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**DISPENSING OPTICIAN COMMITTEE
TELECONFERENCE MEETING AGENDA**

MEMBERS OF THE COMMITTEE

Martha "Ruby" Garcia, CLD, SLD, Chair
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**Thursday, June 18, 2020
10:00 to 1:00 PM
(or until completion of business)**

This public meeting will be held via WebEx Events. To participate in the Webex meeting, please log on to this website the day of the meeting using this link:

<https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=e347262c343f29e5b3e218b1da596b829>

NOTICE: Pursuant to Governor Gavin Newsom's Executive Order N-29-20, in response to the COVID-19 pandemic, the meeting is being held entirely telephonically. No physical public location is being made available for public participation. Members of the public may observe or participate using the link above. Due to potential technical difficulties, please consider submitting written comments via email prior to the meeting: optometry@dca.ca.gov

ORDER OF ITEMS SUBJECT TO CHANGE. ACTION MAY BE TAKEN ON ANY ITEM ON THE AGENDA.

- 1. Call to Order/Roll Call**
- 2. Public Comment for Items Not on the Agenda**
Note: The committee may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code §11125, §11125.7(a)].
- 3. Update, Discussion and Possible Action on Spectacle Lens Dispenser Occupational Analysis – Dr. Heidi Lincer, Chief, Office of Professional Examination Services**
- 4. Executive Officer's Report**
 - A. Optician Licensing Program**
 - B. Optician Enforcement Program**
 - C. Opticianry Program Fund Condition**
- 5. Discussion and Possible Approval of Committee Minutes from January 30, 2020**
- 6. Discussion on Comparison of Pass Rates of the American Board of Opticianry Exam in Other States**

- 7. Update, Discussion and Possible Action on Title 16, §§1399.270 – 1399.285 of California Code of Regulations (Optician Program Regulations); Possible Referral to Full Board**
- 8. Update, Discussion and Possible Action on Changes to Dispensing Optician Statutes**
 - A. Chapter 5.4, Division 2 (Prescription Lens) of the Business and Professions Code**
 - B. Chapter 5.45, Division 2 (Nonresident Contact Lens Sellers) of the Business and Professions Code**
 - C. Chapter 5.5, Division 2 (Registered Dispensing Opticians) of the Business and Professions Code**
- 9. Review, Discussion and Possible Action on Optometry Strategic Plan**
 - A. Presentation by SOLID on Strategic Planning**
 - B. Existing 2017-2020 Optometry Strategic Plan Items**
 - C. Potential 2021 Optometry Strategic Plan Items**

10. Future Agenda Items

11. Adjournment

The mission of the [California State Board of Optometry](#) is to protect the health and safety of California consumers through licensing, registration, education, and regulation of the practice of Optometry and Opticianry.

Meetings of the California State Board of Optometry are open to the public except when specifically noticed otherwise in accordance with the Bagley-Keene Open Meeting Act. Public comments will generally be taken on agenda items at the time the specific item is raised. Time limitations will be determined by the Chairperson. The Board may take action on any item listed on the agenda unless listed as informational only. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting the Board at 916-575-7170, email: optometry@dca.ca.gov or mailing a written request to Kristina Eklund at the California State Board of Optometry, 2450 Del Paso Road, Suite 105, Sacramento, CA 95834. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.

Spectacle Lens Dispenser Occupational Analysis Results

Heidi Lincer, Ph.D., Chief

April 2, 2020



Business and Professions Code section 139



Principles for the Validation and Use of Personnel Selection Procedures (Society for Industrial and Organizational Psychology)



Standards for Educational and Psychological Testing (American Educational Research Association, American Psychological Association, National Council on Measurement in Education)



Regulations,
Standards,
and
Guidelines

Licensure Examinations

- Must provide a reliable method for identifying practitioners who are able to practice **safely and competently**
- Focus on entry-level tasks and knowledge important for **public protection**
- Use input from **Subject Matter Experts (SMEs)**



Cycle of Examination Development

Occupational Analysis

- 1 Provides a description of current practice
- 2 Provides the basis of job-related, fair, and legally defensible examinations
- 3 Establishes validity by linking examination content to critical job competencies
- 4 Provides basis for legislation and policies

Occupational Analysis Process

Conduct SME interviews and research on the profession



Develop Task and Knowledge statements with SMEs



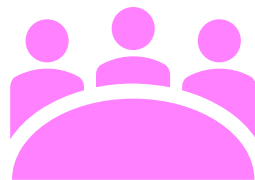
Develop, administer, and analyze OA survey results



Review survey results with SMEs



Develop examination outline with SMEs



Spectacle Lens Dispenser (SLD) Occupational Analysis Results

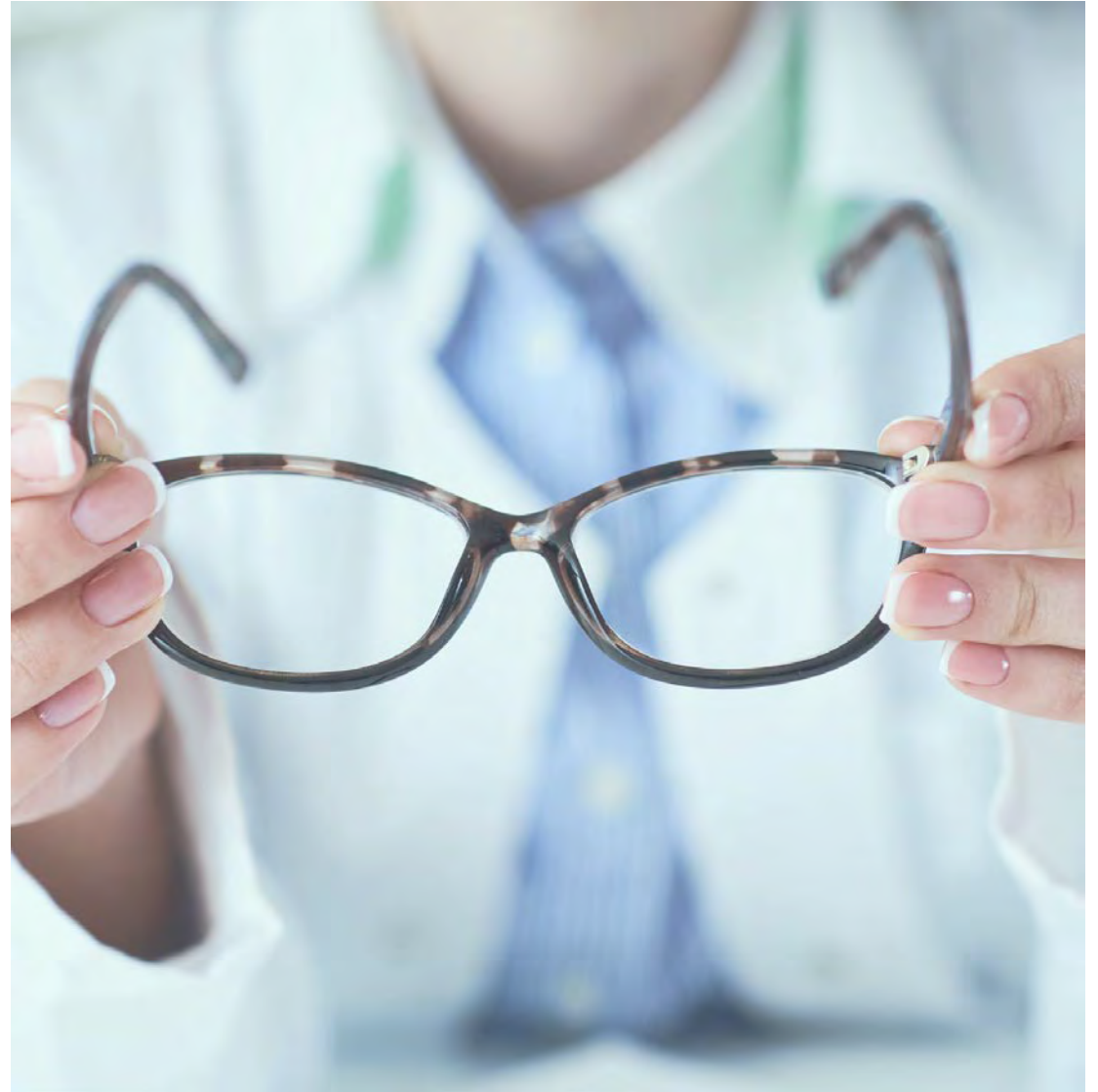


- **All licensed SLDs (2,728)** were invited to complete the online survey
- Survey invitations sent by email and mail
- Final sample size for data analysis was **223 SLDs or 8.2%**

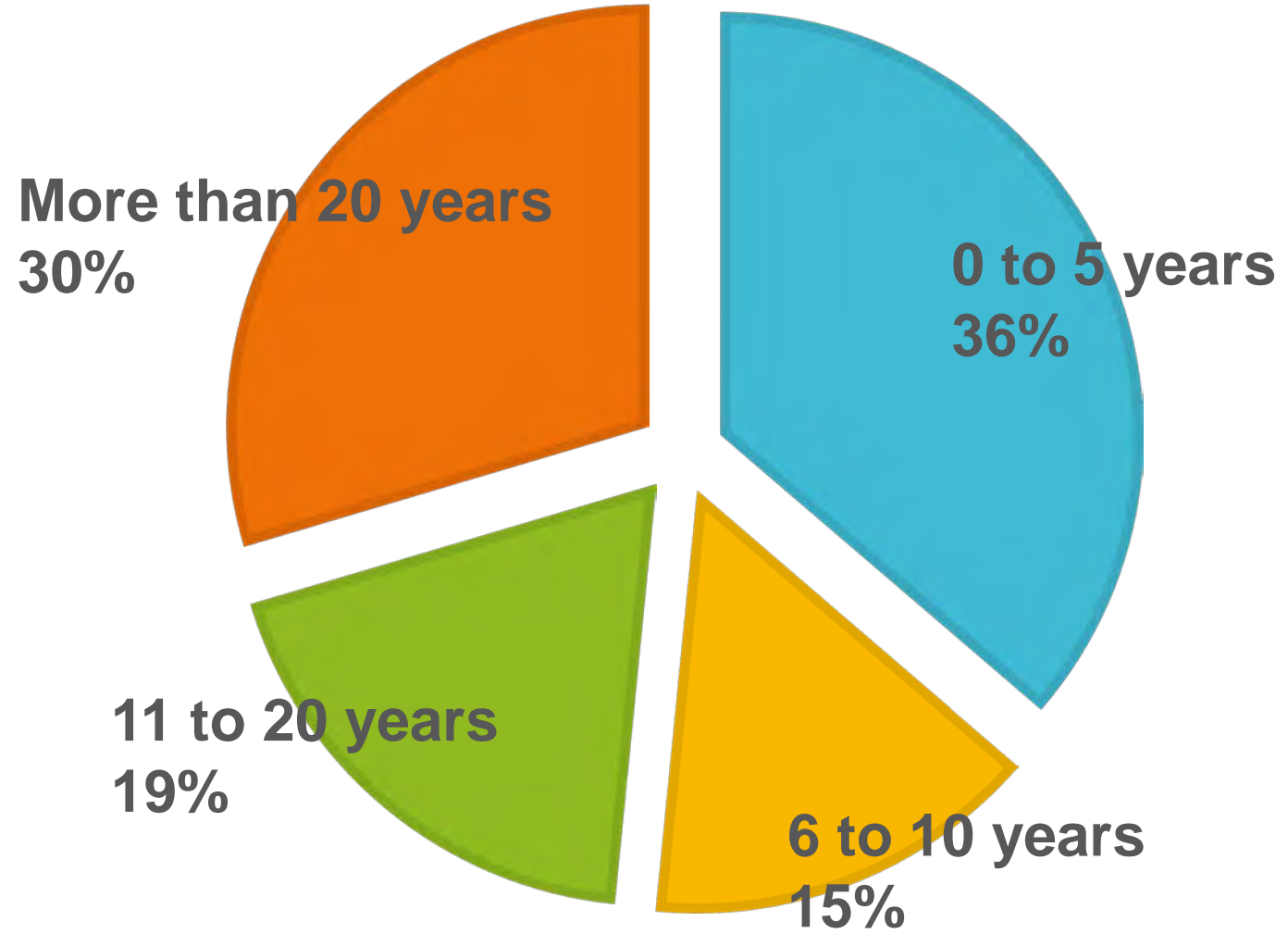


Demographics of Respondents

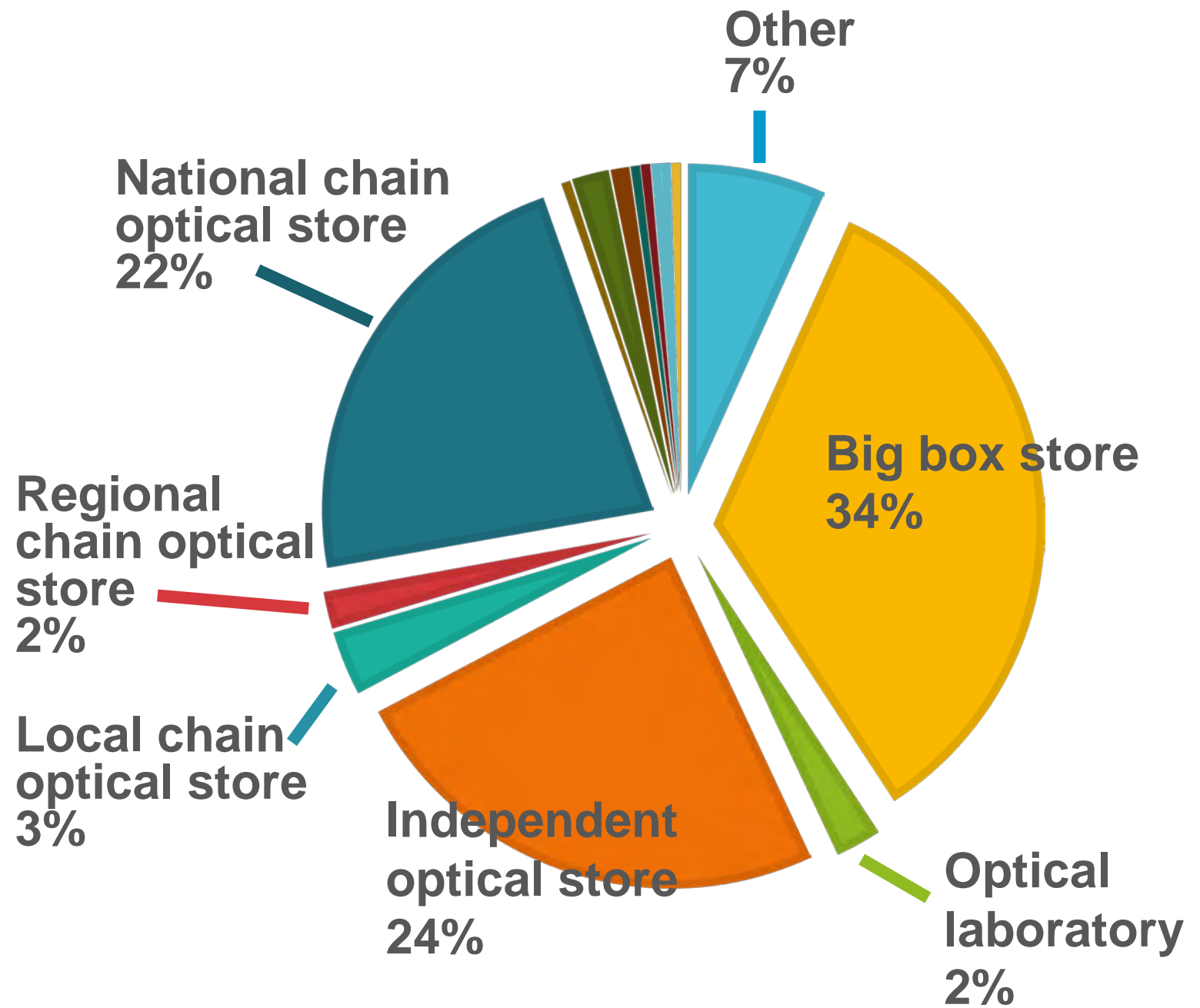
- Describe the respondents in terms of:
 - Training and education
 - Experience
 - Work setting
 - Geographic location
- Provide context for interpreting results



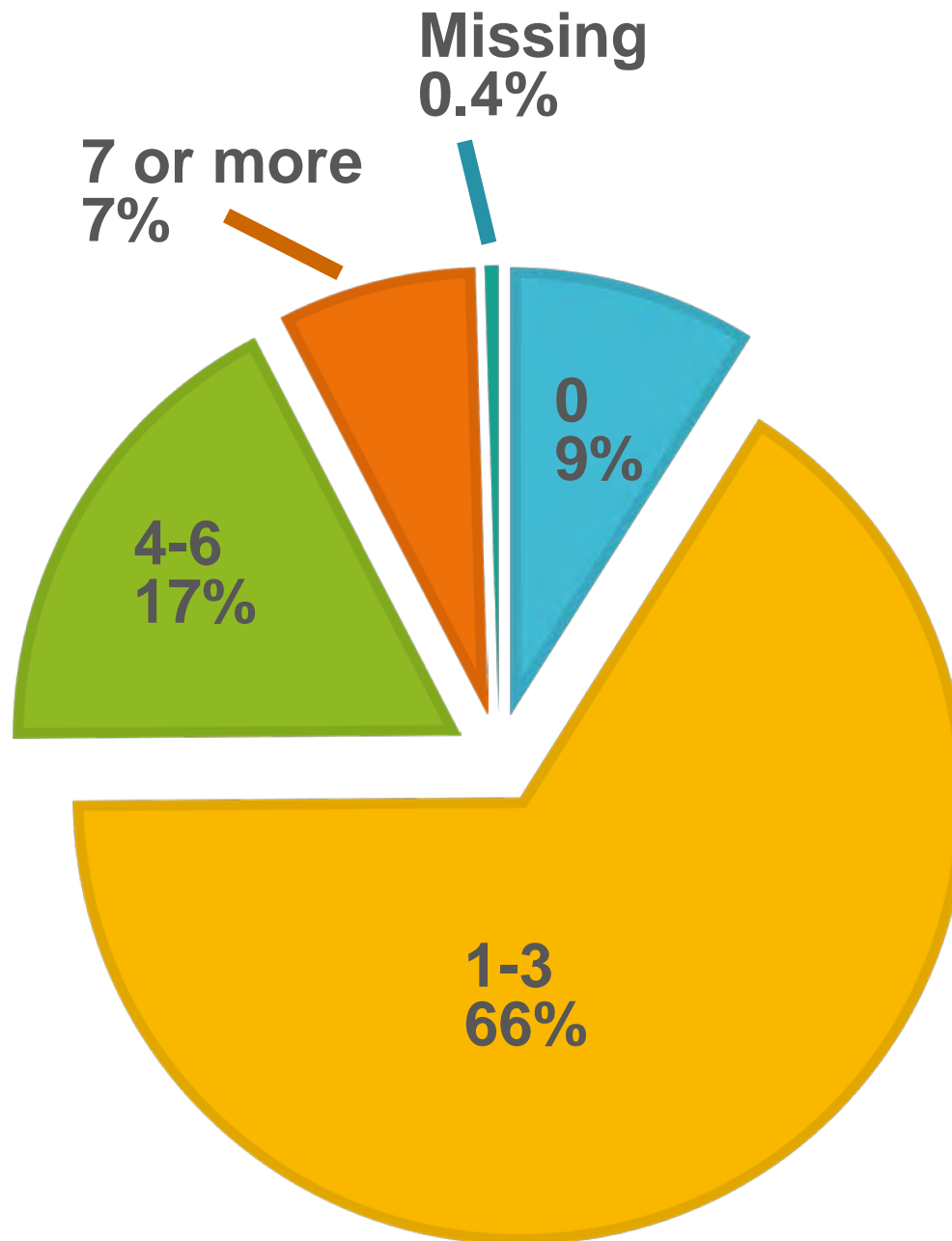
Years Licensed as a Spectacle Lens Dispenser



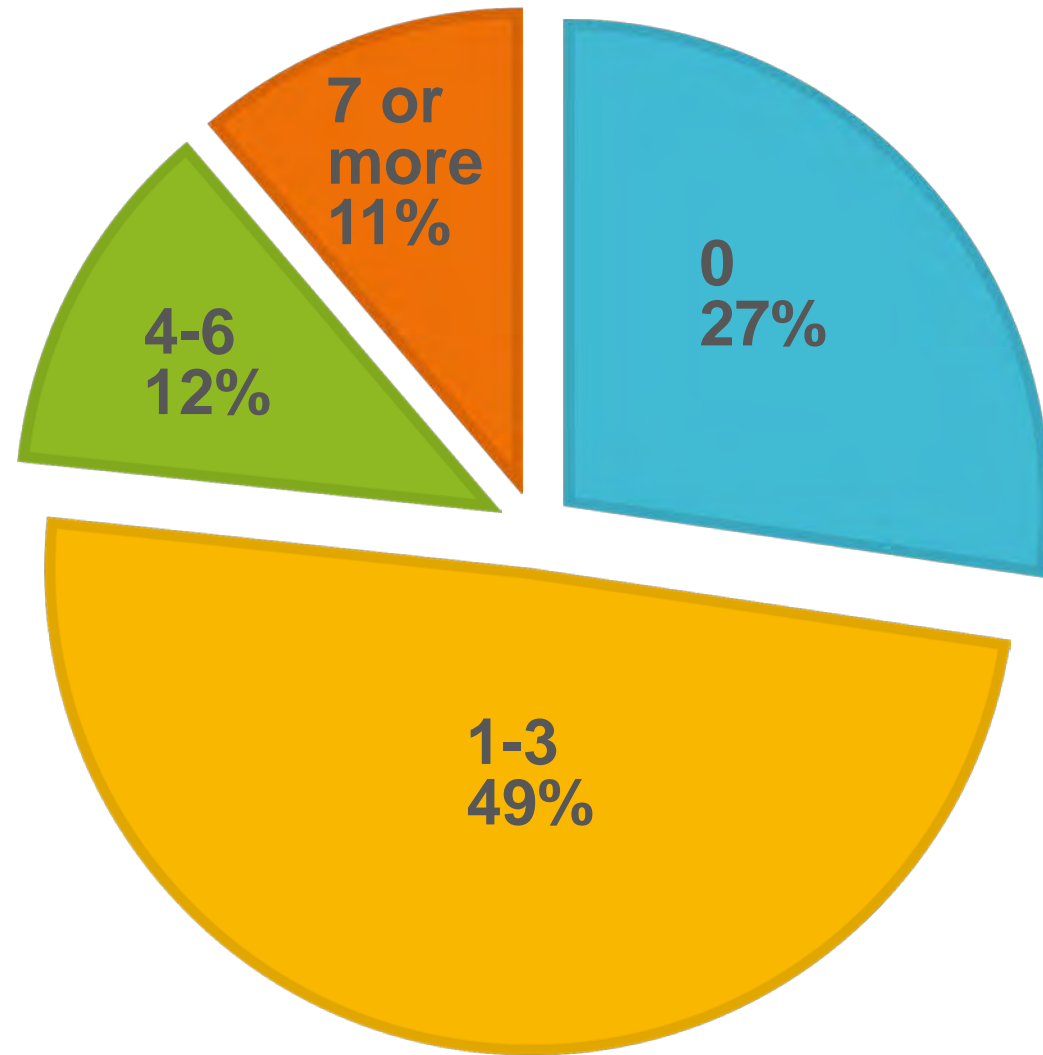
Primary Work Setting



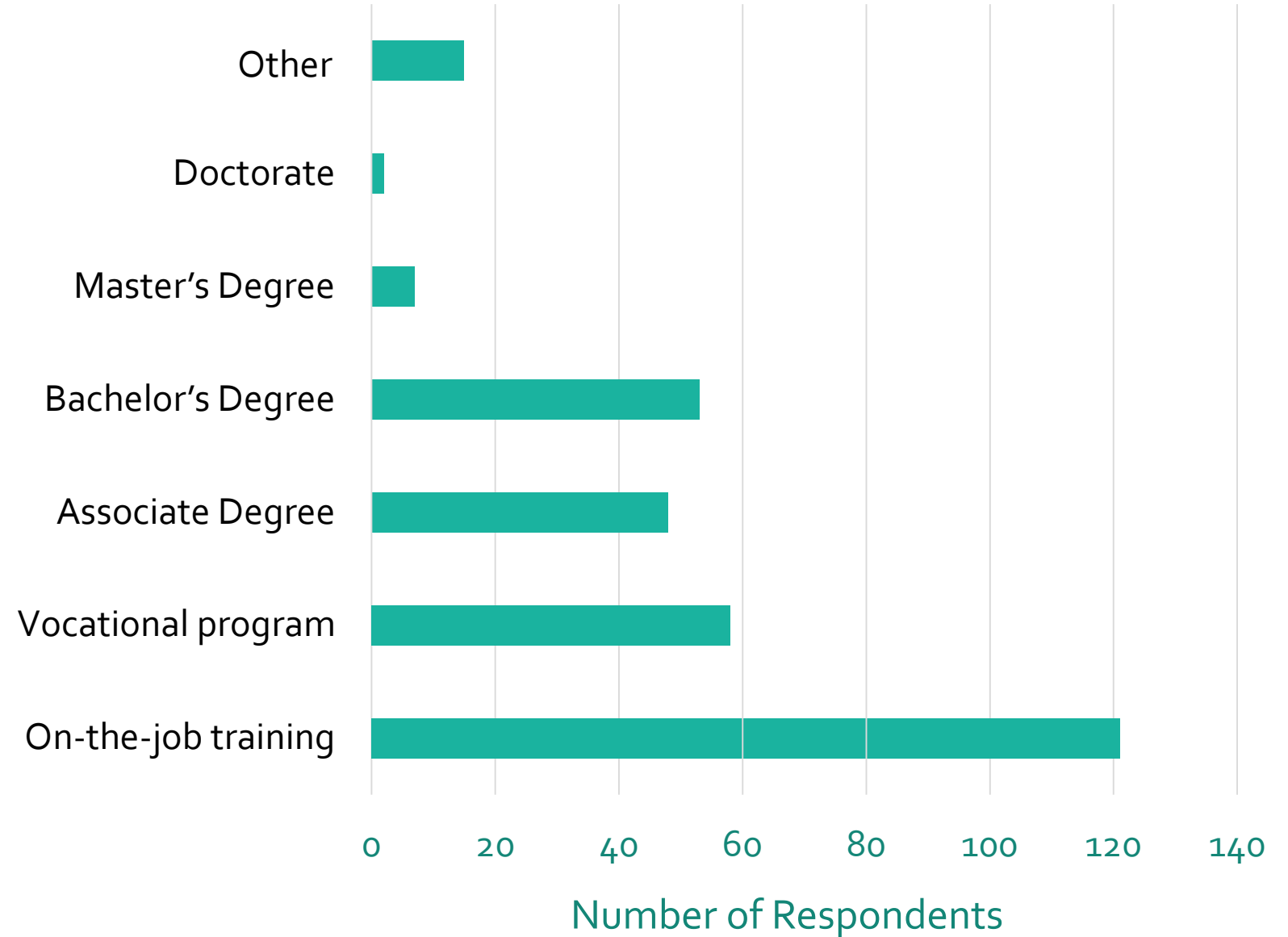
Number of Registered SLDs Working at Facility



Number of Nonregistered SLDs Working at Facility



Education and Training



Respondents by Region

REGION NAME	NUMBER (N)	PERCENT
Los Angeles County and Vicinity	79	35.4%
San Francisco Bay Area	41	18.4%
San Joaquin Valley	21	9.4%
Sacramento Valley	16	7.2%
San Diego County and Vicinity	22	9.9%
Shasta - Cascade	2	0.9%
Riverside and Vicinity	23	10.3%
Sierra Mountain Valley	3	1.3%
North Coast	2	0.9%
South Coast and Central Coast	13	5.8%
Missing	1	0.4%
Total	223	100%*

* Note: Percentages do not add to 100 due to rounding.

