	Paper Applications Received	153	4	8	2	4	6	6	2	2	5	2	1		42
	Paper Applications Approved	196	3	8	4	8	2	5	3	8	4	3	2		50
	Paper Applications Average Time (Days)	120	59	59	146	116	141	66	114	94	334	112	36		112
	Online Applications Received	257	21	48	23	34	35	21	22	42	23	23	73		365
	Online Applications Approved	146	8	21	22	48	26	28	40	46	33	26	38		336
	Online Applications Average Time (Days)	77	131	125	122	89	107	90	84	72	53	79	48		84
	Expired/Withdrawn/Cancelled	49	4	11	3	4	3	2	6	3	6	1	5		48

		FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>NRCLDs</b>	Paper Applications Received	2	0	0	0	0	0	0	0	0	0	0	0		0
	Paper Applications Approved	2	0	0	0	0	0	0	0	0	0	0	0		0
	Paper Applications Average Time (Days)	225	0	0	0	0	0	0	0	0	0	0	0		0
	Online Applications Received	2	0	0	0	0	0	1	0	1	0	0	1		3
	Online Applications Approved	0	0	0	1	0	0	0	0	1	1	0	0		3
	Online Applications Average Time (Days)	0	0	0	111	0	0	0	0	51	0	0	0		62
	Expired/Withdrawn/Cancelled	2	0	0	0	0	0	0	0	0	1	0	0		1



**Optometry License Applications FY 17/18 - 18/19**

OPT: Optometrist License  
 BOL: Branch Office License  
 SOL: Statement of Licensure  
 FNP: Fictitious Name Permit

		FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
		Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
OPT Exam Requests	Paper Exam Requests Received	16	0	0	0	0	0	0	0	0	0	1	0		1
	Approved Paper Exam Requests	13	1	0	0	0	0	0	0	0	0	0	0		1
	Paper Exam Request Avg. Time (Days)	27	36	0	0	0	0	0	0	0	0	0	0		18
	Online Exam Requests Received	325	18	20	29	18	14	20	59	45	43	41	36		343
	Approved Online Exam Requests	318	20	13	0	49	17	14	59	46	46	42	34		340
	Online Exam Request Avg. Time (Days)	9	31	11	0	30	28	12	2	2	0	0	0		9
	Withdrawn/Cancelled Applications	16	0	0	0	0	0	0	4	0	0	1	0		5
OPT License /	License Applications Opened	351	22	15	1	52	17	14	16	3	6	21	37		204
	Licenses Issued	210	68	53	32	33	11	13	14	15	4	4	12		259
	License Application Average Time (Days)	132	138	134	126	179	230	135	201	190	295	179	266		156
	Withdrawn/Cancelled Applications	44	4	3	3	2	0	3	0	2	5	3	7		32

## Optometry License Applications FY 17/18 - 18/19

OPT: Optometrist License

BOL: Branch Office License

SOL: Statement of Licensure

FNP: Fictitious Name Permit

	FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
	Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
BOLs	Paper Applications Received	27	0	2	2	4	0	0	0	0	0	0	0	8
	Paper Applications Approved	31	2	1	0	3	3	0	0	0	0	0	0	9
	Paper Applications Average Time (Days)	55	55	21	0	44	36	0	0	0	0	0	0	41
	Online Applications Received	53	4	5	3	4	4	2	2	1	2	0	0	27
	Online Applications Approved	45	1	3	0	6	3	3	0	0	0	0	0	16
	Online Applications Average Time (Days)	43	25	10	0	44	23	25	0	0	0	0	0	29
	Withdrawn/Cancelled	11	2	2	1	2	0	0	0	0	3	0	0	10

	FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
	Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
SOLs	Paper Applications Received	117	0	2	0	5	3	2	12	7	6	2	5	44
	Paper Applications Approved	83	1	9	0	1	0	0	0	9	10	14	1	45
	Paper Applications Average Time (Days)	38	46	98	0	87	0	0	0	98	65	53	20	74
	Online Applications Received	165	24	33	17	30	15	30	125	88	69	45	40	516
	Online Applications Approved	162	23	33	15	27	16	28	122	86	67	46	38	501
	Online Application Average Time (Days)	30	0	0	0	0	0	0	0	0	0	0	0	0
	Withdrawn/Cancelled	45	0	1	1	11	0	0	0	7	2	1	0	23

	FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
	Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
FNPs	Paper Applications Received	62	3	4	0	7	6	3	6	1	7	2	4	43
	Paper Applications Approved	68	2	3	0	2	3	2	7	3	4	3	4	33
	Paper Applications Average Time (Days)	79	54	52	0	82	55	106	86	102	90	91	83	81
	Online Applications Received	114	11	9	3	13	22	10	26	12	33	16	12	167
	Online Applications Approved	82	8	11	2	1	15	3	7	4	9	10	9	79
	Online Application Average Time (Days)	60	40	47	56	77	63	62	69	96	92	81	84	69
	Withdrawn/Cancelled	32	0	2	0	0	1	0	4	12	13	8	4	44

## Optometry License Renewals FY 17/18 - 18/19

OPT: Optometrist License  
 BOL: Branch Office License  
 SOL: Statement of Licensure  
 FNP: Fictitious Name Permit

	FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
	Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>OPTs</b>	Paper Renewals Approved	1355	91	118	94	136	52	26	8	4	5	5	3	542
	Paper Renewals Average Time (Days)	9	7	8	5	10	22	19	25	91	49	28	212	12
	Online Renewals Approved	2385	201	232	213	236	268	229	382	299	280	313	333	2986
	Online Renewals Average Time (Days)	5	2	3	6	7	2	1	2	2	2	2	3	2

	FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
	Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>BOLs</b>	Paper Renewals Approved	210	0	0	0	0	0	0	0	0	0	0	0	0
	Paper Renewals Average Time (Days)	6	0	0	0	0	0	0	0	0	0	0	0	0
	Online Renewals Approved	138	0	0	0	0	0	0	0	0	0	0	0	0
	Online Renewals Average Time (Days)	1	0	0	0	0	0	0	0	0	0	0	0	0

	FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
	Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>SOLs</b>	Paper Renewals Approved	112	15	17	9	13	5	3	1	0	10	0	2	75
	Paper Renewals Average Time (Days)	3	6	5	6	3	6	19	3	0	309	0	31	6
	Online Renewals Approved	243	27	29	22	16	18	20	34	29	77	35	39	346
	Online Renewals Average Time (Days)	2	0	0	0	0	0	0	0	0	8	0	0	0

	FY 17/18	Q1			Q2			Q3			Q4			FY 18/19
	Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>FNPs</b>	Paper Renewals Approved	881	0	1	1	0	3	11	6	1	1	8	1	33
	Paper Renewals Average Time (Days)	7	0	645	1	0	0	6	8	22	5	52	95	37
	Online Renewals Approved	555	1	1	1	2	513	190	379	61	38	22	10	1218
	Online Renewals Average Time (Days)	2	0	0	0	0	71	0	0	0	0	7	3	0