Task Ratings

- **FREQUENCY SCALE:** How often do you perform this task in your current work?
0 – DOES NOT APPLY. “I do not perform this task in my current work.”
5 – VERY OFTEN. “This task is one of the tasks I perform most often in my current work relative to other tasks I perform.”
- **IMPORTANCE SCALE:** How important is this task for effective performance in your current work?
1 – NOT IMPORTANT. “This task is not important for effective performance in my current work.”
5 – CRITICALLY IMPORTANT. “This task is extremely important for effective performance in my current work.”

Knowledge Ratings

- **IMPORTANCE SCALE:** How important is this knowledge for effective performance of tasks in your current work?

0 – DOES NOT APPLY TO MY WORK / NOT REQUIRED. “This knowledge is not required for effective performance of tasks in my current work.”

5 - CRITICALLY IMPORTANT. “This knowledge is extremely important for effective performance of tasks in my current work.”

Examination Outline

Decisions made based on evaluation of data and SME consensus

- Identify critical tasks and knowledge
- Confirm task-knowledge linkage
- Determine final content area weights

Content Area	Weight
1. Prescription Assessment	16%
2. Eyewear Selection and Ordering	30%
3. Manufacturing	10%
4. Quality Control	16%
5. Dispensing	25%
6. Advertising and Supervising	3%
Total	100%

Examination Content Area Weights

Next Steps

Review national examinations against testing industry standards

- Contact Lens Registry Examination (CLRE)
- National Opticianry Competency Examination (NOCE)
- Prepare report of findings and recommendations



Thank you!



Any questions?



OCCUPATIONAL ANALYSIS OF THE SPECTACLE LENS DISPENSER PROFESSION



CALIFORNIA STATE BOARD OF OPTOMETRY

OCCUPATIONAL ANALYSIS OF THE SPECTACLE LENS DISPENSER PROFESSION



January 2020

Heidi Lincer, Ph.D., Chief

Miranda R. Morris, M.A., Research Data Analyst II



EXECUTIVE SUMMARY

The California State Board of Optometry (Board) requested that the Department of Consumer Affairs' Office of Professional Examination Services (OPES) conduct an occupational analysis (OA) of spectacle lens dispenser (SLD) practice in California. The purpose of the OA is to define current practice for SLDs in terms of the actual tasks that new SLDs must be able to perform safely and competently at the time of licensure. The results of this OA provide a description of practice for the SLD profession that can then be used to review the National Opticianry Competency Examination (NOCE) developed by the American Board of Opticianry (ABO).

OPES test specialists began by researching the profession and conducting interviews with licensed SLDs working in locations throughout California. The purpose of these interviews was to identify the tasks performed by SLDs and to specify the knowledge required to perform those tasks in a safe and competent manner. Using the information gathered from the research and the interviews, OPES test specialists developed a preliminary list of tasks performed in SLD practice, along with statements representing the knowledge needed to perform those tasks.

In August 2019, OPES convened a workshop to review and refine the preliminary lists of task and knowledge statements. The workshop was comprised of licensed SLDs, or subject matter experts (SMEs), with diverse backgrounds in the profession (e.g., location of practice, years licensed, specialty). These SMEs also identified changes and trends in SLD practice, determined demographic questions for the OA questionnaire, and performed a preliminary linkage of the task and knowledge statements to ensure that all tasks had a related knowledge statement and all knowledge statements had a related task. Additional task and knowledge statements were created as needed to complete the scope of the content areas of the description of practice.

After the workshop, OPES test specialists developed a three-part OA questionnaire to be completed by SLDs statewide. Development of the OA questionnaire included a pilot study that was conducted using a group of licensed SLDs. The pilot study participants' feedback was incorporated into the final questionnaire, which was administered in October 2019.

In the first part of the OA questionnaire, SLDs were asked to provide demographic information relating to their work settings and practice. In the second part, SLDs were asked to rate specific tasks in terms of frequency (i.e., how often the SLD performs the task in the SLD's current work) and importance (i.e., how important the task is to effective performance of the SLD's current work). In the third part, SLDs were asked to rate specific knowledge statements in terms of how important each knowledge statement is to effective performance of the SLD's current work.

In November 2019, on behalf of the Board, OPES distributed the questionnaire to licensed SLDs in California who had an email address on file with the Board (a total of 643 SLDs), inviting them to complete the OA questionnaire online. Invitation letters were also sent by mail to the entire population of licensed SLDs (2,728). A total of 284 SLDs, or 10.4% of the SLDs receiving the invitation, responded by accessing the online OA questionnaire. The final sample size included in the data analysis was 223 respondents, or 8.2% of the population invited to

complete the questionnaire. This response rate reflects two adjustments: OPES excluded data from respondents who indicated they were not currently licensed and practicing as SLDs in California, and OPES excluded data from respondents who only responded to the demographics portion of the questionnaire. The demographic composition of the respondent sample appears representative of the SLD population in California.

OPES test specialists then performed data analyses of the task and knowledge ratings obtained from the OA questionnaire respondents. The task frequency and importance ratings were combined to derive an overall criticality index for each task statement. The mean importance rating was used as the criticality index for each knowledge statement.

Once the data was analyzed, OPES conducted an additional workshop with SMEs in November 2019. The SMEs evaluated the criticality indices and determined whether any task or knowledge statements should be eliminated. The SMEs in this workshop also established the final linkage between tasks and knowledge statements, organized the task and knowledge statements into content areas, and defined those areas. The SMEs then evaluated and confirmed the content area weights of the examination outline.

The examination outline is structured into six content areas weighted by criticality relative to the other content areas. This outline provides a description of the scope of practice for SLDs, and it also identifies the tasks and knowledge critical to safe and competent SLD practice in California at the time of licensure. Additionally, this examination outline provides a basis for evaluating the degree to which the content of any examination under consideration measures content critical to SLD practice in California.

At this time, California licensure as an SLD is granted by passing the NOCE.

OVERVIEW OF THE SLD EXAMINATION OUTLINE

Content Area	Content Area Description	Weight
1. Prescription Assessment	This area assesses a candidate's knowledge of interpreting patient spectacle lens prescriptions, neutralizing current eyewear, prescription requirements, and conditions for referral of patients to medical professionals.	16%
2. Eyewear Selection and Ordering	This area assesses a candidate's knowledge of assisting patients with frame and lens selection based on patient lifestyle, pre-fitting spectacle frames, and taking patient measurements.	30%
3. Manufacturing	This area assesses a candidate's knowledge of spectacle lens manufacturing, including frame measurements, calculating decentration, identifying optical centers, and mounting lenses into frames.	10%
4. Quality Control	This area assesses a candidate's knowledge of procedures for verifying that finished eyewear matches patient prescription and order specifications, is aligned and free from defects, and meets ANSI standards.	16%
5. Dispensing	This area assesses a candidate's knowledge of adjusting and repairing spectacle frames; educating patients on eyewear use, care, and warranty; and troubleshooting patient concerns.	25%
6. Advertising and Supervising	This area assesses a candidate's knowledge of laws and regulations related to advertising and supervising trainees.	3%
Total		100%

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CHAPTER 1 | INTRODUCTION

PURPOSE OF THE OCCUPATIONAL ANALYSIS

The California State Board of Optometry (Board) requested that the Department of Consumer Affairs' Office of Professional Examination Services (OPES) conduct an occupational analysis (OA) as part of the Board's comprehensive review of spectacle lens dispenser (SLD) practice in California. The purpose of the OA is to identify the critical activities performed by SLDs in California. The results of this OA provide a description of practice for the SLD profession that can then be used to review the National Opticianry Competency Examination (NOCE) developed by the American Board of Opticianry (ABO).

CONTENT VALIDATION STRATEGY

OPES used a content validation strategy to ensure that the OA reflected the actual tasks performed by practicing SLDs. OPES incorporated the technical expertise of California SLDs throughout the OA process to ensure that the identified task and knowledge statements directly reflect requirements for performance in current practice.

PARTICIPATION OF SUBJECT MATTER EXPERTS

The Board selected California SLDs to participate as subject matter experts (SMEs) during the OA. These SMEs were selected from a broad range of work settings, geographic locations, and experience backgrounds. The SMEs provided information regarding the different aspects of current SLD practice during the development phase of the OA. The SMEs also provided technical expertise during the workshop that was convened to evaluate and refine the content of task and knowledge statements before administration of the OA questionnaire. After the administration of the OA questionnaire, OPES convened an additional group of SMEs to review the results and finalize the examination outline, which ultimately provides the basis of the description of practice.

ADHERENCE TO LEGAL STANDARDS AND GUIDELINES

Licensure, certification, and registration programs in the State of California adhere strictly to federal and state laws and regulations, as well as to professional guidelines and technical standards. For the purpose of OAs, the following laws and guidelines are authoritative:

- California Business and Professions Code section 139.
- Uniform Guidelines on Employee Selection Procedures (1978), Code of Federal Regulations, Title 29, Section 1607.

- California Fair Employment and Housing Act, Government Code section 12944.
- *Principles for the Validation and Use of Personnel Selection Procedures* (2018), Society for Industrial and Organizational Psychology (SIOP).
- *Standards for Educational and Psychological Testing* (2014), American Educational Research Association, American Psychological Association, and National Council on Measurement in Education.

For a licensure program to meet these standards, it must be solidly based upon the tasks and knowledge required for practice.

DESCRIPTION OF OCCUPATION

The SLD occupation is described as follows in sections 2559.1 – 2559.6 of the California Business and Professions Code:

2559.1. On and after January 1, 1988, no individual may fit and adjust spectacle lenses unless the registration requirement of Section 2550 is complied with, and unless (1) the individual is a duly registered spectacle lens dispenser as provided in Section 2559.2 or (2) the individual performs the fitting and adjusting under the direct responsibility and supervision of a duly registered spectacle lens dispenser whose certificate of registration is then conspicuously and prominently displayed on the premises. A supervising registered dispenser shall be on the registered premises when an unregistered technician fits and adjusts spectacle lenses, allowing for usual and customary absences including illness and vacation.

2559.2. (a) An individual shall apply for registration as a registered spectacle lens dispenser on forms prescribed by the board. The board shall register an individual as a registered spectacle lens dispenser upon satisfactory proof that the individual has passed the registry examination of the American Board of Opticianry or any successor agency to that board. In the event the board should determine, after hearing, that the registry examination is not appropriate to determine entry level competence as a spectacle lens dispenser or is not designed to measure specific job performance requirements, the board may thereafter prescribe or administer a written examination that meets those specifications. If an applicant for renewal has not engaged in the full-time or substantial part-time practice of fitting and adjusting spectacle lenses within the last five years then the board may require the applicant to take and pass the examination referred to in this section as a condition of registration. Any examination prescribed or administered by the board shall be given at least twice each year on dates publicly announced at least 90 days before the examination dates. The board is authorized to contract for administration of an examination.

(b) The board may deny registration where there are grounds for denial under the provisions of Division 1.5 (commencing with Section 475).

(c) The board shall issue a certificate to each qualified individual stating that the individual is a registered spectacle lens dispenser.

(d) Any individual who had been approved as a manager of dispensing operations of a registered dispensing optician under the provisions of Section 2552 as it existed before January 1, 1988, and who had not been subject to any disciplinary action under the provisions of Section 2555.2 shall be exempt from the examination requirement set forth in this section and shall be issued a certificate as a registered spectacle lens dispenser, provided an application for that certificate is filed with the board on or before December 31, 1989.

(e) A registered spectacle lens dispenser is authorized to fit and adjust spectacle lenses at any place of business holding a certificate of registration under Section 2553 provided that the certificate of the registered spectacle lens dispenser is displayed in a conspicuous place at the place of business where he or she is fitting and adjusting.

2559.3. A certificate issued to a registered spectacle lens dispenser may, in the discretion of the board, be suspended or revoked for violating or attempting to violate any provision of this chapter or any regulation adopted under this chapter, or for incompetence, gross negligence, or repeated similar negligent acts performed by the certificate holder. A certificate may also be suspended or revoked if the individual certificate holder has been convicted of a felony as provided in Section 2555.1.

Any proceedings under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

2559.4. This article shall not apply to an assistant fitting spectacle lenses pursuant to Section 2544 if the assistant is acting under the direct responsibility and supervision of a physician and surgeon or optometrist who engages in the practice of fitting spectacle lenses for his or her patients.

2559.5. This article shall become operative on January 1, 1988. However, the board may, prior to that date, accept and process applications, including the collection of fees, and perform other functions necessary to implement this article.

2559.6. No spectacle lens prescription that is issued on or after January 1, 1999, shall be dispensed unless the prescription meets the requirements of Section 2541.1. No spectacle lens prescription shall be dispensed after the expiration date of the prescription unless authorized pursuant to subdivision (e) of Section 2541.1. A person violating this section shall not be guilty of a misdemeanor pursuant to Section 2558. A violation of this section shall be considered unprofessional conduct by the board that issued the dispenser's certificate to practice. A registered dispensing optician may defend this proceeding by establishing that the expiration date of the prescription was not established consistent with Section 2541.1. Nothing in this section shall be construed to authorize a registered dispensing optician to fill a prescription after the expiration date or to make any judgment regarding the appropriateness of the expiration date.

CHAPTER 2 | OCCUPATIONAL ANALYSIS QUESTIONNAIRE

TASK AND KNOWLEDGE STATEMENTS

To develop task and knowledge statements, OPES test specialists integrated the information gathered from literature reviews of profession-related sources (e.g., laws and regulations, articles, industry publications) and from interviews with SLD SMEs.

In August 2019, OPES test specialists facilitated a workshop with 10 SLDs from diverse backgrounds (e.g., years licensed, work setting, and work location) to evaluate the task and knowledge statements for technical accuracy and comprehensiveness.

OPES presented the task and knowledge statements to the SMEs, and they assigned each statement to a content area and verified that the content areas were independent and nonoverlapping. In addition, the SMEs performed a preliminary linkage of the task and knowledge statements to ensure that every task had a related knowledge statement and every knowledge statement had a related task. The SMEs also verified proposed demographic questions for the OA questionnaire, including questions regarding scope of practice and work setting, and identified changes and trends in SLD practice.

Once the lists of task and knowledge statements and the demographic questions were verified, OPES used this information to develop an online questionnaire that was sent to California SLDs for completion and evaluation.

QUESTIONNAIRE DEVELOPMENT

OPES test specialists developed an online OA questionnaire designed to solicit SLDs' ratings of the task and knowledge statements. The surveyed SLDs were instructed to rate each task in terms of how often they perform the task (Frequency) and in terms of how important the task is to the effective performance of their current work (Importance). In addition, they were instructed to rate each knowledge statement in terms of how important the specific knowledge is to the effective performance of their current work (Importance). The OA questionnaire also included a demographic section for the purpose of developing an accurate profile of the respondents. The OA questionnaire can be found in Appendix F.

PILOT STUDY

Before administering the final questionnaire, OPES conducted a pilot study of the online questionnaire. The pilot study was reviewed by the Board and then sent to 10 SMEs who had participated in the task and knowledge statement development workshop. The respondents provided information about the technical accuracy of the task and knowledge statements, online navigation, and ease of use of the study. OPES used this feedback to develop the final questionnaire.

CHAPTER 3 | RESPONSE RATE AND DEMOGRAPHICS

SAMPLING STRATEGY AND RESPONSE RATE

In November 2019, on behalf of the Board, OPES distributed a questionnaire to licensed SLDs in California who had an email address on file with the Board (a total of 643 SLDs), inviting them to complete the OA questionnaire online. Invitation letters were also sent by mail to the entire population of SLDs (a total of 2,728 SLDs). The invitation letter and email can be found in Appendices D and E.

Of the 2,728 SLDs in the sample, 284 SLDs (10.4%) responded by accessing the online questionnaire. The final sample size included in the data analysis was 223 respondents, or 8.2% of the SLDs who were invited to complete the questionnaire. This response rate reflects two adjustments: OPES excluded data from respondents who indicated they were not currently licensed and practicing as SLDs in California, and OPES excluded data from respondents who only completed the demographics portion of the questionnaire. Because respondents were permitted to skip items, response rates vary from item to item. The respondent sample appears to be representative of the population of California SLDs based on the sample's demographic composition.

DEMOGRAPHIC SUMMARY

As shown in Table 1 and Figure 1, 36.3% of the respondents included in the analysis reported having been licensed for 5 years or fewer, 15.2% for 6-10 years, 18.8% for 11-20 years, and 29.6% for more than 20 years.

Table 2 and Figure 2 show that 34.1% of respondents reported working for a big box store, while 24.2% reported working for an independent optical store, and 22.4% reported working for a national chain optical store. Table 3 and Figure 3 show that 48.9% of respondents reported their job title as licensed optician, and 21.5% reported their job title as manager/supervisor.

Table 4 and Figure 4 show that the greatest percentage of respondents (42.6%) reported working between 40-49 hours per week, and 40.8% reported working 30-39 hours per week. Table 5 and Figure 5 show that 72.2% of respondents reported that they have a registered dispensing optician (RDO) license, and 28.3% reported that they are a licensed contact lens dispenser.

When asked to indicate the location of their primary work setting, 88.8% of the respondents reported that they work in an urban area. See Table 6 and Figure 6.

As shown in Table 7 and Figure 7, 65.9% of respondents reported having 1-3 other registered SLDs in their facility, and 17.5% reported having 4-6 other registered SLDs. As shown in Table 8 and Figure 8, 49.3% reported having 1-3 nonregistered SLDs working in their facility, and 27.4% reported working with no nonregistered SLDs.

When asked to report their education and training, 54.3% reported having on-the-job training and 26% reported having attended vocational schools. See Table 9 and Figure 9.

More detailed demographic information from respondents can be found in Tables 1-10 and Figures 1-9.

TABLE 1 – NUMBER OF YEARS LICENSED AS AN SLD

YEARS	NUMBER (N)	PERCENT
0-5 years	81	36.3
6-10 years	34	15.2
11-20 years	42	18.8
More than 20 years	66	29.6
Total	223	100*

*NOTE: Percentages do not add to 100 due to rounding.

FIGURE 1 – NUMBER OF YEARS LICENSED AS AN SLD

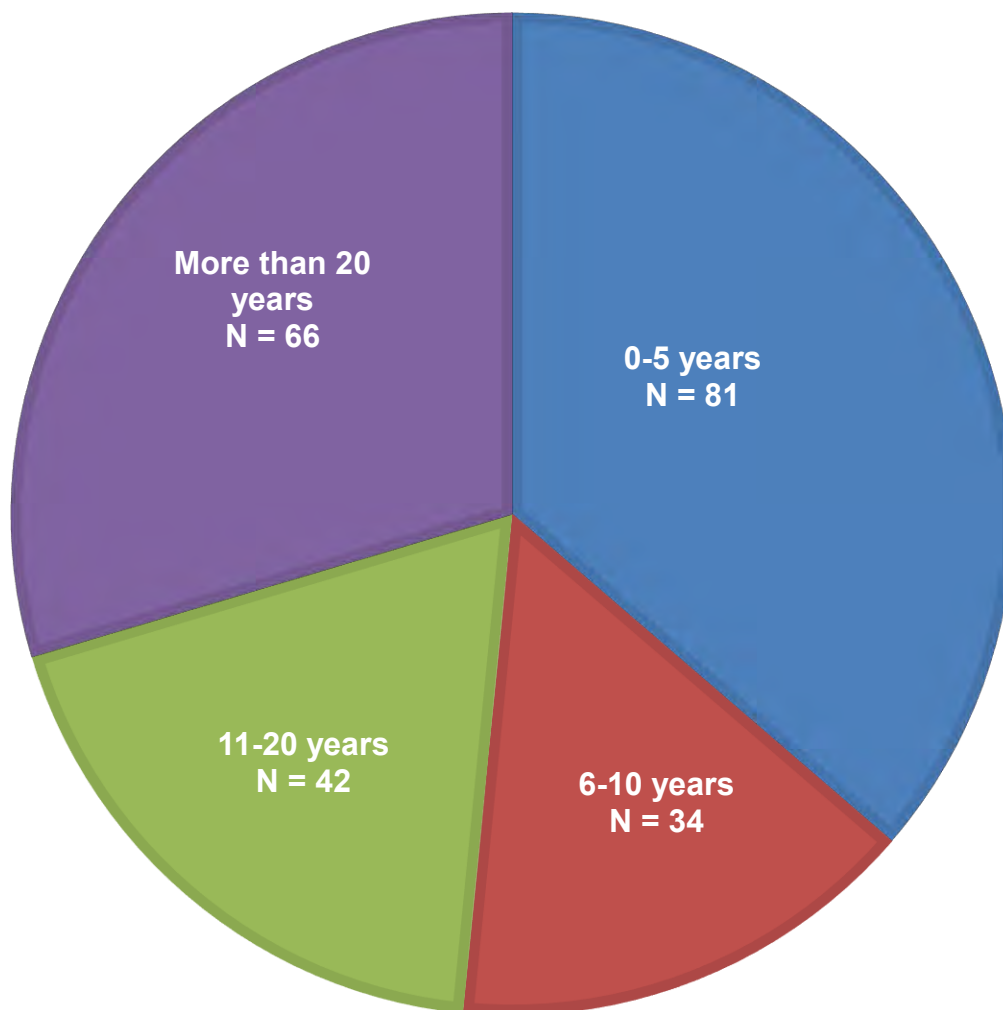


TABLE 2 – PRIMARY WORK SETTING

SETTING	NUMBER (N)	PERCENT
Big box store (for example, Walmart, Costco, Target)	76	34.1
Optical laboratory	5	2.2
Independent optical store	54	24.2
Local chain optical store	7	3.1
Regional chain optical store	4	1.8
National chain optical store	50	22.4
Private hospital	1	0.4
HMO facility	4	1.8
Military/veterans' hospital or clinic	2	0.9
Educational facility	1	0.4
Federal facility (nonmilitary)	1	0.4
State facility	2	0.9
Other	15	6.7
Missing	1	0.4
Total	223	100*

*NOTE: Percentages do not add to 100 due to rounding.

FIGURE 2 – PRIMARY WORK SETTING

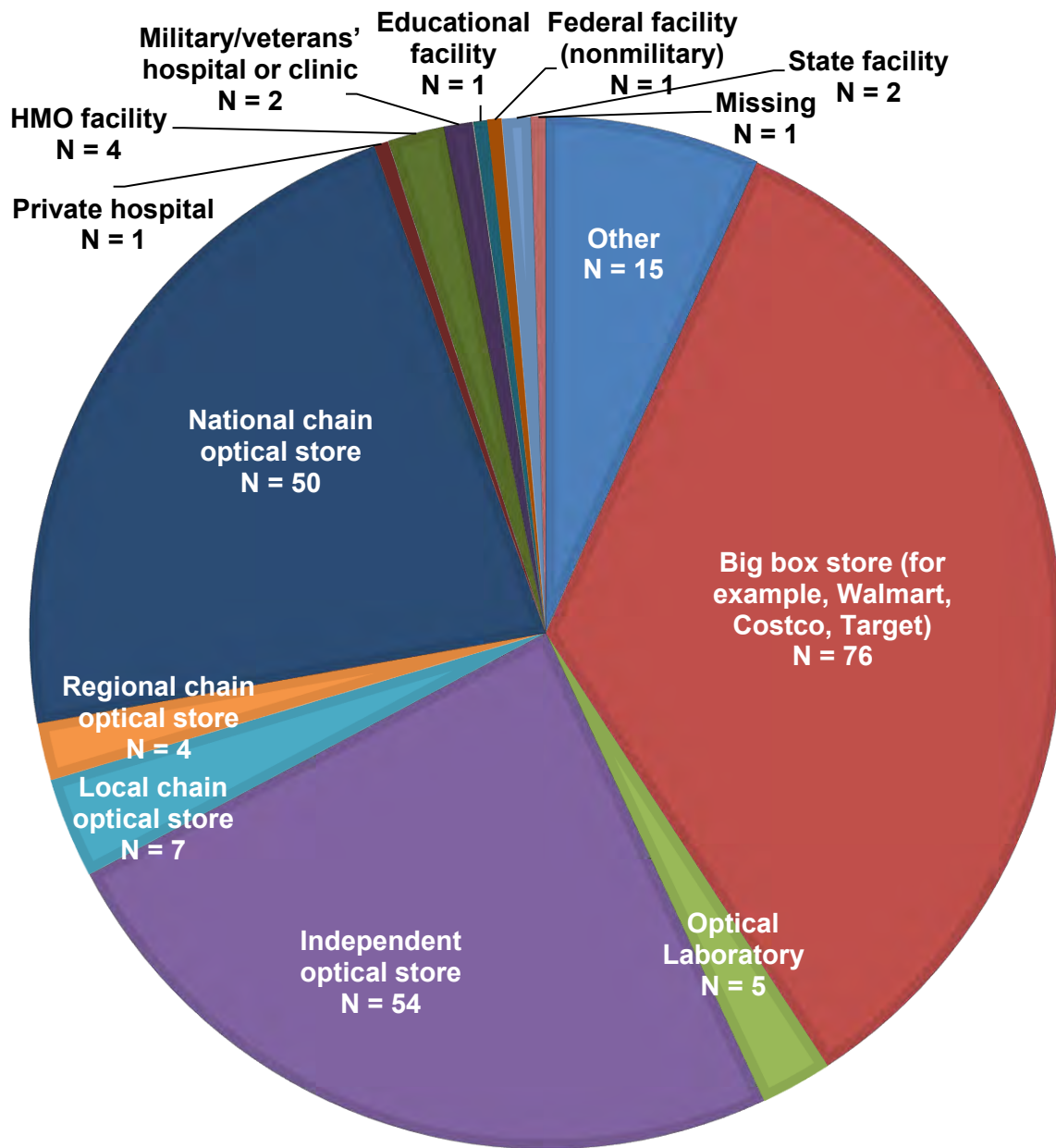


TABLE 3 – JOB TITLE

TITLE	NUMBER (N)	PERCENT
Sole Owner / Principal	28	12.6
Manager/Supervisor	48	21.5
Optical Technician	7	3.1
Optical Lab Technician	3	1.3
Spectacle Lens Dispenser	12	5.4
Licensed Optician	109	48.9
Other	16	7.2
Missing	0	0.0
Total	223	100

FIGURE 3 – JOB TITLE

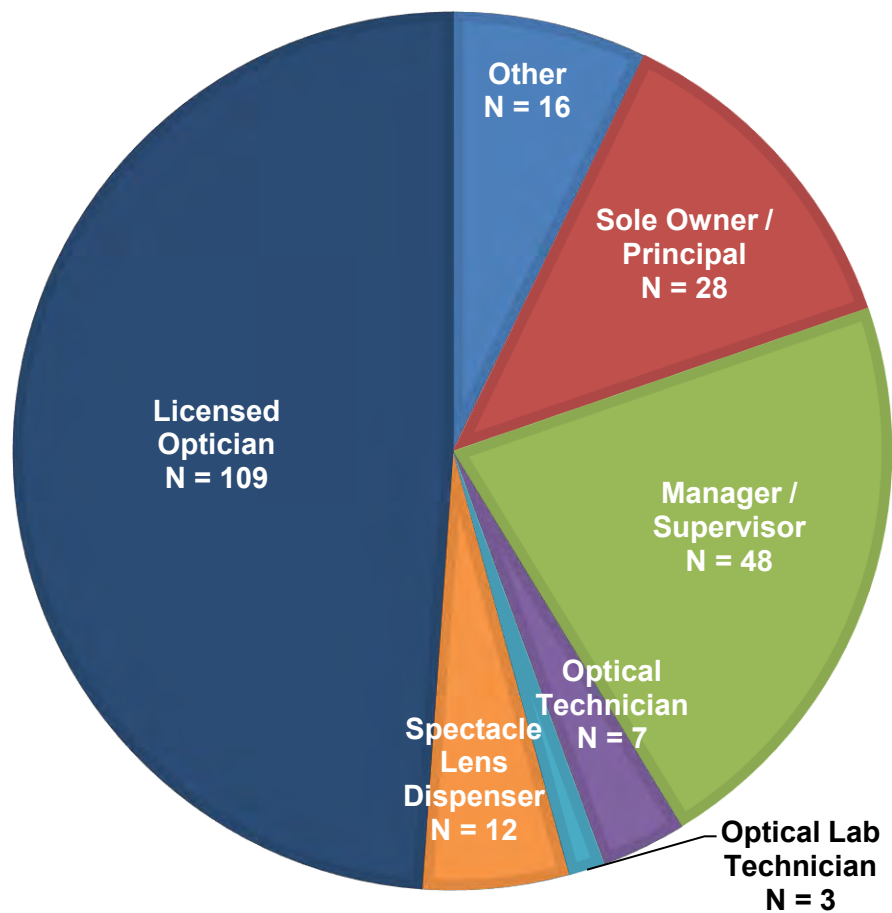


TABLE 4 – HOURS WORKED PER WEEK

HOURS	NUMBER (N)	PERCENT
9 hours or fewer	6	2.7
10-19 hours	6	2.7
20-29 hours	16	7.2
30-39 hours	91	40.8
40-49 hours	95	42.6
50 or more hours	9	4.0
Missing	0	0.0
Total	223	100

FIGURE 4 – HOURS WORKED PER WEEK

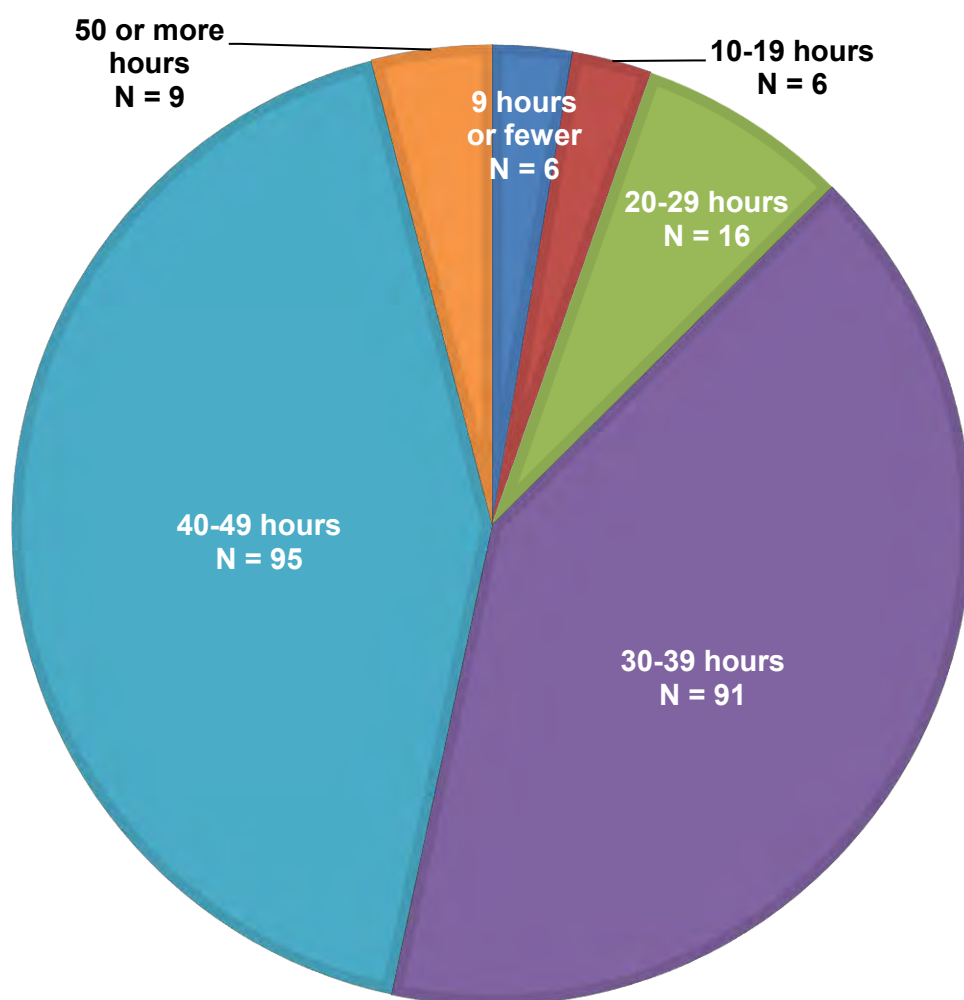


TABLE 5 – OTHER LICENSES HELD*

License	NUMBER (N)	PERCENT
Registered Dispensing Optician (RDO)	161	72.2
Contact Lens Dispenser (CLD)	63	28.3

*NOTE: Respondents were asked to select all that apply.

FIGURE 5 – OTHER LICENSES HELD

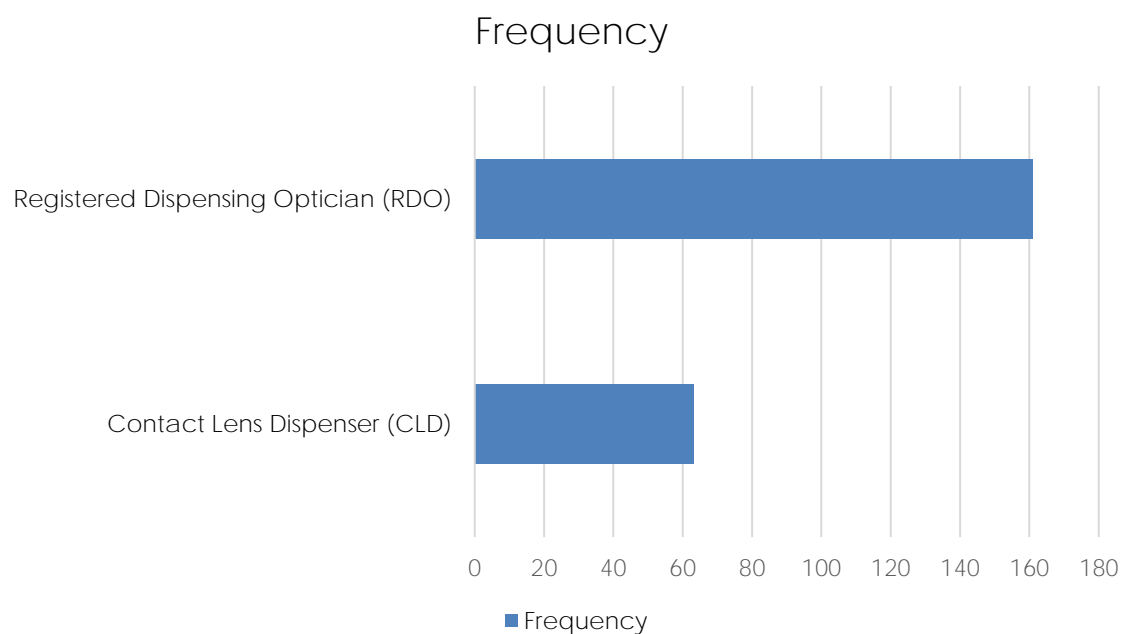


TABLE 6 – LOCATION OF PRIMARY WORK SETTING

LOCATION	NUMBER (N)	PERCENT
Urban (50,000 people or more)	198	88.8
Rural (fewer than 50,000 people)	25	11.2
Total	223	100

FIGURE 6 – LOCATION OF PRIMARY WORK SETTING

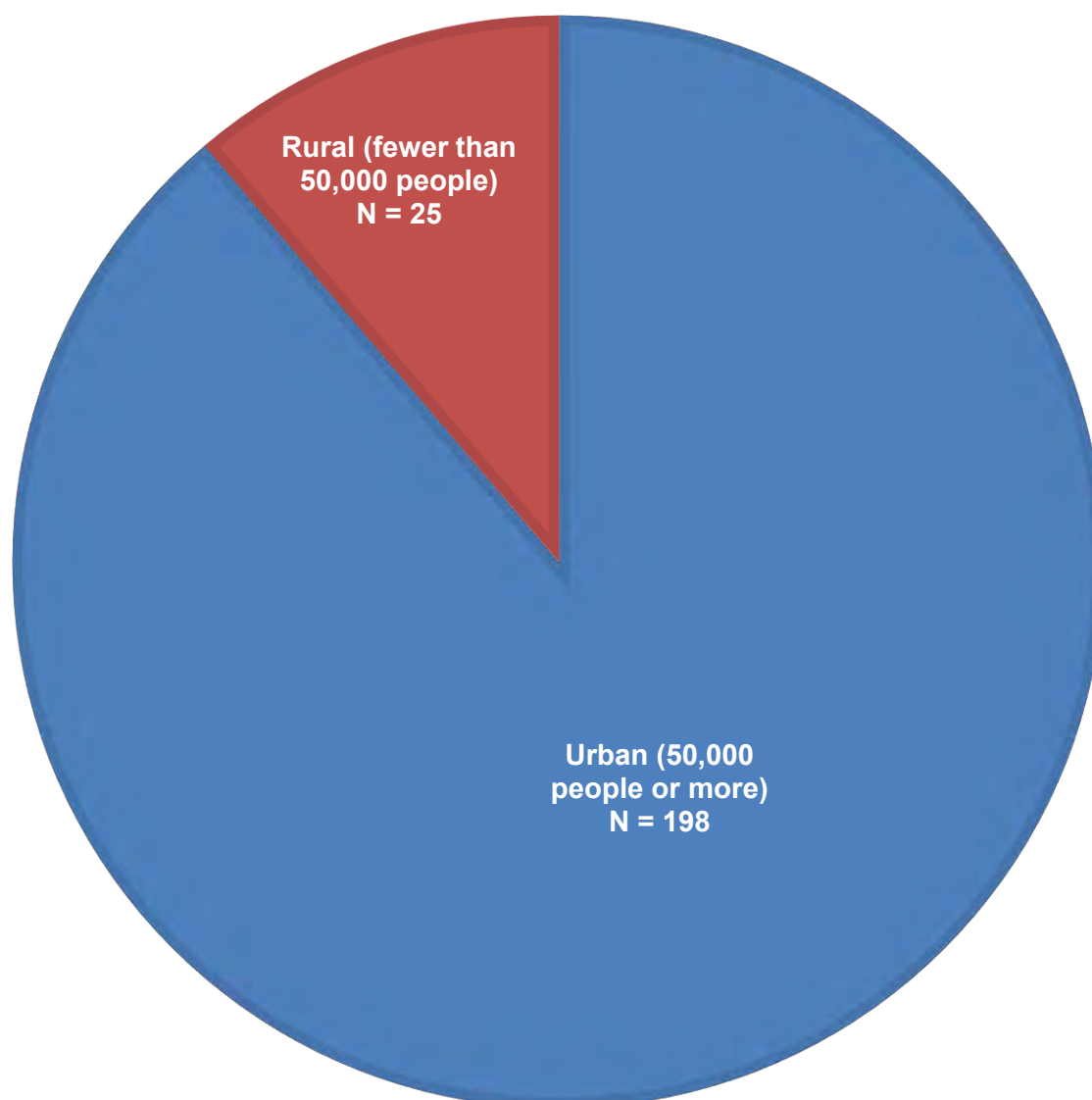


TABLE 7 – NUMBER OF REGISTERED SLDs WORKING AT FACILITY

SLDs	NUMBER (N)	PERCENT
0	20	9.0
1-3	147	65.9
4-6	39	17.5
7 or more	16	7.2
Missing	1	0.4
Total	223	100

FIGURE 7 – NUMBER OF REGISTERED SLDs WORKING AT FACILITY

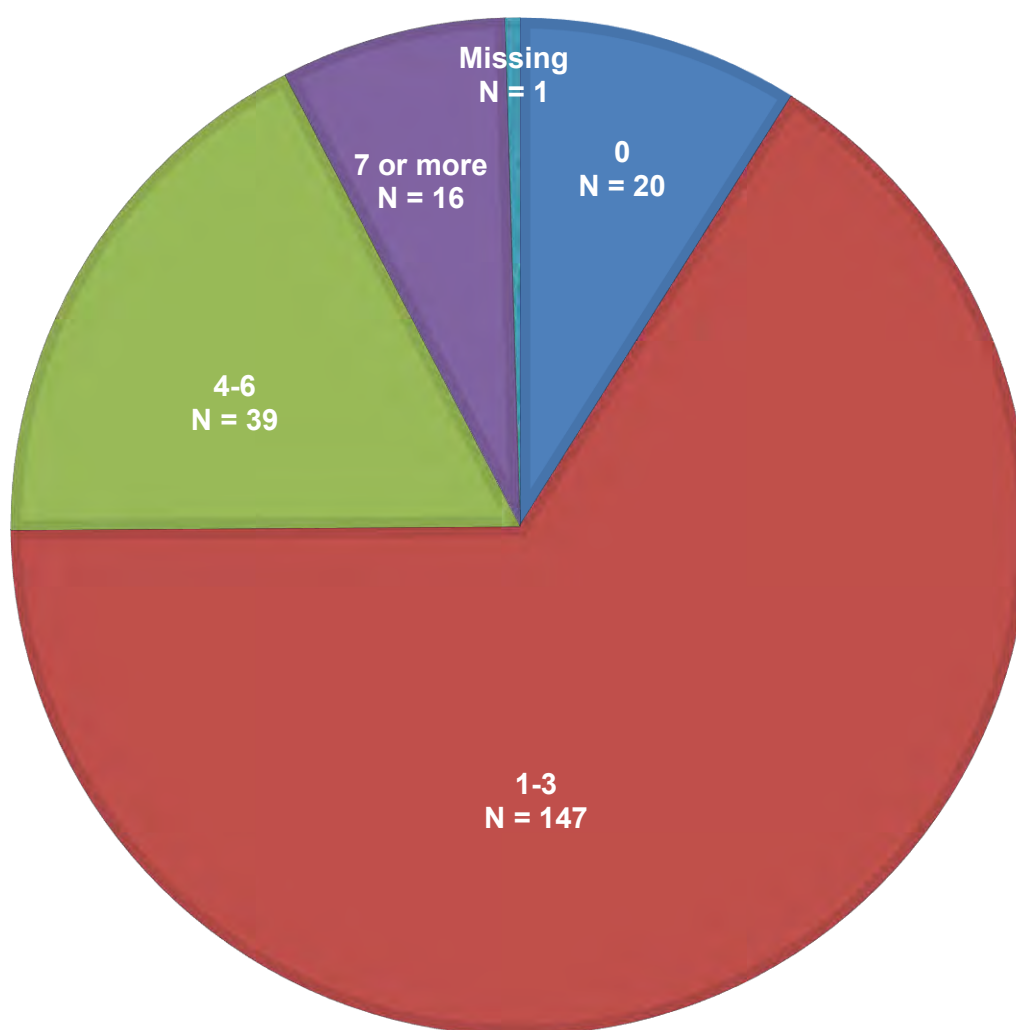


TABLE 8 – NUMBER OF NONREGISTERED SLDs WORKING AT FACILITY

SLDs	NUMBER (N)	PERCENT
0	61	27.4
1-3	110	49.3
4-6	27	12.1
7 or more	25	11.2
Total	223	100

FIGURE 8 – NUMBER OF NONREGISTERED SLDs WORKING AT FACILITY

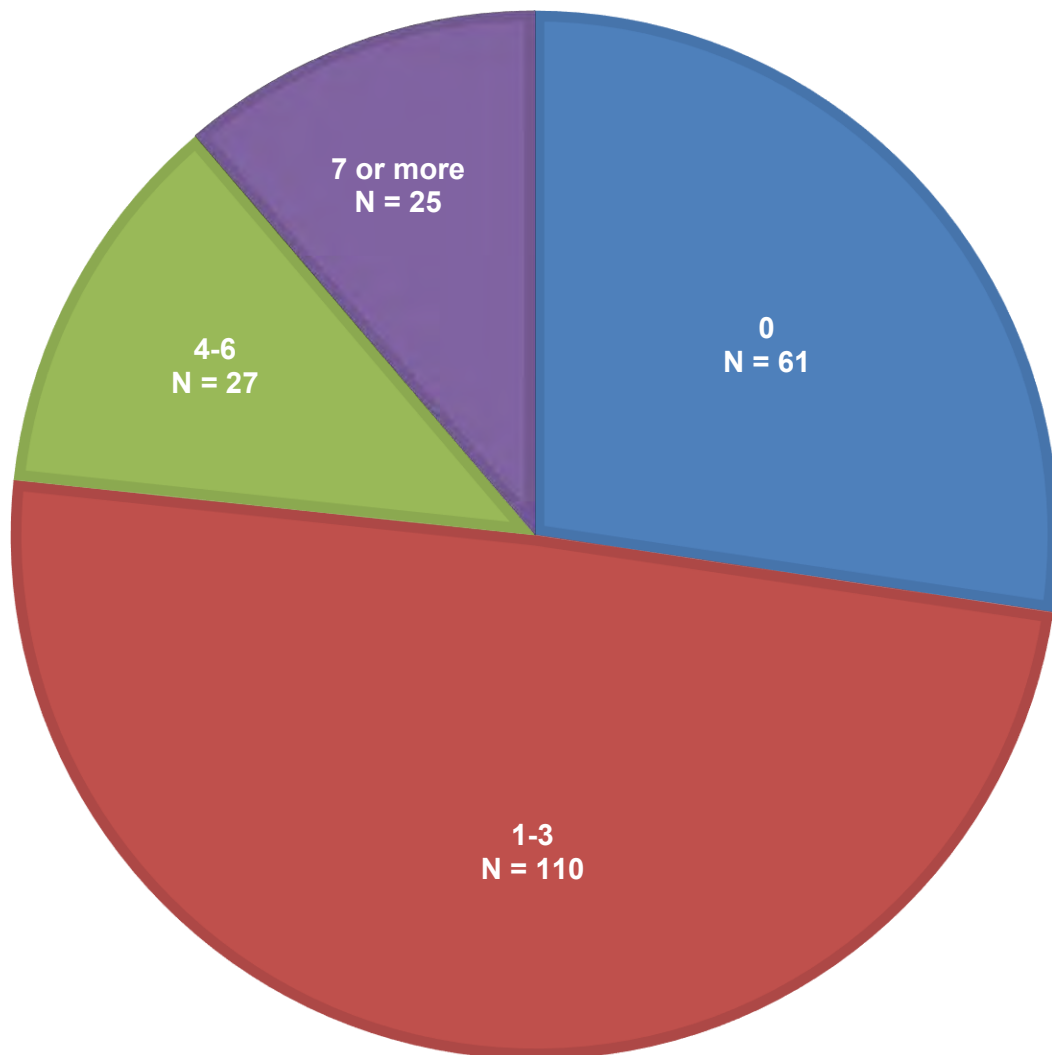


TABLE 9 – EDUCATION AND TRAINING*

EDUCATION	NUMBER (N)	PERCENT
On-the-job training	121	54.3
Vocational program	58	26.0
Associate degree	48	21.5
Bachelor's degree	53	23.8
Master's degree	7	3.1
Doctorate	2	0.9
Other	15	6.7

*NOTE: Respondents were asked to select all that apply.

FIGURE 9 – EDUCATION AND TRAINING

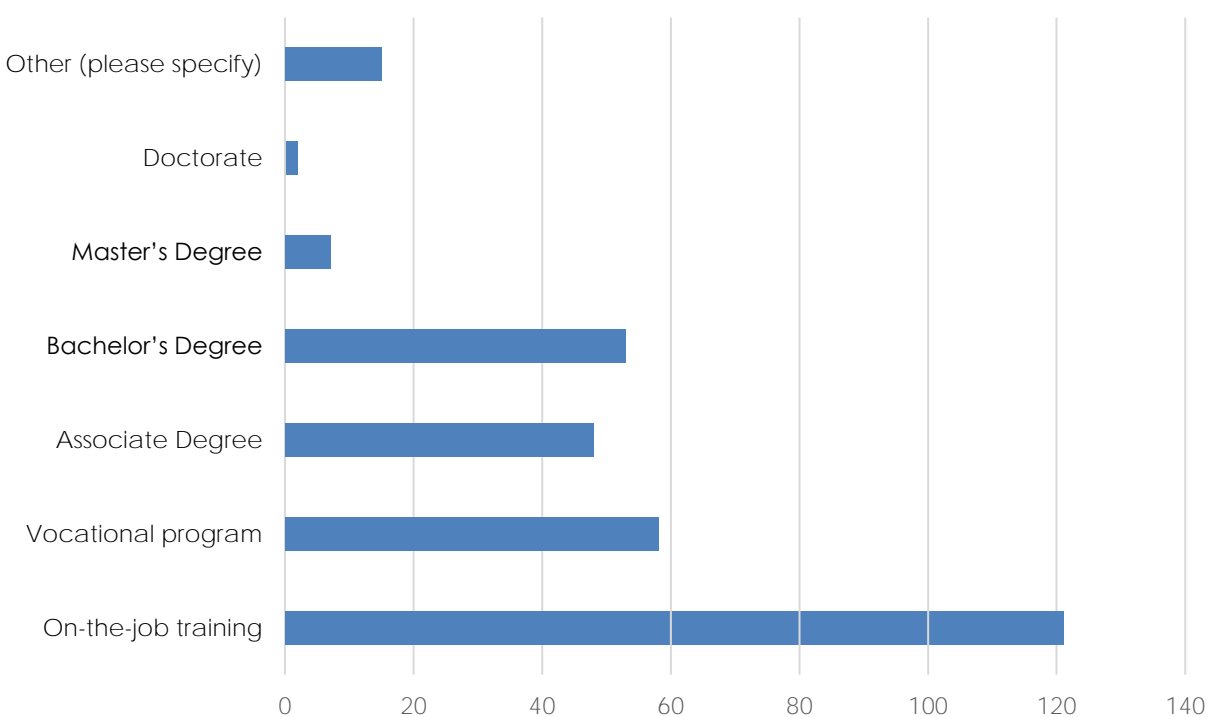


TABLE 10 – RESPONDENTS BY REGION

REGION NAME	NUMBER (N)	PERCENT
Los Angeles County and Vicinity	79	35.4
San Francisco Bay Area	41	18.4
San Joaquin Valley	21	9.4
Sacramento Valley	16	7.2
San Diego County and Vicinity	22	9.9
Shasta-Cascade	2	0.9
Riverside and Vicinity	23	10.3
Sierra Mountain Valley	3	1.3
North Coast	2	0.9
South Coast and Central Coast	13	5.8
Missing	1	0.4
Total	223	100*

* NOTE: Percentages do not add to 100 due to rounding.

Appendix A shows a more detailed breakdown of the frequencies by region.

CHAPTER 4 | DATA ANALYSIS AND RESULTS

RELIABILITY OF RATINGS

OPES evaluated the task and knowledge ratings obtained by the questionnaire results with a standard index of reliability, coefficient alpha (α), which ranges from 0 to 1. Coefficient alpha is an estimate of the internal consistency of the respondents' ratings of the task and knowledge statements. A higher coefficient value indicates more consistency between respondent ratings. Coefficients were calculated for all respondent ratings.

Table 11 displays the reliability coefficients for the task statement rating scale in each content area. The overall ratings of task frequency and task importance across content areas were highly reliable (frequency $\alpha = .910$; importance $\alpha = .929$). Table 12 displays the reliability coefficients for the knowledge statement rating scale in each content area. The overall ratings of knowledge statement importance across content areas were also highly reliable ($\alpha = .962$). These results indicate that the responding SLDs rated the task and knowledge statements consistently throughout the questionnaire.

TABLE 11 – TASK SCALE RELIABILITY

CONTENT AREA	NUMBER OF TASKS	α FREQUENCY	α IMPORTANCE
1. Vision Pretest	9	.934	.937
2. Prescription Assessment	6	.688	.718
3. Eyewear Selection and Ordering	13	.848	.883
4. Manufacturing	5	.821	.811
5. Quality Control	5	.865	.883
6. Dispensing	9	.922	.916
7. Laws and Regulations	3	.928	.524
Total	50	.910	.929

TABLE 12 – KNOWLEDGE SCALE RELIABILITY

CONTENT AREA	NUMBER OF KNOWLEDGE STATEMENTS	α IMPORTANCE
1. Vision Pretest	14	.948
2. Prescription Assessment	10	.844
3. Eyewear Selection and Ordering	22	.939
4. Manufacturing	7	.906
5. Quality Control	12	.893
6. Dispensing	12	.906
7. Laws and Regulations	3	.652
Total	80	.962

TASK CRITICALITY INDICES

OPES convened a workshop consisting of six SMEs in November 2019. The purpose of this workshop was to identify the essential tasks and knowledge required for safe and effective SLD practice at the time of licensure. The SMEs reviewed the mean frequency and importance ratings for each task and its criticality index and evaluated the mean importance ratings for all knowledge statements.

To calculate the criticality indices of the task statements, OPES test specialists used the following formula. For each respondent, OPES first multiplied the frequency rating (F_i) and the importance rating (I_i) for each task. Next, OPES averaged the multiplication products across respondents as shown below.

$$\text{Task criticality index} = \text{mean } [(F_i) \times (I_i)]$$

The task statements were sorted in descending order of their criticality index and by content area. The task statements, their mean frequency and importance ratings, and their associated criticality indices are presented in Appendix B.

The SMEs who participated in the November 2019 workshop evaluated the task criticality indices derived from the questionnaire results. SMEs were provided with the mean criticality indices across all respondents.

OPES test specialists instructed the SMEs to identify a cutoff value to determine if any of the tasks did not have a high enough criticality index to be retained. Based on the SMEs' judgment of the relative importance of tasks to SLD practice, the SMEs determined that no cutoff value should be established for content areas 2 through 7 and that all task statements would remain in the examination outline. For content area 1, the SMEs identified a cutoff value of 7.0 and eliminated tasks 3 through 9.

KNOWLEDGE IMPORTANCE RATINGS

To determine the importance of each knowledge statement, the mean importance (K Imp) rating for each knowledge statement was calculated. The knowledge statements and their mean importance ratings, sorted by content area and in descending order, are presented in Appendix C.

The SMEs who participated in the November 2019 workshop that evaluated the task criticality indices also reviewed the knowledge statement mean importance ratings. After reviewing the mean importance ratings and considering their relative importance to SLD practice, the SMEs determined that no cutoff value should be established. However, the SMEs determined that any knowledge statements only associated with eliminated tasks should be eliminated. All other knowledge statements remained in the examination outline.

In further evaluating the tasks and knowledge statements, the SMEs determined that T2, T15, T33, and K18 should be reworded for clarity. The SMEs also determined that T48, "Provide copies of spectacle lens prescriptions to patients after eye exams," addressed a responsibility of optometrists, and should not be included on the examination outline for SLDs.

CHAPTER 5 | EXAMINATION OUTLINE

TASK-KNOWLEDGE LINKAGE

The SMEs who participated in the November 2019 workshop reviewed the preliminary assignments of the task and knowledge statements to content areas from the August 2019 workshop. The SMEs established the final linkage of specific knowledge statements to task statements.

The SMEs reviewed the content areas and wrote descriptions for each content area. The SMEs also renamed content area 7 (originally titled Laws and Regulations) to Advertising and Supervising. Additionally, the SMEs determined that content area 1 should be eliminated and the remaining associated tasks and knowledges moved to content area 2; the content area numbering was adjusted to reflect this change as seen in Tables 13 and 14.

CONTENT AREA WEIGHTS

The SMEs in the November 2019 workshop were asked to evaluate the tasks within each content area and determine whether they should be categorized into subareas. The SMEs determined that no subareas were needed.

The SMEs were also asked to finalize the weights for the content areas on the SLD examination outline. OPES test specialists presented the SMEs with preliminary weights of the content areas that were calculated by dividing the sum of the criticality indices for the tasks in each content area by the overall sum of the criticality indices for all tasks, as shown below.

$$\frac{\text{Sum of Criticality Indices for Tasks in Content Area}}{\text{Sum of Criticality Indices for All Tasks}} = \text{Percent Weight of Content Area}$$

The SMEs evaluated the preliminary weights by reviewing the following elements for each content area: the group of tasks and knowledge statements, the linkage established between the tasks and knowledge, and the relative importance of the tasks to SLD practice in California. The SMEs adjusted the preliminary weights based on what they perceived as the relative importance of the tasks' content to SLD practice in California. The preliminary and final content area weights for the SLD examination outline are presented in Tables 13 and 14.

TABLE 13 – PRELIMINARY CONTENT AREA WEIGHTS

Content Area	Weight
1. Vision Pretest	8%
2. Prescription Assessment	13%
3. Eyewear Selection and Ordering	32%
4. Manufacturing	8%
5. Quality Control	13%
6. Dispensing	22%
7. Laws and Regulations	5%
Total*	100%

*NOTE: Percentages do not add to 100 due to rounding.

TABLE 14 – FINAL CONTENT AREA WEIGHTS

Content Area	Weight
1. Prescription Assessment	16%
2. Eyewear Selection and Ordering	30%
3. Manufacturing	10%
4. Quality Control	16%
5. Dispensing	25%
6. Advertising and Supervising	3%
Total	100%

The examination outline for the SLD profession is presented in Table 15.

TABLE 15 – EXAMINATION OUTLINE FOR THE SLD PROFESSION

1. PRESCRIPTION ASSESSMENT		16%	This area assesses a candidate's knowledge of interpreting patient spectacle lens prescriptions, neutralizing current eyewear, prescription requirements, and conditions for referral of patients to medical professionals.
TASKS		ASSOCIATED KNOWLEDGE STATEMENTS	
T1.	Obtain patient medical and vision history.	K1.	Knowledge of common medical conditions and medications that could affect spectacle use.
		K2.	Knowledge of anatomy and physiology of the eye.
		K3.	Knowledge of methods to obtain patient medical and vision history.
T2.	Neutralize current eyewear to determine existing prescription.	K4.	Knowledge of methods for identifying refractive errors in patient prescriptions.
		K5.	Knowledge of interpreting lensometer findings.
T10.	Review spectacle lens prescriptions provided by patients to ensure they are valid and current.	K15.	Knowledge of requirements for patients to have prescriptions before ordering spectacle lenses.
		K16.	Knowledge of required elements for spectacle lens prescriptions.
		K17.	Knowledge of spectacle lens prescription expiration dates.
		K78.	Knowledge of laws and regulations related to spectacle lens prescriptions.
T11.	Refer patients to optometrists or ophthalmologists to obtain current prescriptions.	K15.	Knowledge of requirements for patients to have prescriptions before ordering spectacle lenses.
		K16.	Knowledge of required elements for spectacle lens prescriptions.
		K18.	Knowledge of patient medical conditions that should be monitored or evaluated by a medical professional.
T12.	Obtain patient authorization to contact optometrists or ophthalmologists for patient prescriptions.	K16.	Knowledge of required elements for spectacle lens prescriptions.
		K17.	Knowledge of spectacle lens prescription expiration dates.
		K19.	Knowledge of HIPAA requirements for patient consent for release of medical records.
T13.	Verify insurance eligibility to determine eyewear coverage.	K20.	Knowledge of methods for obtaining eligibility information from patients and third-party vision insurance carriers.
		K21.	Knowledge of third-party vision insurance carriers and network coverage.

T14. Interpret spectacle lens prescriptions to understand vision corrections.

K22. Knowledge of how to interpret spectacle lens prescriptions.

K23. Knowledge of methods for identifying the quantity and direction of prescribed prism.

K24. Knowledge of types of specialty and occupational lenses.

T15. Recommend patients visit medical professional to address possible medical conditions.

K18. Knowledge of patient medical conditions that should be monitored or evaluated by a medical professional.

2. EYEWEAR SELECTION AND ORDERING		30%	This area assesses a candidate's knowledge of assisting patients with frame and lens selection based on patient lifestyle, pre-fitting spectacle frames, and taking patient measurements.
TASKS		ASSOCIATED KNOWLEDGE STATEMENTS	
T16.	Determine spectacle frame design by evaluating patient prescription and needs.	K25.	Knowledge of lifestyle factors and hobbies that affect eyewear selection.
		K26.	Knowledge of advantages and disadvantages of different types of spectacle frame design and materials.
		K27.	Knowledge of different brands and styles of lenses and frames.
		K28.	Knowledge of different frame materials (for example, titanium, acetate, optyl).
		K29.	Knowledge of current trends in spectacle frames.
		K30.	Knowledge of methods for educating patients about eyewear designs and features.
T17.	Determine types of spectacle lens materials (for example, glass, CR-39, polycarbonate, trivex, high-index) by evaluating patient prescription and needs.	K31.	Knowledge of methods for matching frames to patients' facial characteristics.
		K25.	Knowledge of lifestyle factors and hobbies that affect eyewear selection.
		K27.	Knowledge of different brands and styles of lenses and frames.
		K30.	Knowledge of methods for educating patients about eyewear designs and features.
		K32.	Knowledge of current trends in spectacle lenses.
		K33.	Knowledge of different types of lens features and their functions (for example, polarization, photochromic, anti-reflective).
T18.	Determine spectacle lens type and design (for example, single vision, multifocal) by evaluating patient prescription and needs.	K24.	Knowledge of types of specialty and occupational lenses.
		K25.	Knowledge of lifestyle factors and hobbies that affect eyewear selection.
		K30.	Knowledge of methods for educating patients about eyewear designs and features.
		K33.	Knowledge of different types of lens features and their functions (for example, polarization, photochromic, anti-reflective).
		K34.	Knowledge of different designs of multifocal lenses (for example, progressive, bifocal, trifocal).

T19. Determine secondary lens options (for example, occupational, low vision, sports vision, blue light protection) and sun protection by evaluating patient prescription and needs.	K24. Knowledge of types of specialty and occupational lenses. K25. Knowledge of lifestyle factors and hobbies that affect eyewear selection. K27. Knowledge of different brands and styles of lenses and frames. K30. Knowledge of methods for educating patients about eyewear designs and features. K33. Knowledge of different types of lens features and their functions (for example, polarization, photochromic, anti-reflective). K35. Knowledge of the need for secondary lenses and sun protection.
T20. Convert spectacle lens prescriptions to intermediate or reading lenses.	K24. Knowledge of types of specialty and occupational lenses. K36. Knowledge of methods for modifying spectacle lens prescriptions for intermediate or reading powers.
T22. Determine out-of-pocket costs to assist patient with spectacle selection.	K37. Knowledge of methods for calculating out-of-pocket eyewear costs.
T23. Pre-adjust spectacle frame using four point alignment.	K38. Knowledge of tools used to adjust spectacle frames during pre-fitting. K39. Knowledge of methods for pre-adjusting spectacle frames.
T24. Pre-adjust spectacle frame on patient to ensure optimal fit.	K38. Knowledge of tools used to adjust spectacle frames during pre-fitting. K39. Knowledge of methods for pre-adjusting spectacle frames. K40. Knowledge of frame tilt (for example, pantoscopic, retroscopic, orthoscopic). K41. Knowledge of the effect of frame tilt on fit. K43. Knowledge of instruments used to measure vertex distance.
T25. Fit and adjust frame on patient to ensure accurate measurement.	K39. Knowledge of methods for pre-adjusting spectacle frames. K40. Knowledge of frame tilt (for example, pantoscopic, retroscopic, orthoscopic). K41. Knowledge of the effect of frame tilt on fit. K42. Knowledge of tools used to adjust spectacle frames. K43. Knowledge of instruments used to measure vertex distance.

T26. Measure vertical fitting heights to determine vertical position of the lens.	K40. Knowledge of frame tilt (for example, pantoscopic, retroscopic, orthoscopic).
	K41. Knowledge of the effect of frame tilt on fit.
	K43. Knowledge of instruments used to measure vertex distance.
	K44. Knowledge of methods for using a pupillary distance ruler.
T27. Measure horizontal pupillary distance to determine optical center.	K44. Knowledge of methods for using a pupillary distance ruler.
	K45. Knowledge of methods for using a pupillometer.
T28. Verify prescribed prism and determine specialty lenses (for example, slab-off).	K22. Knowledge of how to interpret spectacle lens prescriptions.
	K23. Knowledge of methods for identifying the quantity and direction of prescribed prism.
	K24. Knowledge of types of specialty and occupational lenses.
	K27. Knowledge of different brands and styles of lenses and frames.
	K34. Knowledge of different designs of multifocal lenses (for example, progressive, bifocal, trifocal).
	K46. Knowledge of the effect of bifocal lenses on image jump (for example, slab-off).

3. MANUFACTURING		10%	This area assesses a candidate's knowledge of spectacle lens manufacturing, including frame measurements, calculating decentration, identifying optical centers, and mounting lenses into frames.
TASKS		ASSOCIATED KNOWLEDGE STATEMENTS	
T29.	Determine base curve based on prescription information.	K47.	Knowledge of methods to identify ideal base curve.
		K48.	Knowledge of methods to use a lens clock to identify base curve.
T30.	Determine frame measurements for manufacturing.	K49.	Knowledge of frame dimensions (for example, distance between lenses, effective diameter, frame wrap).
T31.	Calculate horizontal and vertical decentration.	K49.	Knowledge of frame dimensions (for example, distance between lenses, effective diameter, frame wrap).
		K23.	Knowledge of methods for identifying the quantity and direction of prescribed prism.
		K50.	Knowledge of methods for calculating horizontal and vertical decentration.
		K52.	Knowledge of methods for identifying and calculating induced prism.
		K53.	Knowledge of methods for finishing lenses (for example, tracing, blocking, edging, tinting).
T32.	Identify optical center of lens using a lensometer.	K23.	Knowledge of methods for identifying the quantity and direction of prescribed prism.
		K51.	Knowledge of methods for interpreting lensometer findings to identify optical center of lens.
		K52.	Knowledge of methods for identifying and calculating induced prism.
T33.	Mount edged lenses into frames.	K53.	Knowledge of methods for finishing lenses (for example, tracing, blocking, edging, tinting).
		K81.	Knowledge of methods and techniques for inserting lenses into frames.

4. QUALITY CONTROL		16%	This area assesses a candidate's knowledge of procedures for verifying that finished eyewear matches patient prescription and order specifications, is aligned and free from defects, and meets ANSI standards.
TASKS		ASSOCIATED KNOWLEDGE STATEMENTS	
T34.	Verify spectacles received from laboratory match doctors' prescriptions.	K22.	Knowledge of how to interpret spectacle lens prescriptions.
		K54.	Knowledge of common transcription errors.
		K55.	Knowledge of procedures for comparing spectacles received to doctors' prescriptions.
		K59.	Knowledge of methods for interpreting lensometer findings to verify that lenses received from the lab match current prescription.
T35.	Verify spectacles received from laboratory match order specifications.	K56.	Knowledge of procedures for comparing spectacles received to order specifications.
T36.	Identify defects (for example, crazing, distortion) in spectacle lenses.	K57.	Knowledge of methods for interpreting lensometer findings to identify defects during the manufacturing process.
		K58.	Knowledge of procedures for identifying lens defects.
T37.	Verify spectacles received from laboratory meet ANSI standards (for example, lens thickness, prescription, prism, tolerance).	K52.	Knowledge of methods for identifying and calculating induced prism.
		K60.	Knowledge of methods to measure spectacle lens thickness using calipers.
		K61.	Knowledge of ANSI standards for spectacle lenses.
T38.	Adjust spectacle frame using four point alignment.	K40.	Knowledge of frame tilt (for example, pantoscopic, retroscopic, orthoscopic).
		K41.	Knowledge of the effect of frame tilt on fit.
		K62.	Knowledge of instruments used to verify spectacle parameters and fit.
		K63.	Knowledge of tools used to adjust spectacle frames during manufacturing.
		K64.	Knowledge of methods for adjusting spectacle frames during manufacturing.
		K65.	Knowledge of bench alignment techniques (for example, four point alignment).

5. DISPENSING		25%	This area assesses a candidate's knowledge of adjusting and repairing spectacle frames; educating patients on eyewear use, care, and warranty; and troubleshooting patient concerns.
TASKS		ASSOCIATED KNOWLEDGE STATEMENTS	
T39.	Adjust spectacle frame on patient to ensure optimal fit.	K40.	Knowledge of frame tilt (for example, pantoscopic, retroscopic, orthoscopic).
		K41.	Knowledge of the effect of frame tilt on fit.
		K66.	Knowledge of tools used to adjust spectacle frames to fit patient.
		K67.	Knowledge of methods for adjusting spectacle frames to fit patient.
		K68.	Knowledge of facial features and anatomy that affect spectacle fit.
T40.	Educate patients on use of multifocal lenses.	K24.	Knowledge of types of specialty and occupational lenses.
		K46.	Knowledge of the effect of bifocal lenses on image jump (for example, slab-off).
		K69.	Knowledge of side effects during adaptation period.
T41.	Train patients on methods for cleaning and maintaining spectacle lenses.	K70.	Knowledge of methods and materials for cleaning and maintaining spectacle lenses.
T42.	Educate patients on the adaptation period for spectacle lenses.	K69.	Knowledge of side effects during adaptation period.
T43.	Assess patient comfort and vision clarity with new spectacles.	K71.	Knowledge of methods of assessing visual acuity (for example, Snellen chart, Jaeger card).
T44.	Address patient concerns with spectacles.	K72.	Knowledge of methods for troubleshooting common patient concerns.
		K73.	Knowledge of after-sale services available to patients.
T45.	Refer patients to prescribing doctor to address prescription problems.	K74.	Knowledge of patient prescription problems that require referral to a medical professional.
T46.	Provide patients with eyewear warranty information.	K75.	Knowledge of eyewear manufacturer warranty policies.
T47.	Perform common eyewear repairs to extend life of spectacles.	K76.	Knowledge of parts used in eyewear repairs.
		K77.	Knowledge of methods for repairing eyewear.

6. ADVERTISING AND SUPERVISING		3%	This area assesses a candidate's knowledge of laws and regulations related to advertising and supervising trainees.
TASKS		ASSOCIATED KNOWLEDGE STATEMENTS	
T49.	Advertise spectacle lens dispenser services in accordance with laws and regulations.	K79.	Knowledge of laws and regulations related to advertising spectacle lens dispenser services.
T50.	Supervise spectacle lens dispenser trainees in accordance with laws and regulations.	K80.	Knowledge of laws and regulations related to supervising spectacle lens dispenser trainees.

CHAPTER 6 | CONCLUSION

The OA of SLD practice described in this report provides a comprehensive description of current SLD practice in California. The procedures employed to perform the OA were based upon a content validation strategy to ensure that the results accurately represent SLD practice. Results of this OA provide information regarding current practice that can be used to review the National Opticianry Competency Examination (NOCE) developed by the American Board of Opticianry (ABO).

By adopting the SLD examination outline contained in this report, the Board ensures that its examination program reflects current practice.

This report provides all documentation necessary to verify that the analysis has been completed in accordance with legal, professional, and technical standards.

APPENDIX A | RESPONDENTS BY REGION

LOS ANGELES COUNTY AND VICINITY

County of Practice	Frequency
Los Angeles	61
Orange	18
TOTAL	79

NORTH COAST

County of Practice	Frequency
Mendocino	1
Sonoma	1
TOTAL	2

RIVERSIDE AND VICINITY

County of Practice	Frequency
Riverside	17
San Bernardino	6
TOTAL	23

SACRAMENTO VALLEY

County of Practice	Frequency
Butte	1
Sacramento	13
Yolo	1
Yuba	1
TOTAL	16

SAN DIEGO COUNTY AND VICINITY

County of Practice	Frequency
San Diego	22
TOTAL	22

SAN FRANCISCO BAY AREA

County of Practice	Frequency
Alameda	3
Contra Costa	9
Marin	4
Napa	1
San Francisco	4
San Mateo	6
Santa Clara	10
Santa Cruz	2
Solano	2
TOTAL	41

SAN JOAQUIN VALLEY

County of Practice	Frequency
Fresno	4
Kern	6
San Joaquin	5
Stanislaus	5
Tulare	1
TOTAL	21

SHASTA-CASCADE

County of Practice	Frequency
Shasta	1
Tehama	1
TOTAL	2

SIERRA MOUNTAIN VALLEY

County of Practice	Frequency
Placer	3
TOTAL	3

SOUTH COAST AND CENTRAL COAST

County of Practice	Frequency
Monterey	2
San Luis Obispo	4
Santa Barbara	4
Ventura	3
TOTAL	13

APPENDIX B | CRITICALITY INDICES FOR ALL TASKS BY CONTENT AREA

**Content Area 1
Vision Pretest**

	Task Statements	N	Mean Frequency	N	Mean Importance	N	Task Criticality Index
T2.	Neutralize current eyewear to determine baseline prescription.*	219	3.24	203	3.14	204	12.96
T1.	Obtain patient medical and vision history.	220	2.99	203	3.17	207	12.43
T4.	Perform autorefraction to determine baseline for new prescription.	217	1.62	198	1.95	210	6.30
T5.	Assess patient visual acuity using Snellen chart.	216	1.57	198	1.97	209	5.76
T3.	Perform tonometry to determine intraocular pressure.	217	1.35	198	1.74	210	5.26
T9.	Perform retinal photography to monitor the condition of the retina.	218	1.22	197	1.78	212	4.67
T8.	Assess patient peripheral vision using visual field analyzer.	217	1.28	196	1.67	209	4.61
T6.	Assess patient for color blindness using Ishihara test.	218	1.05	197	1.38	211	3.27
T7.	Assess patient depth perception using stereopsis test.	218	1.02	195	1.36	211	3.18

*T2 was modified by SMEs (reworded for clarity). "Baseline" was changed to "existing." (See Chapter 4.)

Note: Shaded task statements were deleted by SMEs. (See Chapter 4.)

Content Area 2
Prescription Assessment

Task Statements	N	Mean Frequency	N	Mean Importance	N	Criticality Index
T10. Review spectacle lens prescriptions provided by patients to ensure they are valid and current.	212	4.73	198	4.63	198	22.28
T14. Interpret spectacle lens prescriptions to understand vision corrections.	211	4.63	197	4.51	195	21.47
T13. Verify insurance eligibility to determine eyewear coverage.	212	4.08	196	3.97	199	17.90
T11. Refer patients to optometrists or ophthalmologists to obtain current prescriptions.	212	3.62	195	3.89	195	15.44
T12. Obtain patient authorization to contact optometrists or ophthalmologists for patient prescriptions.	212	3.27	196	3.73	197	13.68
T15. Refer patients to medical professional to address possible medical conditions.*	212	2.32	194	3.43	198	9.99

*T15 was modified by SMEs (reworded for clarity). "Refer patients to" was changed to "Recommend patients visit."
(See Chapter 4.)

Content Area 3
Eyewear Selection and Ordering

Task Statements	N	Mean Frequency	N	Mean Importance	N	Criticality Index
T27. Measure horizontal pupillary distance to determine optical center.	199	4.78	185	4.62	184	22.30
T17. Determine types of spectacle lens materials (for example, glass, CR-39, polycarbonate, trivex, high-index) by evaluating patient prescription and needs.	199	4.82	184	4.51	183	21.95
T18. Determine spectacle lens type and design (for example, single vision, multifocal) by evaluating patient prescription and needs.	199	4.77	184	4.54	183	21.84
T25. Fit and adjust frame on patient to ensure accurate measurement.	200	4.71	187	4.54	186	21.58
T16. Determine spectacle frame design by evaluating patient prescription and needs.	198	4.75	185	4.35	183	21.03
T26. Measure vertical fitting heights to determine vertical position of the lens.	199	4.58	185	4.53	185	21.02
T24. Pre-adjust spectacle frame on patient to ensure optimal fit.	199	4.57	187	4.30	186	20.04
T23. Pre-adjust spectacle frame using four point alignment.	200	4.52	187	4.13	186	19.16
T19. Determine secondary lens options (for example, occupational, low vision, sports vision, blue light protection) and sun protection by evaluating patient prescription and needs.	199	4.51	186	4.09	185	18.86
T22. Determine out-of-pocket costs to assist patient with spectacle selection.	199	4.19	186	3.68	185	16.68

T20. Convert spectacle lens prescriptions to intermediate or reading lenses.	200	3.82	185	3.94	185	15.80
T28. Verify prescribed prism and determine specialty lenses (for example, slab-off).	200	3.26	187	3.97	188	14.04
T21. Assess base curve and material of current spectacle lenses.	199	3.58	186	3.67	186	13.89

**Content Area 4
Manufacturing**

Task Statements	N	Mean Frequency	N	Mean Importance	N	Criticality Index
T32. Identify optical center of lens using a lensometer.	194	3.99	180	4.03	181	17.24
T30. Determine frame measurements for manufacturing.	194	3.33	175	3.42	182	13.85
T31. Calculate horizontal and vertical decentration.	194	2.70	179	3.08	182	11.07
T29. Determine base curve based on prescription information.	193	2.87	177	3.01	179	10.59
T33. Finish lenses to prepare for insertion into frame.*	193	2.19	175	2.71	185	9.24

*T33 was modified by SMEs. For clarity, it was reworded to: "Mount edged lenses into frames." (See Chapter 4.)

**Content Area 5
Quality Control**

Task Statements	N	Mean Frequency	N	Mean Importance	N	Criticality Index
T35. Verify spectacles received from laboratory match order specifications.	188	4.47	175	4.47	177	20.97
T34. Verify spectacles received from laboratory match doctors' prescriptions.	188	4.43	174	4.47	176	20.93
T38. Adjust spectacle frame using four point alignment.	187	4.61	175	4.24	175	20.16
T36. Identify defects (for example, crazing, distortion) in spectacle lenses.	188	4.37	176	4.38	176	20.02
T37. Verify spectacles received from laboratory meet ANSI standards (for example, lens thickness, prescription, prism tolerance).	188	3.96	173	4.10	176	18.10

**Content Area 6
Dispensing**

Task Statements	N	Mean Frequency	N	Mean Importance	N	Criticality Index
T39. Adjust spectacle frame on patient to ensure optimal fit.	188	4.72	175	4.47	175	21.41
T40. Educate patients on use of multifocal lenses.	187	4.63	175	4.51	174	21.18
T43. Assess patient comfort and vision clarity with new spectacles.	188	4.63	177	4.36	176	20.80
T44. Address patient concerns with spectacles.	188	4.47	176	4.40	175	20.04
T42. Educate patients on the adaptation period for spectacle lenses.	188	4.57	176	4.27	175	19.78
T41. Train patients on methods for cleaning and maintaining spectacle lenses.	188	4.49	176	4.06	175	18.76
T47. Perform common eyewear repairs to extend life of spectacles.	188	4.43	177	3.92	176	17.94
T46. Provide patients with eyewear warranty information.	188	4.27	177	3.72	176	16.85
T45. Refer patients to medical professionals to address prescription problems.	188	3.39	177	3.93	177	14.09

**Content Area 7
Laws and Regulations**

Task Statements	N	Mean Frequency	N	Mean Importance	N	Criticality Index
T50. Supervise spectacle lens dispenser trainees in accordance with laws and regulations.	187	2.86	169	3.40	176	12.62
T48. Provide copies of spectacle lens prescriptions to patients after eye exams.	188	2.86	171	2.85	181	11.96
T49. Advertise spectacle lens dispenser services in accordance with laws and regulations.	187	2.79	172	2.83	179	11.28

Note: Shaded task statement was deleted by SMEs. (See Chapter 4.)

APPENDIX C | KNOWLEDGE IMPORTANCE RATINGS BY CONTENT AREA

**Content Area 1
Vision Pretest**

Knowledge Statements	N	Mean Importance
K5. Knowledge of interpreting lensometer findings.	184	4.3207
K4. Knowledge of methods for identifying refractive errors in patient prescriptions.	185	3.5892
K3. Knowledge of methods to obtain patient medical and vision history.	185	3.2865
K2. Knowledge of anatomy and physiology of the eye.	185	3.1946
K1. Knowledge of common medical conditions and medications that could affect spectacle use.	185	2.8486
K10. Knowledge of methods to interpret a Snellen chart.	185	2.2703
K9. Knowledge of methods to perform visual acuity tests.	185	2.1135
K8. Knowledge of methods to perform autorefraction.	185	1.9622
K7. Knowledge of signs and symptoms of abnormal intraocular pressure.	185	1.7838
K6. Knowledge of methods and procedures to perform tonometry.	184	1.7663
K13. Knowledge of methods for using a visual field analyzer to assess peripheral vision.	185	1.7297
K12. Knowledge of methods for administering stereopsis test to assess depth perception.	185	1.5892
K11. Knowledge of methods for administering Ishihara test to identify color blindness.	185	1.5838
K14. Knowledge of methods for operating a fundus camera.	185	1.5243

*Shaded knowledge statements deleted by SMEs because they were only associated with eliminated tasks. (See Chapter 4.)

**Content Area 2
Prescription Assessment**

Knowledge Statements	N	Mean Importance
K22. Knowledge of how to interpret spectacle lens prescriptions.	184	4.6793
K16. Knowledge of required elements for spectacle lens prescriptions.	181	4.5801
K17. Knowledge of spectacle lens prescription expiration dates.	183	4.5683
K15. Knowledge of requirements for patients to have prescriptions before ordering spectacle lenses.	185	4.4270
K25. Knowledge of lifestyle factors and hobbies that affect eyewear selection.	184	4.3315
K23. Knowledge of methods for identifying the quantity and direction of prescribed prism.	184	4.2446
K24. Knowledge of types of specialty and occupational lenses.	183	4.2240
K19. Knowledge of requirements for patient consent for release of medical records.	184	4.0380
K20. Knowledge of methods for obtaining eligibility information from patients and third-party vision insurance carriers.	184	3.9076
K21. Knowledge of third-party vision insurance carriers and network coverage.	184	3.8152
K18. Knowledge of patient medical conditions that require referral to a medical professional.*	184	3.1196

*K18 was modified by SMEs (reworded for clarity); “that require referral to” was changed to “that should be monitored or evaluated by.” (See Chapter 4.)

Content Area 3
Eyewear Selection and Ordering

Knowledge Statements	N	Mean Importance
K34. Knowledge of different designs of multifocal lenses (for example, progressive, bifocal, trifocal).	184	4.5815
K33. Knowledge of different types of lens features and their functions (for example, polarization, photochromic, anti-reflective).	185	4.5405
K45. Knowledge of methods for using a pupillometer.	185	4.5297
K35. Knowledge of the need for secondary lenses and sun protection.	184	4.4565
K26. Knowledge of advantages and disadvantages of different types of spectacle frame design and materials.	183	4.4317
K40. Knowledge of frame tilt (for example, pantoscopic, retroscopic, orthoscopic).	185	4.3946
K36. Knowledge of methods for modifying spectacle lens prescriptions for intermediate or reading powers.	185	4.3838
K38. Knowledge of tools used to adjust spectacle frames during pre-fitting.	185	4.3838
K41. Knowledge of the effect of frame tilt on fit.	185	4.3730
K39. Knowledge of methods for pre-adjusting spectacle frames.	185	4.3405
K44. Knowledge of methods for using a pupillary distance ruler.	185	4.2865
K42. Knowledge of tools used to pre-adjust spectacle frames.	185	4.2162
K27. Knowledge of different brands and styles of lenses and frames.	182	4.1319
K31. Knowledge of methods for matching frames to patients' facial characteristics.	184	4.1033
K28. Knowledge of different frame materials (for example, titanium, acetate, optyl).	183	4.0765
K30. Knowledge of methods for educating patients about eyewear designs and features.	182	4.0110
K37. Knowledge of methods for calculating out-of-pocket eyewear costs.	184	3.9674
K32. Knowledge of current trends in spectacle lenses.	184	3.9511
K46. Knowledge of the effect of bifocal lenses on image jump (for example, slab-off).	185	3.9459
K29. Knowledge of current trends in spectacle frames.	183	3.7596
K43. Knowledge of instruments used to measure vertex distance.	185	3.5568
K47. Knowledge of methods to identify ideal base curve.	183	3.1421

**Content Area 4
Manufacturing**

Knowledge Statements	N	Mean Importance
K51. Knowledge of methods for interpreting lensometer findings to identify optical center of lens.	181	4.0939
K49. Knowledge of frame dimensions (for example, distance between lenses, effective diameter, frame wrap).	182	3.9560
K52. Knowledge of methods for identifying and calculating induced prism.	182	3.6429
K48. Knowledge of methods to use a lens clock to identify base curve.	182	3.5385
K50. Knowledge of methods for calculating horizontal and vertical decentration.	182	3.3846
K53. Knowledge of methods for finishing lenses (for example, tracing, blocking, edging, tinting).	182	2.5824

**Content Area 5
Quality Control**

Knowledge Statements	N	Mean Importance
K59. Knowledge of methods for interpreting lensometer findings to verify that lenses received from the lab match current prescription.	179	4.5251
K56. Knowledge of procedures for comparing spectacles received to order specifications.	179	4.4972
K61. Knowledge of ANSI standards for spectacle lenses.	179	4.3352
K58. Knowledge of procedures for identifying lens defects.	179	4.2793
K57. Knowledge of methods for interpreting lensometer findings to identify defects during the manufacturing process.	179	4.2291
K65. Knowledge of bench alignment techniques (for example, four point alignment).	179	4.2067
K62. Knowledge of instruments used to verify spectacle parameters and fit.	179	4.1508
K60. Knowledge of methods to measure spectacle lens thickness using calipers.	179	3.5140
K63. Knowledge of tools used to adjust spectacle frames during manufacturing.	179	3.3911
K64. Knowledge of methods for adjusting spectacle frames during manufacturing.	178	3.0281

**Content Area 6
Dispensing**

Knowledge Statements	N	Mean Importance
K72. Knowledge of methods for troubleshooting common patient concerns.	178	4.5562
K67. Knowledge of methods for adjusting spectacle frames to fit patient.	177	4.5367
K66. Knowledge of tools used to adjust spectacle frames to fit patient.	176	4.4545
K69. Knowledge of side effects during spectacle or lens adaptation period.	178	4.3596
K68. Knowledge of facial features and anatomy that affect spectacle fit.	177	4.3220
K70. Knowledge of procedures for cleaning and maintaining spectacle lenses.	177	4.2712
K73. Knowledge of after-sale services available to patients.	178	4.2191
K76. Knowledge of parts used in eyewear repairs.	178	4.1348
K74. Knowledge of patient prescription problems that require referral to a medical professional.	178	3.8989
K75. Knowledge of eyewear manufacturer warranty policies.	178	3.7921
K71. Knowledge of methods of assessing visual acuity (for example, Snellen chart, Jaeger card).	177	3.1582

**Content Area 7
Laws and Regulations**

Knowledge Statements	N	Mean Importance
K78. Knowledge of laws and regulations related to spectacle lens prescriptions.	179	4.4134
K77. Knowledge of methods for repairing eyewear.	178	4.2978
K80. Knowledge of laws and regulations related to supervising spectacle lens dispenser trainees.	178	3.7303
K79. Knowledge of laws and regulations related to advertising spectacle lens dispenser services.	178	3.5955

*Shaded knowledge statements deleted by SMEs because they were only associated with eliminated tasks. (See Chapter 4.)

APPENDIX D | QUESTIONNAIRE INVITATION LETTER TO PRACTITIONERS



October 16, 2019

Name
Address
City, State, Zip

Dear Spectacle Lens Dispenser:

The Board is conducting an occupational analysis (OA) of the SLD profession. The purpose of the OA is to identify the important tasks performed by currently working SLDs and the knowledge required to perform those tasks. Your participation in the OA is essential to this process. The Board requires responses from many licensees to achieve representation from different geographic regions of the state and from different work settings.

As part of the study, a questionnaire has been developed to identify the important tasks that SLDs perform upon entry into the profession. The questionnaire will be available online until **November 4, 2019**, 24 hours a day, 7 days a week. Please take the time to complete the questionnaire as it relates to your current work. Your responses will be kept confidential and will not be tied to your license or any other personal information. Individual responses will be combined with the responses of other SLDs and only group data will be analyzed.

Please follow one of these two steps to participate in this important project:

Go to the link: <https://www.surveymonkey.com/r/SLD2019OA>

OR

Scan the QR code:



For your convenience, you do not have to complete the questionnaire in a single session. Before you exit, complete the page that you are on. You can resume where you stopped as long as you reopen the questionnaire from the same computer and use the same web browser. The web link is available 24 hours a day, 7 days a week. The bottom of each page has a progress bar showing you what percentage of the questionnaire you have completed.

If you have any questions or need assistance from the Board, please contact [REDACTED] at [REDACTED]@dca.ca.gov. The Board welcomes your feedback and appreciates your time!

Sincerely,

Shara Murphy, Executive Officer

Please Note: If you have already received this Occupational Analysis questionnaire via email and have already taken the survey, please disregard this letter.

APPENDIX E | QUESTIONNAIRE INVITATION EMAIL TO PRACTITIONERS

Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

We're conducting an Occupational Analysis of the Spectacle Lens Dispenser profession. Your participation is important for the success of the study, and the Board values your input. Please click the button below to start the survey. Thank you for your participation!

[Begin Survey](#)

APPENDIX F | QUESTIONNAIRE



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Cover Letter

Dear Registered Spectacle Lens Dispenser:

Thank you for participating in this study of the Spectacle Lens dispenser (SLD) profession in California, a project of the California State Board of Optometry (Board).

The Board is conducting an occupational analysis (OA) of the SLD profession. The purpose of the OA is to identify the important tasks performed by currently working SLDs and the knowledge required to perform those tasks.

Your participation in the OA is essential to this process. The Board requires responses from many licensees to achieve representation from different geographic regions of the state and from different work settings.

Please take the time to complete the questionnaire as it relates to your current work. Your responses will be kept confidential and will not be tied to your license or any other personal information. Individual responses will be combined with the responses of other SLDs and only group data will be analyzed.

For your convenience, you do not have to complete the questionnaire in a single session. Before you exit, complete the page that you are on. You can resume where you stopped as long as you reopen the questionnaire from the same computer and use the same web browser. The web link is available 24 hours a day, 7 days a week. The bottom of each page has a progress bar showing you what percentage of the questionnaire you have completed.

To begin the survey, please click Next. Any question marked with an asterisk must be answered before you can progress through the questionnaire. Please submit the completed questionnaire by November 4, 2019.

If you have any questions or need assistance from the Board, please contact [redacted] at [redacted]@dca.ca.gov.

The Board welcomes your feedback and appreciates your time!

Sincerely,

A handwritten signature in black ink, appearing to read "Shara Murphy".

Shara Murphy
Executive Officer
California State Board of Optometry



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part I - Personal Data

The information you provide here is voluntary and confidential. It will be treated as personal information subject to the Information Practices Act (Civil Code section 1798 et seq.) and will be used only for the purpose of aiding in interpreting the task and knowledge ratings that are requested in Parts II and III. Please choose only one answer unless more than one is requested.

*** 1. Do you currently work as a SLD in California?**

☐ Yes

☐ No



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part I - Personal Data

Complete this questionnaire only if you are currently licensed and working as an SLD in California.

This questionnaire contains a broad range of tasks performed by individuals who work in optical settings. Every SLD may not perform all of the tasks or use all of the knowledge contained in this questionnaire. However, your participation is essential, and your contribution will help establish standards for safe and effective spectacle lens dispensing in the State of California.



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part I - Personal Data

2. How many years have you been licensed and working as an SLD in California?

- ☐ 0-5 years
- ☐ 6-10 years
- ☐ 11-20 years
- ☐ More than 20 years

3. How many hours per week do you work as an SLD?

- ☐ 9 hours or fewer
- ☐ 10-19 hours
- ☐ 20-29 hours
- ☐ 30-39 hours
- ☐ 40-49 hours
- ☐ 50 or more hours

4. Which title below most nearly matches your job title?

- ☐ Sole Owner / Principal
- ☐ Manager / Supervisor
- ☐ Optical Technician
- ☐ Optical Lab Technician
- ☐ Sales Associate
- ☐ Spectacle Lens Dispenser
- ☐ Licensed Optician
- ☐ Other (please specify)

5. Which of the following levels of education have you achieved? (check all that apply)

- ☐ On-the-job training
- ☐ Vocational program
- ☐ Associate Degree
- ☐ Bachelor's Degree
- ☐ Master's Degree
- ☐ Doctorate
- ☐ Other (please specify)

6. Do you hold either of the following licenses? (Select all that apply)

- ☐ Contact Lens Dispenser (CLD)
- ☐ Registered Dispensing Optician (RDO)

7. Which choice below better describes the location of your primary work setting?

- ☐ Urban (50,000 people or more)
- ☐ Rural (fewer than 50,000 people)



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part I - Personal Data

8. How would you describe your primary work setting?

- ☐ Big box store (for example, Walmart, Costco, Target)
- ☐ Optical Laboratory
- ☐ Independent optical store
- ☐ Local chain optical store
- ☐ Regional chain optical store
- ☐ National chain optical store
- ☐ Private hospital
- ☐ HMO facility
- ☐ Military/veterans' hospital or clinic
- ☐ Educational facility
- ☐ Federal facility (nonmilitary)
- ☐ State facility
- ☐ Other (please specify)

9. How many registered SLDs work within your primary work setting?

- ☐ 0
- ☐ 1-3
- ☐ 4-6
- ☐ 7 or more

10. How many non-registered employees perform work related to spectacle lens dispensing within your primary work setting?

- ☐ 0
- ☐ 1-3
- ☐ 4-6
- ☐ 7 or more



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part I - Personal Data

11. In what California county do you perform the majority of your work?

- | | | |
|------------------------------------|---------------------------------------|-------------------------------------|
| <input type="radio"/> Alameda | <input type="radio"/> Marin | <input type="radio"/> San Mateo |
| <input type="radio"/> Alpine | <input type="radio"/> Mariposa | <input type="radio"/> Santa Barbara |
| <input type="radio"/> Amador | <input type="radio"/> Mendocino | <input type="radio"/> Santa Clara |
| <input type="radio"/> Butte | <input type="radio"/> Merced | <input type="radio"/> Santa Cruz |
| <input type="radio"/> Calaveras | <input type="radio"/> Modoc | <input type="radio"/> Shasta |
| <input type="radio"/> Colusa | <input type="radio"/> Mono | <input type="radio"/> Sierra |
| <input type="radio"/> Contra Costa | <input type="radio"/> Monterey | <input type="radio"/> Siskiyou |
| <input type="radio"/> Del Norte | <input type="radio"/> Napa | <input type="radio"/> Solano |
| <input type="radio"/> El Dorado | <input type="radio"/> Nevada | <input type="radio"/> Sonoma |
| <input type="radio"/> Fresno | <input type="radio"/> Orange | <input type="radio"/> Stanislaus |
| <input type="radio"/> Glenn | <input type="radio"/> Placer | <input type="radio"/> Sutter |
| <input type="radio"/> Humboldt | <input type="radio"/> Plumas | <input type="radio"/> Tehama |
| <input type="radio"/> Imperial | <input type="radio"/> Riverside | <input type="radio"/> Trinity |
| <input type="radio"/> Inyo | <input type="radio"/> Sacramento | <input type="radio"/> Tulare |
| <input type="radio"/> Kern | <input type="radio"/> San Benito | <input type="radio"/> Tuolumne |
| <input type="radio"/> Kings | <input type="radio"/> San Bernardino | <input type="radio"/> Ventura |
| <input type="radio"/> Lake | <input type="radio"/> San Diego | <input type="radio"/> Yolo |
| <input type="radio"/> Lassen | <input type="radio"/> San Francisco | <input type="radio"/> Yuba |
| <input type="radio"/> Los Angeles | <input type="radio"/> San Joaquin | |
| <input type="radio"/> Madera | <input type="radio"/> San Luis Obispo | |



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part II - Task Ratings

INSTRUCTIONS FOR RATING TASK STATEMENTS

This part of the questionnaire contains 50 task statements. Please rate each task as it relates to effective performance of your current work as an SLD using the **Frequency** and **Importance** scales displayed below.

FREQUENCY RATING SCALE

HOW FREQUENTLY do you perform this task in your current work?

- 0 - DOES NOT APPLY.** I do not perform this task in my current work.
- 1 - RARELY.** I perform this task the least often in my current work relative to other tasks I perform.
- 2 - SELDOM.** I perform this task less often than most other tasks I perform in my current work.
- 3 - SOMETIMES.** I perform this task as often as other tasks I perform in my current work.
- 4 - OFTEN.** I perform this task more often than most other tasks I perform in my current work.
- 5 - VERY OFTEN.** This task is one of the tasks I perform most often in my current work relative to other tasks I perform.

IMPORTANCE RATING SCALE

HOW IMPORTANT is this task for effective performance in your current work?

- 0 - DOES NOT APPLY.** This task is not required for effective performance in my current work.
- 1 - NOT IMPORTANT.** This task is not important for effective performance in my current work.
- 2 - FAIRLY IMPORTANT.** This task is somewhat important for effective performance in my current work.
- 3 - IMPORTANT.** This task is important for effective performance in my current work.
- 4 - VERY IMPORTANT.** This task is very important for effective performance in my current work.
- 5 - CRITICALLY IMPORTANT.** This task is extremely important for effective performance in my current work.



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part II - Task Ratings

Your **Frequency** and **Importance** ratings should be separate and independent ratings. Therefore, the ratings that you assign using one rating scale should not influence the ratings that you assign using the other rating scale.

If the task is **NOT** part of your current work, rate the task "0" (zero) **Frequency** and "0" (zero) **Importance**.

The boxes for rating the **Frequency** and **Importance** of each task have drop-down lists. Click on the "down" arrow in each box to see the rating, and then select the value based on your current work.



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part II - Task Ratings

12. Please rate the following tasks based on how often you perform the task (Frequency) and how important the task is for effective performance in your current work (Importance).

Vision Pretest

	Frequency	Importance
T01. Obtain patient medical and vision history.	<input type="text"/>	<input type="text"/>
T02. Neutralize current eyewear to determine baseline prescription.	<input type="text"/>	<input type="text"/>
T03. Perform tonometry to determine intraocular pressure.	<input type="text"/>	<input type="text"/>
T04. Perform autorefraction to determine baseline for new prescription.	<input type="text"/>	<input type="text"/>
T05. Assess patient visual acuity using Snellen chart.	<input type="text"/>	<input type="text"/>
T06. Assess patient for color blindness using Ishihara test.	<input type="text"/>	<input type="text"/>
T07. Assess patient depth perception using stereopsis test.	<input type="text"/>	<input type="text"/>
T08. Assess patient peripheral vision using visual field analyzer.	<input type="text"/>	<input type="text"/>
T09. Perform retinal photography to monitor the condition of the retina.	<input type="text"/>	<input type="text"/>



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part II - Task Ratings

13. Please rate the following tasks based on how often you perform the task (Frequency) and how important the task is for effective performance in your current work (Importance).

Prescription Assessment

	Frequency	Importance
T10. Review spectacle lens prescriptions provided by patients to ensure they are valid and current.	<input type="text"/>	<input type="text"/>
T11. Refer patients to optometrists or ophthalmologists to obtain current prescriptions.	<input type="text"/>	<input type="text"/>
T12. Obtain patient authorization to contact optometrists or ophthalmologists for patient prescriptions.	<input type="text"/>	<input type="text"/>
T13. Verify insurance eligibility to determine eyewear coverage.	<input type="text"/>	<input type="text"/>
T14. Interpret spectacle lens prescriptions to understand vision corrections.	<input type="text"/>	<input type="text"/>
T15. Refer patients to medical professional to address possible medical conditions.	<input type="text"/>	<input type="text"/>



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part II - Task Ratings

14. Please rate the following tasks based on how often you perform the task (Frequency) and how important the task is for effective performance in your current work (Importance).

Eyewear Selection and Ordering

	Frequency	Importance
T16. Determine spectacle frame design by evaluating patient prescription and needs.	<input type="text"/>	<input type="text"/>
T17. Determine types of spectacle lens materials (for example, glass, CR-39, polycarbonate, trivex, high-index) by evaluating patient prescription and needs.	<input type="text"/>	<input type="text"/>
T18. Determine spectacle lens type and design (for example, single vision, multifocal) by evaluating patient prescription and needs.	<input type="text"/>	<input type="text"/>
T19. Determine secondary lens options (for example, occupational, low vision, sports vision, blue light protection) and sun protection by evaluating patient prescription and needs.	<input type="text"/>	<input type="text"/>
T20. Convert spectacle lens prescriptions to intermediate or reading lenses.	<input type="text"/>	<input type="text"/>
T21. Assess base curve and material of current spectacle lenses.	<input type="text"/>	<input type="text"/>
T22. Determine out-of-pocket costs to assist patient with spectacle selection.	<input type="text"/>	<input type="text"/>
T23. Pre-adjust spectacle frame using four point alignment.	<input type="text"/>	<input type="text"/>
T24. Pre-adjust spectacle frame on patient to ensure optimal fit.	<input type="text"/>	<input type="text"/>
T25. Fit and adjust frame on patient to ensure accurate measurement.	<input type="text"/>	<input type="text"/>
T26. Measure vertical fitting heights to determine vertical position of the lens.	<input type="text"/>	<input type="text"/>
T27. Measure horizontal pupillary distance to determine optical center.	<input type="text"/>	<input type="text"/>
T28. Verify prescribed prism and determine specialty lenses (for example, slab-off).	<input type="text"/>	<input type="text"/>



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part II - Task Ratings

15. Please rate the following tasks based on how often you perform the task (Frequency) and how important the task is for effective performance in your current work (Importance).

Manufacturing

	Frequency	Importance
T29. Determine base curve based on prescription information.	<input type="text"/>	<input type="text"/>
T30. Determine frame measurements for manufacturing.	<input type="text"/>	<input type="text"/>
T31. Calculate horizontal and vertical decentration.	<input type="text"/>	<input type="text"/>
T32. Identify optical center of lens using a lensometer.	<input type="text"/>	<input type="text"/>
T33. Finish lenses to prepare for insertion into frame.	<input type="text"/>	<input type="text"/>



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part II - Task Ratings

16. Please rate the following tasks based on how often you perform the task (Frequency) and how important the task is for effective performance in your current work (Importance).

Quality Control

	Frequency	Importance
T34. Verify spectacles received from laboratory match doctors' prescriptions.	<input type="text"/>	<input type="text"/>
T35. Verify spectacles received from laboratory match order specifications.	<input type="text"/>	<input type="text"/>
T36. Identify defects (for example, crazing, distortion) in spectacle lenses.	<input type="text"/>	<input type="text"/>
T37. Verify spectacles received from laboratory meet ANSI standards (for example, lens thickness, prescription, prism tolerance).	<input type="text"/>	<input type="text"/>
T38. Adjust spectacle frame using four point alignment.	<input type="text"/>	<input type="text"/>



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Copy of page: Part II - Task Ratings

17. Please rate the following tasks based on how often you perform the task (Frequency) and how important the task is for effective performance in your current work (Importance).

Dispensing

	Frequency	Importance
T39. Adjust spectacle frame on patient to ensure optimal fit.	<input type="text"/>	<input type="text"/>
T40. Educate patients on use of multifocal lenses.	<input type="text"/>	<input type="text"/>
T41. Train patients on methods for cleaning and maintaining spectacle lenses.	<input type="text"/>	<input type="text"/>
T42. Educate patients on the adaptation period for spectacle lenses.	<input type="text"/>	<input type="text"/>
T43. Assess patient comfort and vision clarity with new spectacles.	<input type="text"/>	<input type="text"/>
T44. Address patient concerns with spectacles.	<input type="text"/>	<input type="text"/>
T45. Refer patients to medical professionals to address prescription problems.	<input type="text"/>	<input type="text"/>
T46. Provide patients with eyewear warranty information.	<input type="text"/>	<input type="text"/>
T47. Perform common eyewear repairs to extend life of spectacles.	<input type="text"/>	<input type="text"/>



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Copy of page: Part II - Task Ratings

18. Please rate the following tasks based on how often you perform the task (Frequency) and how important the task is for effective performance in your current work (Importance).

Laws and Regulations

	Frequency	Importance
T48. Provide copies of spectacle lens prescriptions to patients after eye exams.	<input type="text"/>	<input type="text"/>
T49. Advertise spectacle lens dispenser services in accordance with laws and regulations.	<input type="text"/>	<input type="text"/>
T50. Supervise spectacle lens dispenser trainees in accordance with laws and regulations.	<input type="text"/>	<input type="text"/>



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part III - Knowledge Ratings

INSTRUCTIONS FOR RATING KNOWLEDGE STATEMENTS

This part of the questionnaire contains 80 knowledge statements. Please rate each knowledge statement based on how **important** you believe the knowledge is for effective performance of your current work as an SLD.

If the knowledge is **NOT** required for effective performance of your current work, rate the statement as "**DOES NOT APPLY.**"

Please use the following scale to make your ratings:

IMPORTANCE RATING SCALE

HOW IMPORTANT is this knowledge for effective performance of tasks in your current work?

0 - DOES NOT APPLY. This knowledge is not required for effective performance of tasks in my current work.

1- NOT IMPORTANT. This knowledge is not important for effective performance of tasks in my current work.

2 - FAIRLY IMPORTANT. This knowledge is somewhat important for effective performance of tasks in my current work.

3 - IMPORTANT. This knowledge is important for effective performance of tasks in my current work.

4 - VERY IMPORTANT. This knowledge is very important for effective performance of tasks in my current work.

5 - CRITICALLY IMPORTANT. This knowledge is extremely important for effective performance of tasks in my current work.

19. How important is this knowledge for effective performance of tasks in your current work?

Vision Pretest

	0 Does Not Apply	1 Not Important	2 Fairly Important	3 Important	4 Very Important	5 Critically Important
K01. Knowledge of common medical conditions and medications that could affect spectacle use.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K02. Knowledge of anatomy and physiology of the eye.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K03. Knowledge of methods to obtain patient medical and vision history.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K04. Knowledge of methods for identifying refractive errors in patient prescriptions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K05. Knowledge of interpreting lensometer findings.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K06. Knowledge of methods and procedures to perform tonometry.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K07. Knowledge of signs and symptoms of abnormal intraocular pressure.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K08. Knowledge of methods to perform autorefraction.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K09. Knowledge of methods to perform visual acuity tests.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K10. Knowledge of methods to interpret a Snellen chart.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K11. Knowledge of methods for administering Ishihara test to identify color blindness.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K12. Knowledge of methods for administering stereopsis test to assess depth perception.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K13. Knowledge of methods for using a visual field analyzer to assess peripheral vision.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K14. Knowledge of methods for operating a fundus camera.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part III - Knowledge Ratings

20. How important is this knowledge for effective performance of tasks in your current work?

Prescription Assessment

	0 Does Not Apply	1 Not Important	2 Fairly Important	3 Important	4 Very Important	5 Critically Important
K15. Knowledge of requirements for patients to have prescriptions before ordering spectacle lenses.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K16. Knowledge of required elements for spectacle lens prescriptions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K17. Knowledge of spectacle lens prescription expiration dates.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K18. Knowledge of patient medical conditions that require referral to a medical professional.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K19. Knowledge of requirements for patient consent for release of medical records.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K20. Knowledge of methods for obtaining eligibility information from patients and third-party vision insurance carriers.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K21. Knowledge of third-party vision insurance carriers and network coverage.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K22. Knowledge of how to interpret spectacle lens prescriptions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K23. Knowledge of methods for identifying the quantity and direction of prescribed prism.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K24. Knowledge of types of specialty and occupational lenses.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part III - Knowledge Ratings

21. How important is this knowledge for effective performance of tasks in your current work?

Eyewear Selection and Ordering

	0 Does Not Apply	1 Not Important	2 Fairly Important	3 Important	4 Very Important	5 Critically Important
K25. Knowledge of lifestyle factors and hobbies that affect eyewear selection.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K26. Knowledge of advantages and disadvantages of different types of spectacle frame design and materials.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K27. Knowledge of different brands and styles of lenses and frames.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K28. Knowledge of different frame materials (for example, titanium, acetate, optyl).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K29. Knowledge of current trends in spectacle frames.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K30. Knowledge of methods for educating patients about eyewear designs and features.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K31. Knowledge of methods for matching frames to patients' facial characteristics.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K32. Knowledge of current trends in spectacle lenses.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K33. Knowledge of different types of lens features and their functions (for example, polarization, photochromic, anti-reflective).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K34. Knowledge of different designs of multifocal lenses (for example, progressive, bifocal, trifocal).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K35. Knowledge of the need for secondary lenses and sun protection.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K36. Knowledge of methods for modifying spectacle lens prescriptions for	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

intermediate or reading powers.

K37. Knowledge of methods for calculating out-of-pocket eyewear costs.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K38. Knowledge of tools used to adjust spectacle frames during pre-fitting.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K39. Knowledge of methods for pre-adjusting spectacle frames.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K40. Knowledge of frame tilt (for example pantoscopic, retoscopic, orthoscopic).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K41. Knowledge of the effect of frame tilt on fit.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K42. Knowledge of tools used to pre-adjust spectacle frames.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K43. Knowledge of instruments used to measure vertex distance.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K44. Knowledge of methods for using a pupillary distance ruler.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K45. Knowledge of methods for using a pupilometer.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K46. Knowledge of the effect of bifocal lenses on image jump (for example, slab off).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part III - Knowledge Ratings

22. How important is this knowledge for effective performance of tasks in your current work?

Manufacturing

	0 Does Not Apply	1 Not Important	2 Fairly Important	3 Important	4 Very Important	5 Critically Important
K47. Knowledge of methods to identify ideal base curve.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K48. Knowledge of methods to use a lens clock to identify base curve.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K49. Knowledge of frame dimensions (for example, distance between lenses, effective diameter, frame wrap).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K50. Knowledge of methods for calculating horizontal and vertical decentration.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K51. Knowledge of methods for interpreting lensometer findings to identify optical center of lens.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K52. Knowledge of methods for identifying and calculating induced prism.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K53. Knowledge of methods for finishing lenses (for example, tracing, blocking, edging, tinting).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Part III - Knowledge Ratings

23. How important is this knowledge for effective performance of tasks in your current work?

Quality Control

	0 Does Not Apply	1 Not Important	2 Fairly Important	3 Important	4 Very Important	5 Critically Important
K54. Knowledge of common transcription errors.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K55. Knowledge of procedures for comparing spectacles received to doctors' prescriptions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K56. Knowledge of procedures for comparing spectacles received to order specifications.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K57. Knowledge of methods for interpreting lensometer findings to identify defects during the manufacturing process.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K58. Knowledge of procedures for identifying lens defects.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K59. Knowledge of methods for interpreting lensometer findings to verify that lenses received from the lab match current prescription.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K60. Knowledge of methods to measure spectacle lens thickness using calipers.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K61. Knowledge of ANSI standards for spectacle lenses.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K62. Knowledge of instruments used to verify	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

spectacle parameters and fit.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K63. Knowledge of tools used to adjust spectacle frames during manufacturing.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K64. Knowledge of methods for adjusting spectacle frames during manufacturing.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K65. Knowledge of bench alignment techniques (for example, four point alignment).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Copy of page: Part III - Knowledge Ratings

24. How important is this knowledge for effective performance of tasks in your current work?

Dispensing

	0 Does Not Apply	1 Not Important	2 Fairly Important	3 Important	4 Very Important	5 Critically Important
K66. Knowledge of tools used to adjust spectacle frames to fit patient.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K67. Knowledge of methods for adjusting spectacle frames to fit patient.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K68. Knowledge of facial features and anatomy that affect spectacle fit.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K69. Knowledge of side effects during spectacle or lens adaptation period.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K70. Knowledge of procedures for cleaning and maintaining spectacle lenses.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K71. Knowledge of methods of assessing visual acuity (for example, Snellen chart, Jaeger card).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K72. Knowledge of methods for troubleshooting common patient concerns.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K73. Knowledge of after-sale services available to patients.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K74. Knowledge of patient prescription problems that require referral to a medical professional.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K75. Knowledge of eyewear manufacturer warranty policies.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K76. Knowledge of parts used in eyewear repairs.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K77. Knowledge of methods for repairing eyewear.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Copy of page: Part III - Knowledge Ratings

25. How important is this knowledge for effective performance of tasks in your current work?

Laws and Regulations

	0 Does Not Apply	1 Not Important	2 Fairly Important	3 Important	4 Very Important	5 Critically Important
K78. Knowledge of laws and regulations related to spectacle lens prescriptions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K79. Knowledge of laws and regulations related to advertising spectacle lens dispenser services.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
K80. Knowledge of laws and regulations related to supervising spectacle lens dispenser trainees.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Spectacle Lens Dispenser (SLD) Occupational Analysis Questionnaire

Thank you!

Thank you for taking the time to complete this questionnaire. The California State Board of Optometry values your contribution.

ISSUE MEMORANDUM

DATE	June 18, 2020
TO	Dispensing Opticians Committee (DOC)
FROM	Shara Murphy, Executive Officer <i>Prepared by Natalia Leeper, Opticianry Program Coordinator</i>
SUBJECT	Agenda Item 4A – Opticianry Licensing Program Update

Applications

Processing time for initial application approvals is still stable at 4-6 weeks if the applications have no deficiencies. Applications are continuing to be processed, but staff projects processing times to increase with the closure of LiveScan locations. Applications will remain open while applicants are awaiting testing availability.

Applicants are receiving a list of currently open LiveScan locations provided by the Department of Justice. This distribution has been helpful to many of our applicants. We are the first of the 37 board, bureaus, and commissions to provide this information to applicants.

BreEZe

Staff removed from Breeze the requirement to list an employer on your Spectacle Lens Dispenser or Contact Lens Dispenser for all applicants. This question has been a barrier to licensure for many years. The application now asks if the applicant has passed the ABO or NCLE exam, depending on the license type. This change will help better determine which applicants are eligible to apply for those registrations.

Staff is working on redoing portions of the Breeze applications to be more streamlined and user friendly in the coming months.

ABO/NCLE Exams

The testing centers ABO utilizes have closed. Currently, the exam scheduled in May was only able to accept eight students per testing center. Staff anticipates that this will cause a majority of those who missed the May Exam to sit for the exam in August. This compounding of test-takers will likely cause a backlog in processing. Staff is currently evaluating ways to reduce the impact on processing times.



CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS
BREEZE SYSTEM
Licensing Population Statistics
License Population as of 06/03/2020



License Status (20-45)

License Type	20 - Current	21 - CurrentInactive	22 - CurrTmp FamSupp	28 - Military-Active	31 - Fam Supp Susp	32 - Fam Supp Dend	45 - Delinquent
Optometrist	15	11					25
Optometrist-DPA	114	89					166
Optometrist-TLG	3,757	66		1			234
Optometrist-TPA	1,513	86					246
Optometrist-TPG	961	6					44
Optometrist-TPL	970	48		2			114
Statement of Licensure	1,359						608
Fictitious Name Permit	1,473						236
Registered Dispensing Optician	1,132						374
Registered Spectacle Lens Dispenser	2,862		3		3	1	1,218
Registered Contact Lens Dispenser	1,148				1		375
Nonresident Contact Lens Seller	15						3

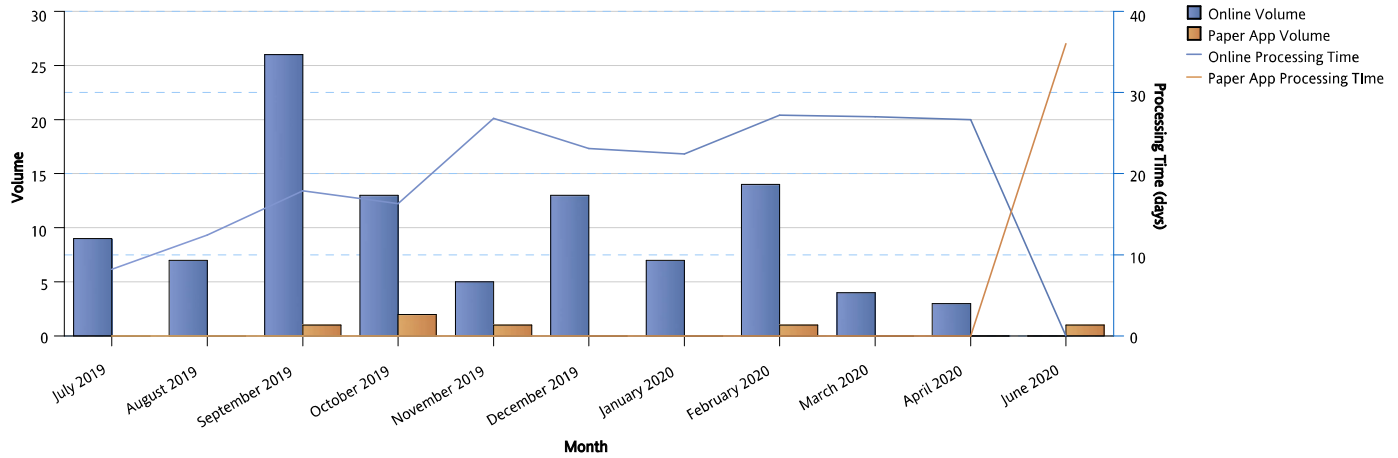


CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS
BREEZE SYSTEM
Licensing Application Volume and Processing Time
Fiscal Year 2020

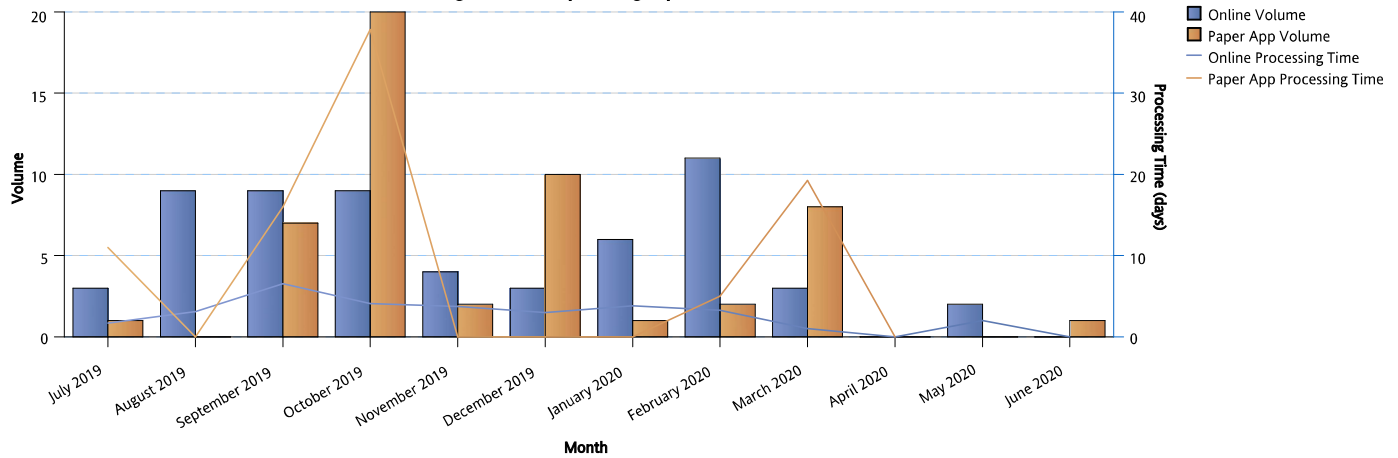


LT - Transaction Description	Online Volume	Average Online Processing Time	Paper App Volume	Average Paper App Processing Time
Registered Dispensing Optician - Initial Application	101	20	6	6
Registered Dispensing Optician - Initial License	59	4	52	20
Registered Spectacle Lens Dispenser - Initial Application	416	24	18	31
Registered Spectacle Lens Dispenser - Initial License	430	5	14	45
Registered Contact Lens Dispenser - Initial Application	96	26	2	32
Registered Contact Lens Dispenser - Initial License	99	4	3	21
Nonresident Contact Lens Seller - Initial Application	3	9	0	
Nonresident Contact Lens Seller - Initial License	3	24	0	

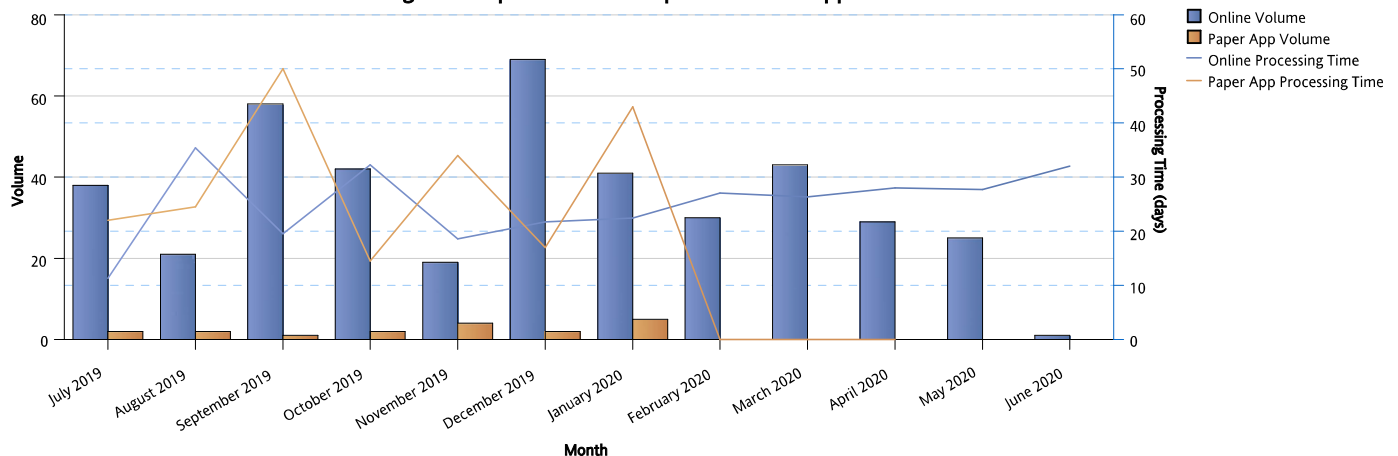
Registered Dispensing Optician - Initial Application



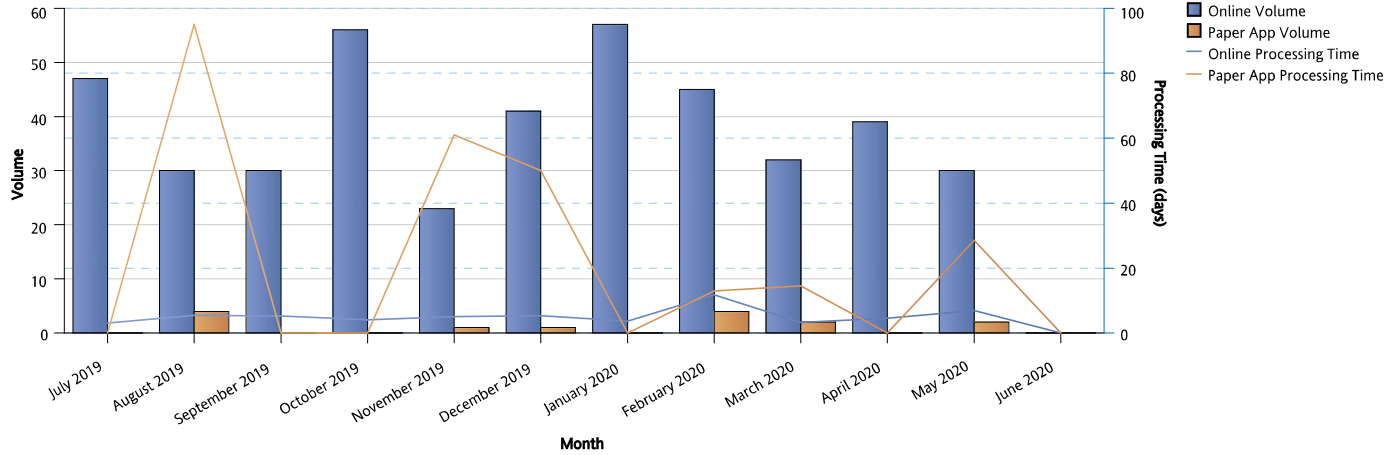
Registered Dispensing Optician - Initial License



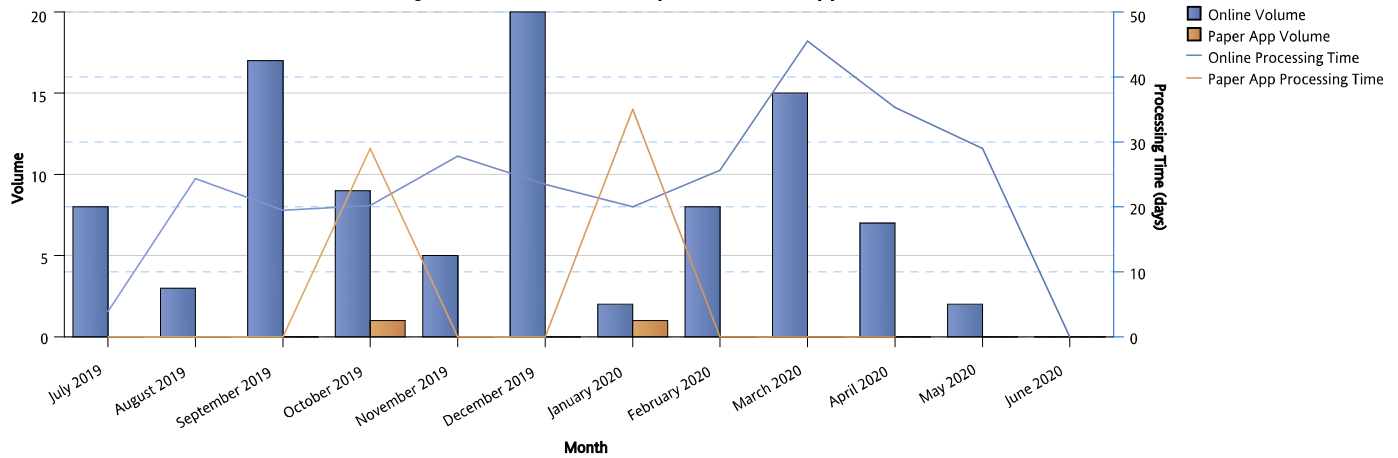
Registered Spectacle Lens Dispenser - Initial Application



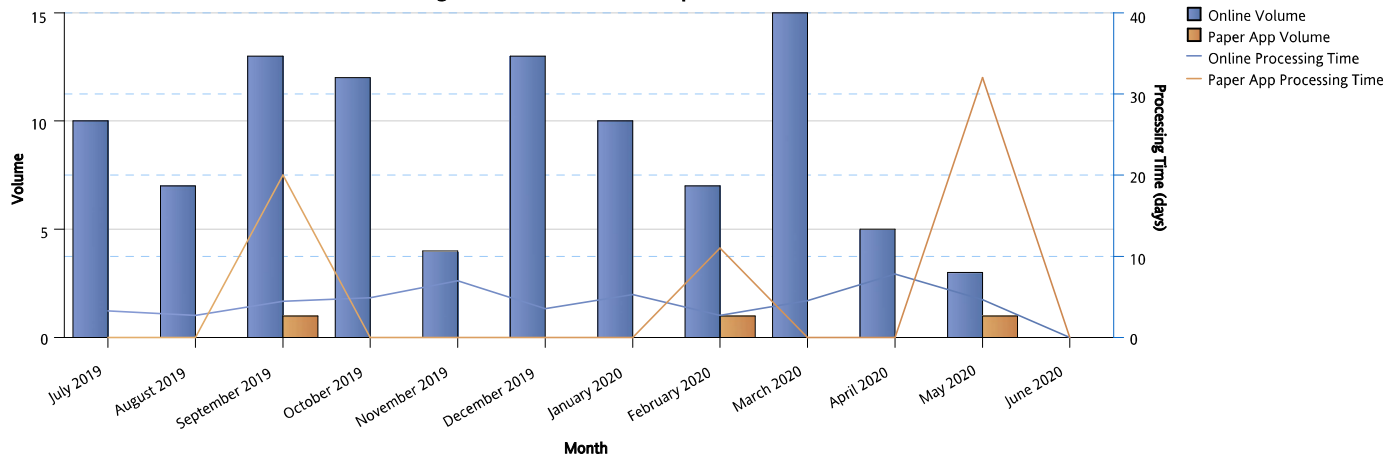
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Registered Contact Lens Dispenser - Initial Application



Registered Contact Lens Dispenser - Initial License

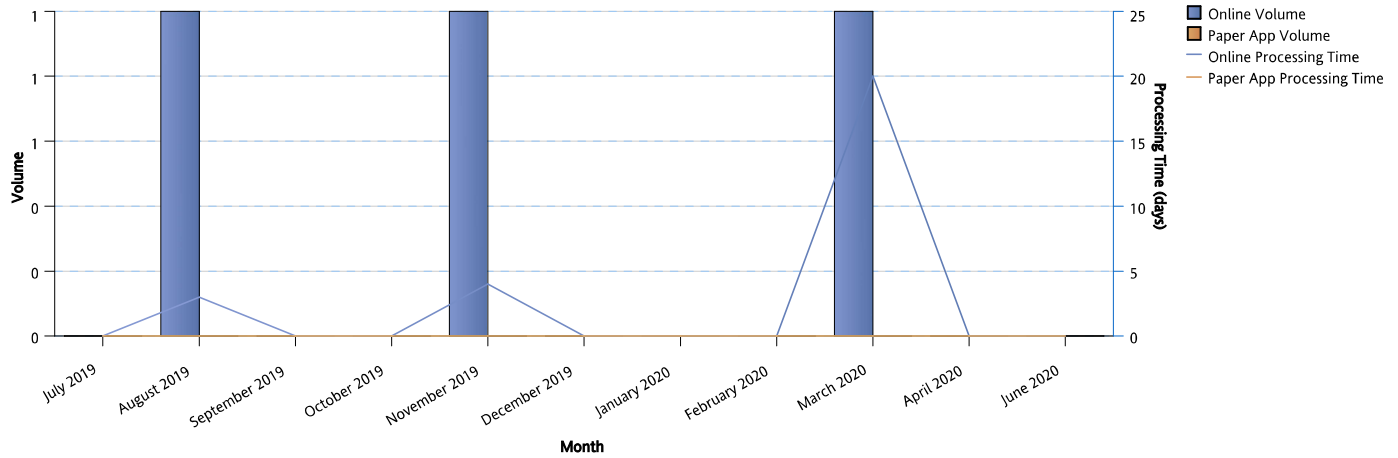




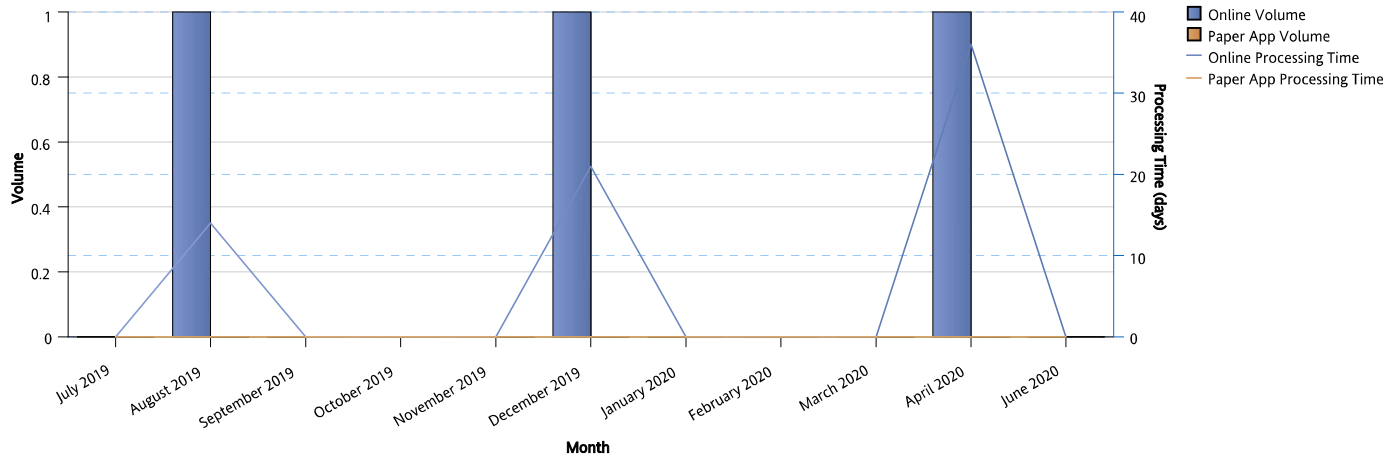
CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS
BREEZE SYSTEM
Licensing Application Volume and Processing Time
Monthly Trend
Fiscal Year 2020



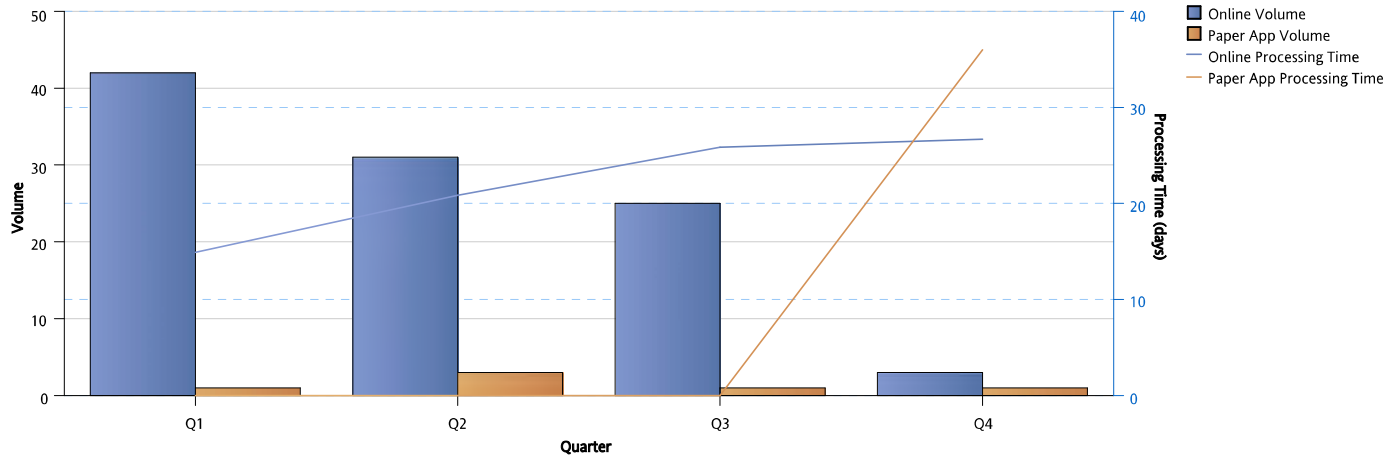
Nonresident Contact Lens Seller - Initial Application



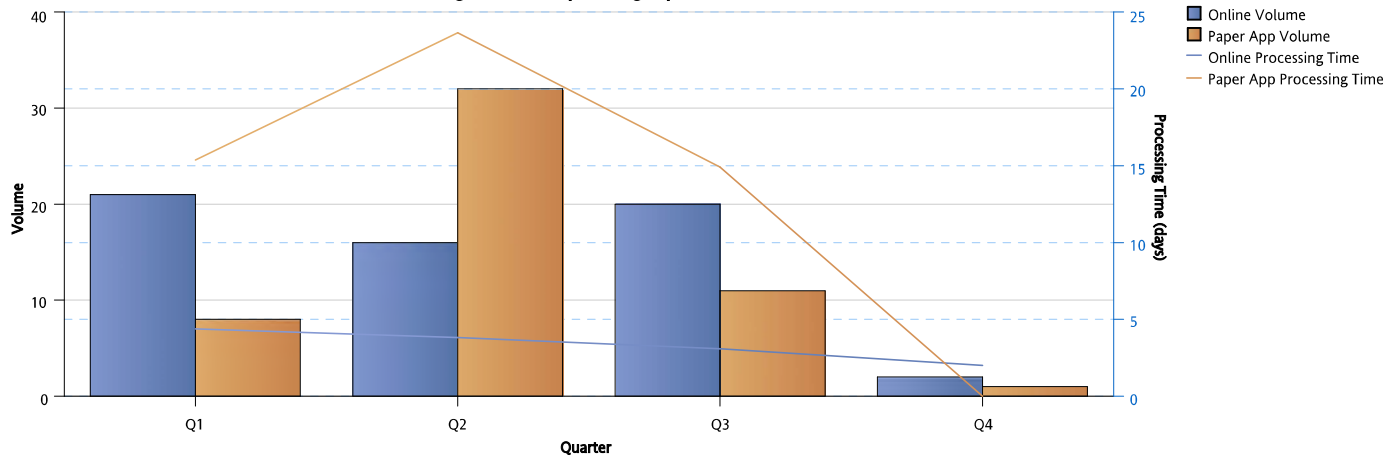
Nonresident Contact Lens Seller - Initial License



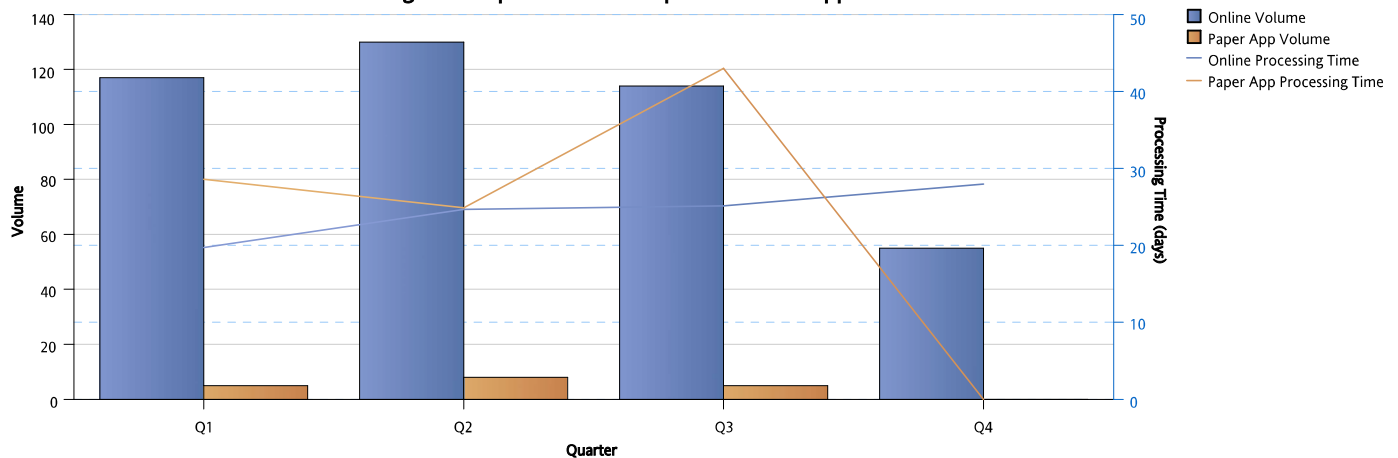
Registered Dispensing Optician - Initial Application



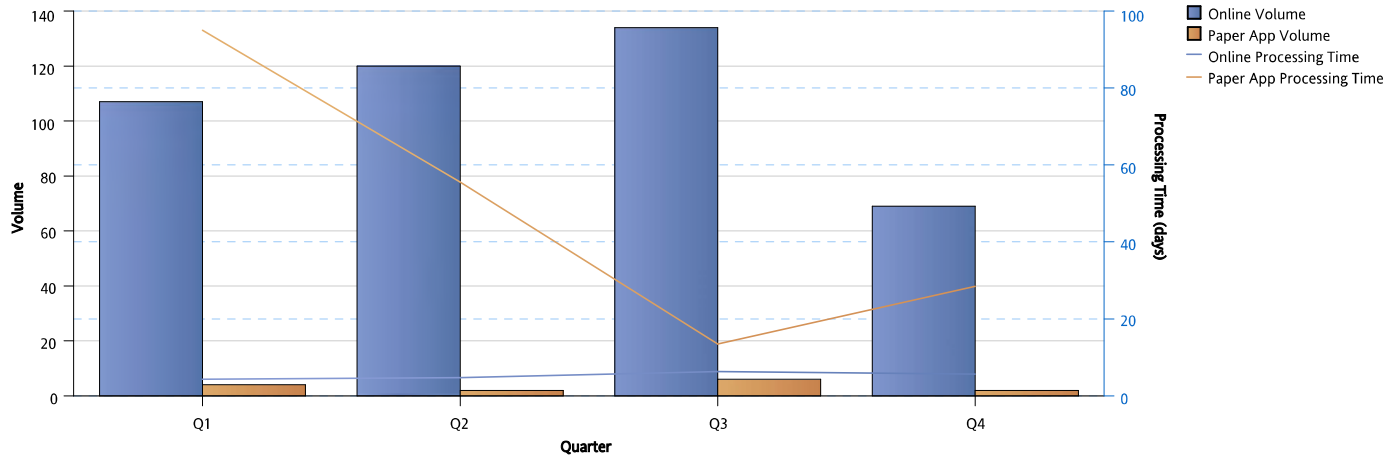
Registered Dispensing Optician - Initial License



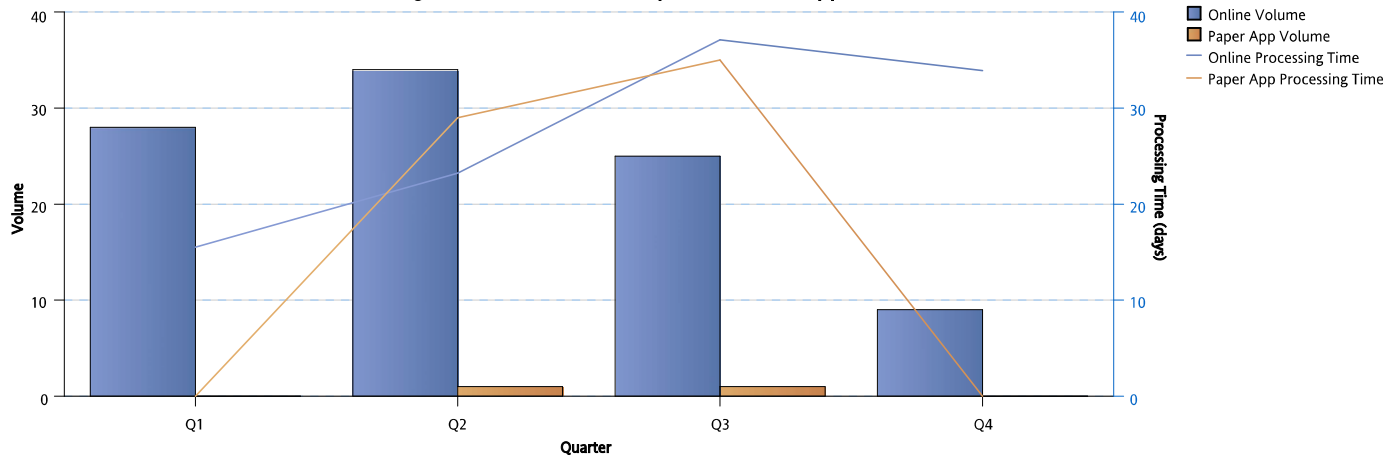
Registered Spectacle Lens Dispenser - Initial Application



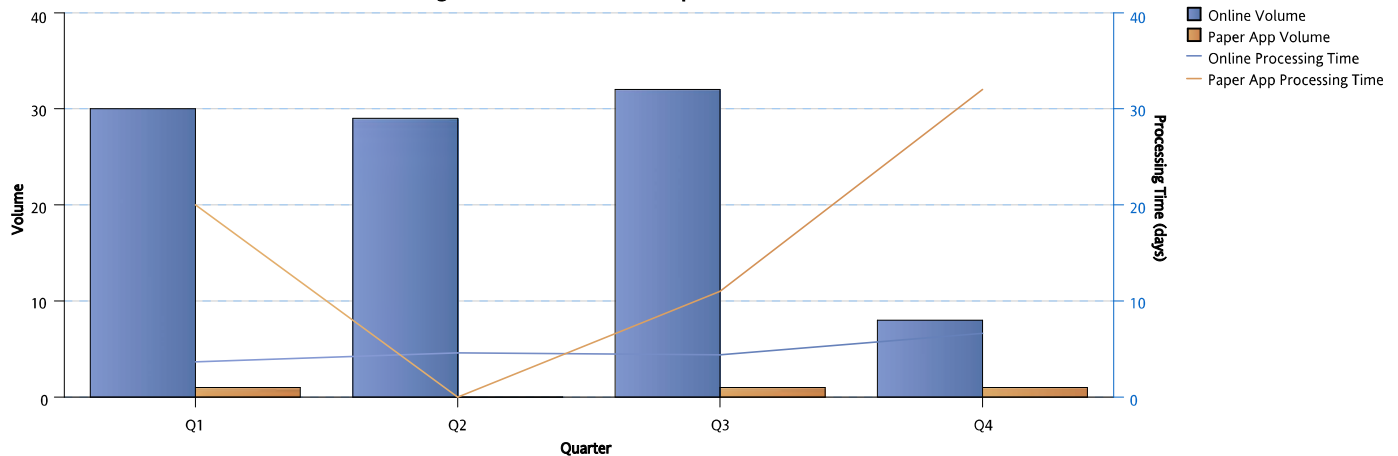
Registered Spectacle Lens Dispenser - Initial License



Registered Contact Lens Dispenser - Initial Application



Registered Contact Lens Dispenser - Initial License

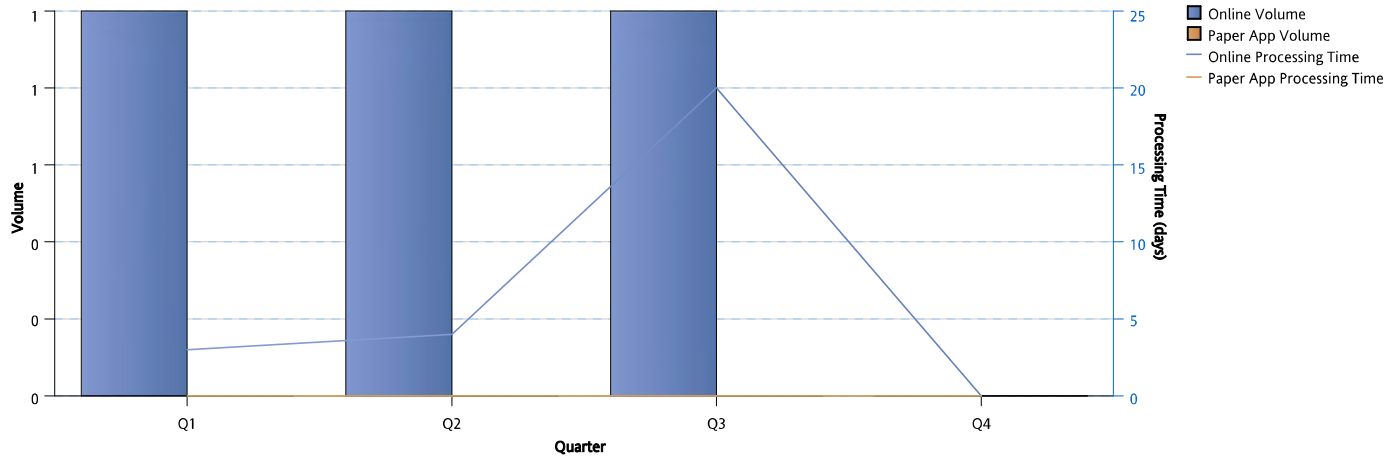




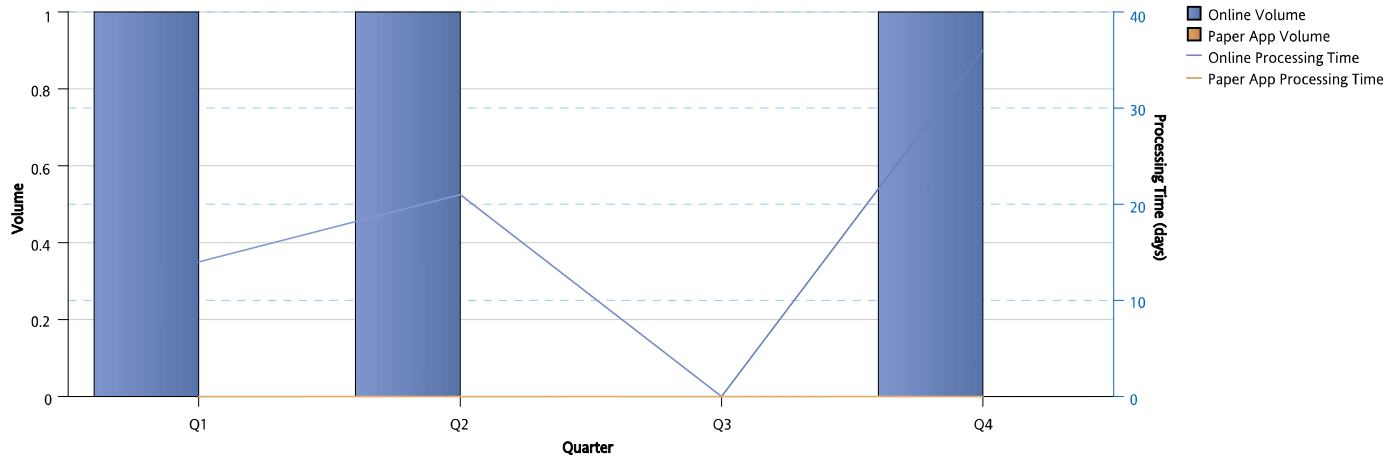
CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS
BREEZE SYSTEM
Licensing Application Volume and Processing Time
Quarterly Trend
Fiscal Year 2020



Nonresident Contact Lens Seller - Initial Application



Nonresident Contact Lens Seller - Initial License



ISSUE MEMORANDUM

DATE	June 18, 2020
TO	Members, Dispensing Optician Committee (DOC)
FROM	Shara Murphy, Executive Officer <i>prepared by Alexander Juarez, Enforcement Analyst</i>
SUBJECT	Agenda Item #4B – Opticianry Enforcement Program Update

Statistical Review of Fiscal Year 2019-2020

In the third quarter of the fiscal year 2019-2020, CSBO Opticianry Enforcement Staff:

- received a total of 22 new cases;
- closed 33 cases with no action;
- has 5 cases pending with the Attorney General's Office; and
- processed 2 disciplinary orders.

The majority of the cases received by the Opticianry Enforcement Program were criminal conviction cases (50%). The second-largest case complaint type was unlicensed/unregistered cases (23%). The remaining cases included unprofessional conduct (18%) and non-jurisdictional cases (9%).

60% of case closures for the Opticianry program occurred within one year of the receipt of the initial case.

Disciplinary and Administrative Actions

In the third quarter of Fiscal Year 2019-2020, the Board took the following Disciplinary Actions:

Dawson, Martin Earl (SLD 42036 and CLD 8596) San Diego, CA

Effective April 2, 2020, the Spectacle Lens Dispenser Application and Contact Lens Dispenser Application are granted and SLD 42036 and CLD 8596 are issued to Martin Earl Dawson, with an address of record in San Diego, CA were immediately revoked, the revocations were stayed, and his registrations placed on probation for three years for Criminal Convictions of Murder and Robbery, and a Conviction of Robbery- Acts Involving Dishonesty, Fraud, or Deceit (BPC §§480(a)(1), 480(a)(2), in conjunction with 2559.2(b)). [Click here to obtain a copy of the action or view the registrant's Spectacle Lens Dispenser profile.](#) [Click here to obtain a copy of the action or view the registrant's Contact Lens Dispenser profile.](#)

**Sanford, Angelica Maria (SLD 41917)
Azusa, CA**

Effective January 8, 2020, Spectacle Lens Dispenser Application is granted and SLD 41917 is issued to Angelica Maria Sanford, with an address of record in Azusa, CA, was immediately revoked, the order of revocation stayed, and respondent's registration placed on probation for three years for a Conviction of a Substantially Related Crime (BPC §§480(a)(1), 480(a)(3)(A), 480(a)(3)(B) in conjunction with 2559.3). [Click here to obtain a copy of the action or view the registrant's profile](#)

Statistics Charts for Quarter 3 F/Y 2019-2020

Attachment 1: Statistical Overview, OPN program cases received by allegation type, and OPN program case closures by case age.

Statistics Charts for Fiscal Year 2019-2020

Statistical Overview

Cases by Priority	Q2 – FY19/20			Q3 – FY19/20			FY Total
	Routine	High	Urgent	Routine	High	Urgent	
	OPN	OPN	OPN	OPN	OPN	OPN	OPN
Received	34	0	0	22	0	0	106
Closed	40	1	0	32	1	0	122
Average Age (days) - Closed	137	249	0	123	779	0	135
Pending	115	1	0	102	0	0	102
Average Age (days) – Pending	434	758	0	547	0	0	547
Referred to AG	4	0	0	0	0	0	4
Pending at AG	30	0	0	30	0	0	30
Final Disciplinary Orders	1	0	0	2	0	0	5

Figure 1

OPN Cases Received by Allegation Type

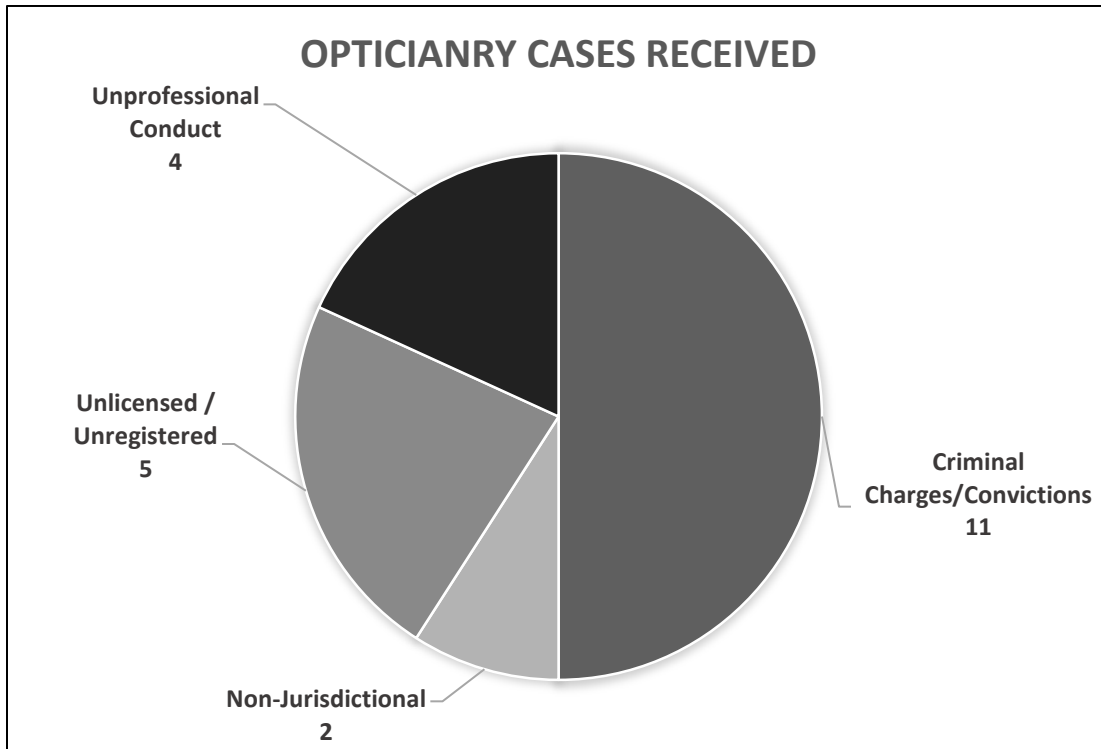


Figure 2

OPN Program Case Closure by Age

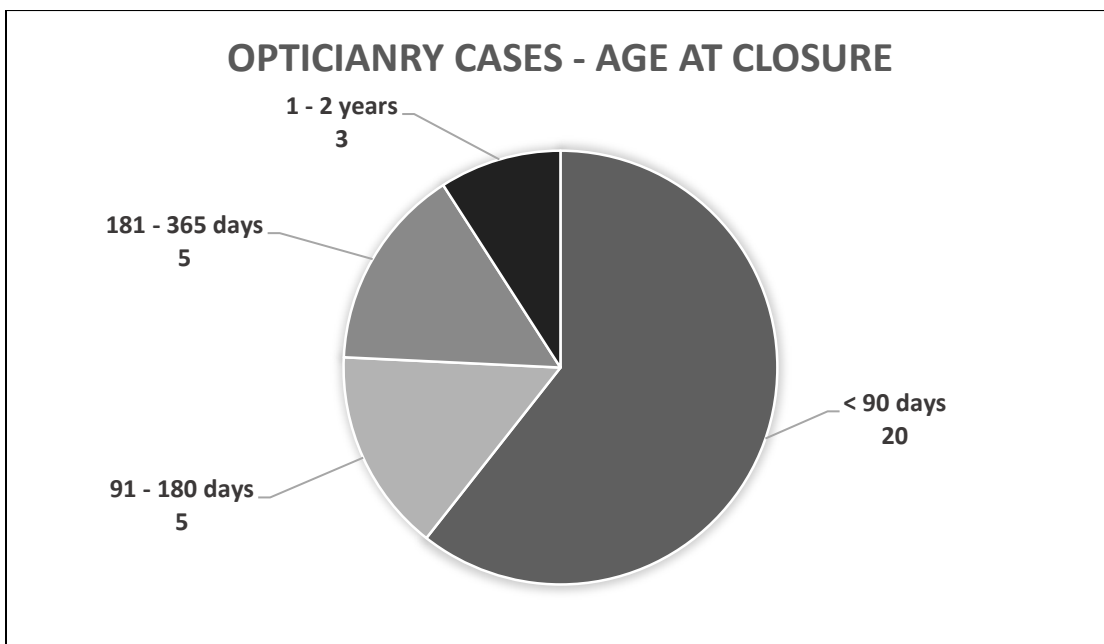


Figure 3

0175 - Dispensing Opticians Fund

Analysis of Fund Condition

(Dollars in Thousands)

Prepared 12.23.2019

Governor's Budget 2020-21

	ACTUAL 2016-17	PY 2017-18	PY 2018-19	CY 2019-20	Governor's Budget BY 2020-21	BY+1 2021-22
BEGINNING BALANCE	\$ 158	\$ 261	\$ 426	\$ 870	\$ 896	\$ 992
Prior Year Adjustment	\$ -	\$ -	\$ 228	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 158	\$ 261	\$ 654	\$ 870	\$ 896	\$ 992
REVENUES AND TRANSFERS						
Revenues:						
4121200 Delinquent fees	\$ 7	\$ 13	\$ 16	\$ 14	\$ 14	\$ 14
4127400 Renewal fees	\$ 185	\$ 426	\$ 381	\$ 438	\$ 438	\$ 438
4129200 Other regulatory fees	\$ 1	\$ 1	\$ 5	\$ 2	\$ 2	\$ 2
4129400 Other regulatory licenses and permits	\$ 77	\$ 130	\$ 226	\$ 166	\$ 166	\$ 166
4163000 Income from surplus money investments	\$ 1	\$ 2	\$ 12	\$ 10	\$ 10	\$ 16
Total Revenues	\$ 271	\$ 572	\$ 640	\$ 630	\$ 630	\$ 636
Total Revenues, Transfers, and Other Adjustments	\$ 271	\$ 572	\$ 640	\$ 630	\$ 630	\$ 636
Total Resources	\$ 429	\$ 833	\$ 1,294	\$ 1,500	\$ 1,526	\$ 1,628
EXPENDITURES						
Disbursements:						
1111 Department of Consumer Affairs Program Expenditures (State Operations)	\$ 163	\$ 400	\$ 398	\$ 567	\$ 502	\$ 517
8880 Financial Information System for California (State Operations)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
9892 Supplemental Pension Payments (State Operations)	\$ -	\$ -	\$ 1	\$ 3	\$ 3	\$ 3
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 5	\$ 7	\$ 25	\$ 34	\$ 29	\$ 29
Total Expenditures and Expenditure Adjustments	\$ 168	\$ 407	\$ 424	\$ 604	\$ 534	\$ 549
FUND BALANCE						
Reserve for economic uncertainties	\$ 261	\$ 426	\$ 870	\$ 896	\$ 992	\$ 1,079
Months in Reserve	7.7	12.1	17.3	20.1	21.7	22.7

NOTES:

- ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ON-GOING.
- ASSUMES APPROPRIATION GROWTH OF 3% PER YEAR BEGINNING IN BY+1.
- ASSUMES INTEREST RATE AT 1.5%.
- PY 2018-19 BASED ON BUDGET ACT

**REGISTERED DISPENSING OPTICIAN
FY 2019-20 BUDGET REPORT**

Based on 05/13/2020 Activity Log

OBJECT DESCRIPTION	FY 2017-18	FY 2018-19	FY 2019-20				
	ACTUAL EXPENDITURES (Prelim FM12)	ACTUAL EXPENDITURES (Prelim FM12)	CY REVISED BUDGET 2019-20	CURRENT YEAR EXPENDITURES 5/13 Activity Log	PERCENT SPENT	PROJECTIONS TO YEAR END	UNENCUMBERED BALANCE
Salary & Wages (Staff)	30,659	79,565	109,000	62,336	57%	72,000	37,000
Temp Help	17,620	22,881	0	33,805	0%	40,730	(40,730)
Statutory Exempt (EO)	0	0	0	0	0%	0	0
Board Member Per Diem	0	0	0	0	0%	0	0
Overtime/Retirement Payout	877	198	0	0	0%	0	0
Staff Benefits	24,857	55,418	59,000	54,482	92%	64,000	(5,000)
TOTALS, PERSONNEL SVC	74,014	158,062	168,000	150,623	90%	176,730	(8,730)
OPERATING EXPENSE AND EQUIPMENT							
General Expense	187	98	4,000	219	5%	1,092	2,908
Printing	3,964	6,439	2,000	6,654	333%	5,900	(3,900)
Communication	0	0	1,000	0	0%	0	1,000
Postage	3,590	2,554	2,000	514	26%	3,072	(1,072)
Insurance	4	696	0	4	0%	696	(696)
Travel In State	682	437	6,000	0	0%	437	5,563
Training	0	0	1,000	0	0%	0	1,000
Facilities Operations	594	0	0	0	0%	0	0
C & P Services - Interdept.	2,400	8,781	86,000	9	0%	6,000	80,000
Attorney General	73,842	27,049	67,000	18,769	28%	26,127	40,873
Office of Administrative Hearings	0	0	5,000	4,650	93%	8,000	(3,000)
C & P Services - External	0	0	4,000	6,964	174%	27,000	(23,000)
DCA Pro Rata	86,606	40,547	132,000	110,000	83%	132,000	0
Interagency Services	0	0	2,000	72,500	3625%	87,000	(85,000)
IA w/ OPES	0	52,620	87,000	45,372	52%	81,500	5,500
Information Technology	0	0	1,000	0	0%	0	1,000
TOTALS, OE&E	171,868	139,220	400,000	265,655	66%	378,824	21,176
TOTAL EXPENSE	245,882	297,282	568,000	416,278	73%	555,554	12,446
Sched. Reimb. - Fingerprints	0	(882)	0	(784)	0%	0	0
Sched. Reimb. - Other	0	0	(1,000)	0	0%	(1,000)	0
Unsched. Reimb. - Other	0	(17,291)	0	(7,429)	0%	0	0
NET APPROPRIATION	245,882	279,109	567,000	408,065	72%	554,554	12,446
SURPLUS/(DEFICIT):							2.2%

**MEMBERS OF THE BOARD****Mark Morodomi, President****Glenn Kawaguchi, OD, Vice President****Debra McIntyre, OD, Secretary****Cyd Brandvein****Madhu Chawla, OD****Martha Garcia, CLD, SLD****Rachel Michelin****Maria Salazar Sperber****David Turetsky, OD****Lillian Want, OD****Dispensing Optician Committee
Teleconference Draft Meeting Minutes****Thursday, January 30, 2020
Draft Meeting Minutes****MEMBERS OF THE COMMITTEE****Martha "Ruby" Garcia, CLD, SLD, Chair****William Kysella, Jr, Vice Chair****Adam Bentley, SLD****Kanchan Mattoo****Anna Watts, SLD****Teleconference Meeting Locations:**

Department of Consumer Affairs,
Sequoia Room (1st Fl Rm 109)
2420 Del Paso Road
Sacramento, CA 95826

Charter College
Oxnard Campus
2000 Outlet Center Dr.,
Suite 150
Oxnard, CA 93036

Van Nuys State Building
6150 Van Nuys Blvd.,
Rm 410
Van Nuys, CA 91401

RE San Francisco Public Library
100 Larkin Street,
Stong Conference Room
San Francisco, CA 94102

Members Present	Staff Present
Martha Garcia, CLD, SLD, Chair	Cheree Kimball, Assistant Executive Officer
William Kysella, Jr, Vice Chair	Marc Johnson, Policy Analyst
Adam Bentley, SLD	Natalia Leeper, Opticianry Program Licensing Analyst
Kanchan Mattoo	Alex Juarez, Opticianry Program Enforcement Analyst
Anna Watts, SLD	Sabina Knight, Legal Counsel
Members Absent	Guest List
	On File

Link to audio of meeting:

https://www.optometry.ca.gov/meetings/20200130_doc_audio.mp3

1. Call to Order/Roll Call

Audio of Discussion: 00:29 / 01:33:08

Committee Chair, Martha Garcia called the meeting to order and took roll. Ms. Garcia was present at the Oxnard location; Kanchan Mattoo and William Kysella were present at the Van Nuys location; Adam Bentley was present at the San Francisco location; and Anna Watts was present at the Sacramento location.

There were three public members at the Sacramento location.

2. Public Comment for Items Not on the Agenda

Note: The Committee may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code §11125, §11125.7(a)].

Audio of Discussion: 01:41 / 01:33:08

There were no public comments.

3. Discussion and Possible Approval of Committee Minutes from December 13, 2019

Audio of Discussion: 02:06 / 01:33:08

There were no public comments.

Kanchan Mattoo moved to approve the December 13, 2019 meeting minutes. Anna Watts seconded. The Committee voted unanimously (5-0) and the motion passed.

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

4. Chair's Report

A. Potential Invitations to Optician College Administrations

Audio of Discussion: 03:53 / 01:33:08

Ms. Garcia announced that the new year will welcome new college opticianry programs throughout California. The Committee may benefit from inviting administrators for new and developing college opticianry programs to future Committee Meetings. The invitation would encourage administrators to give the Committee an outline of their courses and expectations for their Opticianry education programs. Colleges could have the opportunity to share information about different program types, program lengths, testing requirements, testing outcomes, and post-graduation career opportunities. The information provided may lend to a better understanding of how colleges plan to test students on the laws and regulations of the profession.

Mr. Mattoo asked if the Committee could ask the Administrators questions regarding what they view as useful subjects for continuing education. Ms. Garcia confirmed that continuing education questions would be appropriate. Mr. Mattoo suggested that the Committee should ask the Administrators to prepare for the meeting(s) information regarding what continuing education topics would be most beneficial to opticians, then try to push those items through since our new Governor may be open to more continuing education.

Ms. Garcia asked the Members two questions: 1) Should the meeting be an in-person meeting invitation or teleconference? 2) Should the Committee develop questions beforehand for which the Administrators can be prepared to answer at the scheduled meeting? She offered the following examples: Are they planning on preparing a laws and regulations exam? If so, what is their plan for implementation and frequency? How will they obtain Subject Matter Experts (SMEs)?

Policy Analyst, Marc Johnson asked for clarification as to why the Committee would ask the Administrators to present on laws and regs; would the purpose be to assist them with potential ideas for preparation? Ms. Garcia clarified the purpose would be to advise the Board about what it would take to prepare a law and regs exam. It would simply be to prepare them.

Opticianry Program Licensing Analyst, Natalia Leeper explained that all Department of Consumer Affairs boards administer their law exams via Population Services International (PSI) and Office of Professional Examination Services (OPES), who collectively develop the law and regs exams. The colleges may provide preparatory classes for the exam, but they would not be developing and administering the law exam itself.

Mr. Kysella noted that the Committee needs to occasionally meet as a body. Teleconference calls do not lend themselves to presentations from the outside. Therefore, he believes it would make sense to have them come when the Committee is meeting together in person in one place. Mr. Mattoo agreed.

Mr. Bentley agreed that an in-person meeting makes the most sense; Additionally, he stated that he would like to find out how this Committee can support the growing programs. He would position his question this way when meeting the Administrators.

Ms. Garcia stated she will provide Mr. Johnson, Ms. Leeper, and Executive Officer, Shara Murphy with a list of the Administrators and Regional Managers names and contact emails so the staff may contact them.

There were no public comments.

B. Potential Invitations to College Advisory Boards

Audio of Discussion: 12:10 / 01:33:08

Ms. Garcia announced that many of the new college Opticianry programs in California will be added by an Advisory Board. The Advisory Boards are comprised of leaders from the industry that have been invited to provide direction to colleges regarding expectations and requirements. Many Advisory Boards will meet annually to review and discuss outcomes and potential changes to their Opticianry programs. A College Advisory Board's Report will be accessible through those college's webpages. The reports are set out to include information about the program including community outreach. The Committee may benefit from inviting the Advisory Board members to a future meeting to share information on how colleges are developing educational tools for opticians.

Ms. Garcia added that stakeholders are also involved with the Advisory Board and communicate with the board as well. They will be a part of the Advisory Board meeting as well. When these stakeholders decide what they would like the colleges to do, this information will be posted on the website. Nevertheless, Ms. Garcia suggested inviting the stakeholders to the meeting with the Administrators as well. She asked for the Members thoughts regarding this idea.

For clarification, Mr. Bentley asked if the Advisory Board will be talking specifically about curriculum? Ms. Garcia clarified that they will discuss curriculum, but they will also talk about what they feel is working upon hiring a student; whether they feel the student needs more training in certain subjects, and the courses the colleges are teaching.

Mr. Bentley commented that since the Committee plans to meet in person, it would be a good idea to meet with everyone involved.

There were no public comments.

5. Executive Officer's Report

A. Optician Licensing Program

Audio of Discussion: 14:58 / 01:33:08

Ms. Leeper provided an update on the optician licensing program. She reported that the processing time for initial application approvals is stable now at 4-6 and is consistent. She has managed to keep it consistently at 4-6 weeks for the past couple months. She also reported that at the last meeting, Mr. Bentley requested the statistics for the ABO and NCLE pass rates in comparison to California as well as nationally. The California pass rate for the ABO Exam is 50% which is lower than the 63% national average. The NCLE pass rate is around 48% which is lower than the national average of 62%.

Ms. Leeper announced that several changes have been implemented into BreEZe preventing applicants from submitting incorrect applications. The changes are shortening application processing times and saving staff time.

Mr. Bentley clarified that the data he is interested in obtaining is: How many of the folks passing the ABO are becoming registered with the state? Ms. Leeper replied that many of opticians do not apply for licensure immediately after taking the exam. She has seen them take up to six months after passing to apply for registration. She explained she will need to look at a years-worth of data to obtain an accurate representation of what that looks like. Ms. Leeper assured that she will bring this information to the April 3rd meeting.

Ms. Garcia asked if the ABO pass rate in August (163 of 323), according to the memo, is for California only, or if it is national? Ms. Leeper confirmed that these numbers are specifically for California. Ms. Garcia commented that it is the Committee's role to help applicants prepare for their examination. She suggested discussing ways to offer more ABO and NCLE reviews; And how to do this logistically and complementary. Ms. Leeper noted that having talks with the colleges will help the Board/Committee have a better understanding of what information they are missing.

There were no public comments.

B. Optician Enforcement Program

Audio of Discussion: 22:21 / 01:33:08

Enforcement Analyst, Alex Juarez presented on the Optician Enforcement Program. He reported that in the second quarter of the fiscal year 2019-2020, CSBO Opticianry Enforcement Staff:

- received a total of 34 new cases,
- closed 41 cases with no action,
- has 4 cases pending with the Attorney General's Office,
- processed 1 disciplinary order, and
- granted one Petition for Early Termination of Probation.

Most cases received by the Opticianry Enforcement Program were criminal conviction cases (44%). The second-largest case complaint type was unlicensed/unregistered cases (29%). The remaining cases included unprofessional conduct (18%) and non-jurisdictional cases (9%).

90% of case closures for the Opticianry program occurred within one year of the receipt of the initial case.

In the second quarter of Fiscal Year 2019-2020, the Board took the following Disciplinary Actions:

Chavez, Elizabeth (SLD 40475) Camarillo, CA

Effective December 4, 2019, the registration of Elizabeth Chavez (SLD 40475), with an address of record in Camarillo, CA was revoked for a Criminal Conviction for DUI (BPC §§ 490, 2555.1, 2559.3 and CCR, title 16 §1399.270). [Click here to obtain a copy of the action or view the doctor's profile.](#)

Savage, Rebecca Janine (SLD 6065) Riverbank, CA

On September 5, 2019, Rebecca Janine Savage (SLD 6065), with an address of record in Riverbank, CA filed a Petition for Early Termination of Probation (Petition). Respondent's Spectacle Lens Registration was placed on probation for three years effective April 20, 2018. A quorum of the California State Board of Optometry heard the Petition on October 25, 2019. The Petition was granted and is effective November 22, 2019. [Click here to obtain a copy of the action or view the doctor's profile](#)

There were no public comments.

C. Opticianry Program Fund Condition

Audio of Discussion: 25:48 / 01:33:08

This agenda item was tabled until the speaker arrives; then will circle back to the fund condition.

D. Discussion of Statutorily Mandated Advisory Committee Duties

Audio of Discussion: 26:37 / 01:33:08

Ms. Murphy joined the teleconference and stated that in response to the last meeting when members discussed the desire to have more influence in the enforcement cases of the Opticianry Program; staff offered to present a listing of the statutorily-mandated responsibilities of the DOC, which are as follows:

- Recommending registration standards and criteria for the registration of dispensing opticians, nonresident contact lens sellers; spectacle lens dispensers, and contact lens dispensers.
- Reviewing of the disciplinary guidelines relating to registered dispensing opticians, nonresident contact lens sellers, spectacle lens dispensers, and contact lens dispensers.
- Recommending to the Board changes or additions to regulations adopted pursuant to Chapter 5.5 (commencing with Section 2550).
- Carrying out and implementing all responsibilities and duties imposed upon it pursuant to this chapter or as delegated to it by the Board.

Legal Counsel, Sabina Knight commented that this memo is great for Committee Members to refer to while performing their work. She added that the committees do great work for regulations; this is where much of the work gets done.

Ms. Garcia asked for clarification the next steps after the updates. Ms. Murphy explained that staff is working through the Contact Lens and Spectacle Lens Dispenser Occupational Analyses and are obtaining good indications that the Budget Change Proposal (BCP), submitted at the end of last year, will be accepted for Unregistered Assistants Occupational Analysis. Staff is in the phase of gathering as much information as possible about the profession and duties; to determine if there is a need for continuing education, a law exam, or an educational requirement; which folks are becoming the most successful and upholding consumer protection; And how the Board might be changing the way in which it regulates the profession in the next 5 to 10 years.

There were no public comments.

Regarding bullet two, Ms. Murphy reported that Staff continues to develop the Disciplinary Guidelines. Ms. Murphy asked if the Disciplinary Guidelines have been approved by the Board. Mr. Johnson replied that the Guidelines were approved by the Committee and will be presented to the full Board in February 2020.

There were no public comments.

Regarding bullet four, Ms. Murphy announced that President, Mark Morodomi wants (very much) to provide the Members an opportunity to perform a review of the disciplinary actions that have occurred within the last year.

Mr. Kysella noted, the four bullet points bring into context all the regulatory, standards, and disciplinary work the committee performs.

E. Proposed Review of Previous Enforcement Actions

Audio of Discussion: 32:40 / 01:33:08

Ms. Kimball noted that all the Board's pending and taken disciplinary actions are listed by year. This list is updated as actions occur. This page can be checked at any time to find up-to-date

information regarding pending Accusations or Statements of Issues, decisions that have been rendered, and issued citations. Additionally, Ms. Murphy announced that it is staffs' intention to continue including the Enforcement Program Quarterly Report.

Ms. Garcia noted that with the college Administrators becoming involved, she imagines there will be discussions regarding requirements and education; perhaps education can assist some of these cases.

There was no public comment.

F. Committee Member Reappointment Timeline

Audio of Discussion: 41:38 / 01:33:08

Ms. Murphy reported that conversations are continuing with Agency, DCA, Executive and the Newsom Administration; but have not yet been given any official or concrete information on timelines for reappointment. She assured this will be brought back again to the next Committee meeting. Staff will try to bring back as much information as possible to each meeting.

There were no public comments.

6. Update, Discussion and Possible Action on Changes to Dispensing Optician Statutes

A. Chapter 5.4, Division 2 (Prescription Lens) of the Business and Professions Code

Audio of Discussion: 42:58 / 01:33:08

Mr. Johnson provided a quick overview:

This agenda item continues the DOC discussion on revisions to the Optician statutes. As previously stated, the intention of this review is to clarify and strengthen existing laws, increase public protection and improve efficiency of the registration process. Most of the changes are non-substantive or clarify existing requirements. It is anticipated this will be the final review by the DOC before sending to the Board for approval. A legislative author and bill will be required to implement changes, likely in the 2021 legislative session.

Ms. Leeper led the subject discussion:

Beginning with **§2550.1(c)** - DOC suggested defining fit and adjust separately. Staff requests further discussion on the terms "fit" and "fitting".

This also related to **§2550.1(d)**: Staff requests further discussion on "adjust" and "adjusting".

Mr. Johnson explained that Staff was able to discuss this thoroughly with Will McGuire with DCA Legal. He was able to reword certain sections.

Mr. Kysella would like the terms to be less circular.

Ms. Garcia stated the definitions are perfect words for explaining that opticians are in the process of making a change for consumers daily.

§2550.1(g): A basic definition of “unregistered assistant” was added. At the last meeting, the DOC discussed placing definitions into the individual SLD/CLD articles. Staff recommends a basic definition be added in this section, with supervision requirements already somewhat more defined in individual SLD/CLD articles.

Ms. Garcia inquired (for clarification) if staff is wanting a discussion on the duties of an unregistered assistant? Mr. Johnson clarified that staff is interested in finding out if the Committee wishes to define further what an unregistered assistant does?

Mr. Bentley believes this definition alone works; it seems clear and makes sense.

Ms. Watts believes it would be helpful as a guideline for managers to know what unregistered assistants can do.

Mr. Bentley noted that the state of Nevada does clearly outline what unlicensed individuals can do. This information is very helpful.

Mr. Kysella asked if there is a parallel structure regarding how optometric assistants are treated with respect to optometrists? Ms. Leeper replied that the unregistered assistants for optometrists is already defined further in the prescription lens section; which does define what they can do. Mr. Johnson suggested inserting a reference to “the duties as defined in B&P 2544,” which does define what a Doctor of Optometry’s unlicensed assistant can do under the direct supervision of an optometrist. He added that although there are duties an optometrist assistant can perform under the direct supervision of an optometrist that we would not want an optician to perform, this may still be used as a template for the optician program. Ms. Garcia heartedly agreed.

§2559.15: Per DOC discussion, a cap of three unregistered assistants to be supervised by a registered SLD was added. The word “individual” was replaced with “unregistered assistant”, tying in with the definition in §2550.1(g) and better defining between a registered SLD and unregistered assistant under the supervision of an SLD. Further, staff recommends addition of “physically present” on the premises so that a supervisor is required to be nearby while an unlicensed assistant performs their duties.

Ms. Garcia agrees they should be on the premises. She asked if the Board has anything in statute regarding apprenticeship? Would they need to be included in this section? Ms. Leeper explained that the Board does not currently have any statutes for education requirements which is where apprentices would fall. Although there are not any statutes currently, Ms. Leeper feels this would be ideal for discussion a year or two down the road.

Mr. Bentley noted that defining what an unlicensed assistant can do may not help someone who is studying to become an optician. Ms. Garcia agreed. She stated that for an unregistered optician planning and preparing to become an optician, listing out what they can and cannot perform may inadvertently place limitations on such an individual. Ms. Leeper noted that this is an excellent point and will require further staff research.

Mr. Kysella brought up the point that when a customer picks up their glasses and some tweaking and adjusting occurs to make the glasses sit better on the nose and around the eyes; he considers this to be “fitting and adjusting.”

Mr. Bentley expressed a concern about the crossing out of a “forgiveness” period for unusual and uncustomary absences including illness. He notes that other states do provide this. Ms. Leeper explained the reason this section was removed originally is due to a situation where an individual comes in and their optician is out, and they are seen by someone else whom they assume is an optician but is not; This could cause potential issues.

Ms. Knight noted the point is that an unregistered assistant is an unlicensed person; They may be potentially working towards licensure; nevertheless, they currently are not licensed; They are not within the Board’s jurisdiction or someone who has passed exams. She stated the Committee needs to take into consideration consumer protection regarding what you want that person to be performing alone. Ms. Leeper added that we are first and foremost a consumer protection agency. Mr. Bentley agreed. Ms. Watts recalls the original conversation and the point of removing that section was to ensure that it keeps the consumer safe.

§2560: The word “individual” was replaced with “unregistered assistant”, tying in with the definition in **§2550.1(g)** and better defining between a registered CLD and unregistered assistant under the supervision of an CLD. Further, staff recommends addition of “physically” present on the premises so that a supervisor is required to be nearby while an unlicensed assistant performs their duties.

Members agreed.

B. Chapter 5.45, Division 2 (Nonresident Contact Lens Sellers) of the Business and Professions Code

Article 2.5 – Non-Resident Ophthalmic Lens Dispensers

Audio of Discussion: 01:16:21 / 01:33:08

Based on DOC discussion, the term “Ophthalmic Device” was changed to “Ophthalmic Lens” throughout the article. The intention of this change would be to allow non-resident contact lens dispensers, properly registered with the Board, to now sell spectacle lenses within California.

There were no comments regarding these changes.

§2564.76 (old **§2546.6(a)(2)**): Based on DOC discussion, timeline was changed to eight business hours in place of “next business day”.

There were no questions or comments regarding this change.

C. Chapter 5.5, Division 2 (Registered Dispensing Opticians) of the Business and Professions Code

Audio of Discussion: 01:17:19 / 01:33:08

Article 3.5 – Registered Dispensing Ophthalmic Businesses

Several sections have been relocated into this section which pertain to ophthalmic businesses.

Ms. Leeper announced that Legal had previously reviewed this article and made their changes; additionally, it is her understanding that Legal may have some additional changes.

Mr. Johnson noted that this article does not have new language; It basically combines language already in statute or approved; This basically comes down to article construction.

There were no public comments.

William Kysella moved to direct Staff and Counsel to make any necessary formatting changes prior to presenting to the full Board. Anna Watts seconded. The Committee voted unanimously (5-0).

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

7. Future Agenda Items

Audio of Discussion: 01:22:02 / 01:33:08

Mr. Kysella would like to keep item 5.E on the agenda for the next meeting. He noted that one of the objectives was to discuss trends and provide recommendations on how to proceed with similar cases going forward. Mr. Kysella does not believe members discussed these trends and recommendations during this meeting. Ms. Knight confirmed that there are no recommendations from this Committee as it is not agenized such; She does not know if it would be appropriate yet for this Committee to be making any recommendations since the Disciplinary Guidelines are still pending which are the recommendations.

Mr. Kysella struck his previous comment and stated that he would like included as an action item on the next agenda "for consideration and provision of providing possible recommendations, regarding how to proceed with disciplinary cases in the future."

Ms. Garcia would like to reach out to the state societies about coming up with the exam reviews and how it may help future applicants to be a part of her report or an agenda item at the next meeting.

Ms. Watts suggested pulling data from the examinations to see what sections of the exam's applicants are failing. In her personal experience she has seen many individuals not focus on ophthalmic optics (more of the technical stuff) because this is something that is not in practice. Ms. Leeper assured she will contact the ABO and ask for numbers on which sections of the exams our applicants are failing. Ms. Garcia strongly agreed.

Mr. Bentley asked to continue the conversation about apprenticeship.

Mr. Mattoo stated that he would like to see if the Newsom Administration is a fan of increasing continuing education; If so, this Committee may wish to reconsider this item.

Public Member, Misty Wiggins expressed an interest in learning how many current California certificants are still holding their ABO license and renewing their continuing education; or how

many are just holding their state license; have let their ABO lapse and are receiving no continuing education.

8. Adjournment

ISSUE MEMORANDUM

DATE	June 18, 2020
TO	Dispensing Opticians Committee (DOC)
FROM	Shara Murphy, Executive Officer <i>Prepared by Natalia Leeper, Opticianry Program Coordinator</i>
SUBJECT	Agenda Item #6– Discussion on Comparison of Pass Rates of the American Board of Opticianry Exam in Other States

Pass Rates

At the January 30th meeting, the committee asked for the pass rate of the other states after reviewing California's 48% pass-rate of the American Board of Opticianry Exam (ABO). Staff requested the pass rates of the other states and territories in the country from ABO. Attached is a chart with a sample of the pass rates provided by ABO. California has the highest testing population in the country followed by Florida, Ohio, and New York. Staff noticed several trends when looking at the data.

Licensed States

On average states providing licenses had better pass rates overall, with the exceptions of Hawaii and California. Pass rates for those states were below 50% despite the presence of a state-issued license. Texas was also an exception; as it has a high pass rate, but does not issue a state license.

Several states which offer licensure had slightly lower pass rates than compared to other licensed states. After further investigation, applicants in those states take a state-specific exam that includes additional questions, beyond the basic ABO exam.

Education and Apprenticeships

Staff looked at the states that had the highest pass rates. These licensed states had both education and apprenticeship requirements. Hours for apprenticeship varied from state to state but all require the completion of a year of apprenticeship. California is the only licensed state in the country that does not require education or apprenticeship before being issued a registration.

**Agenda Item #6A - ABO Exam Pass Rates
Chart**

State	Pass Rate	Test Takers	Apprenticeship	Time for Apprenticeship	Registered Apprenticeship	Education	Education Requirement	Internship	Statute	Different Exam with ABO
California	48%	1272	No			No				No
North Carolina	73%	63	Yes	2 1/2 years	Yes	Yes	1600 hours		§ 90-240	Yes
Florida	71%	320	Yes	6240 hours	Yes	Yes	AA		§ 484.007	Yes
New York	69%	215	Yes	2 years	Yes	Yes	AA		§ 7124	No
Montana	81%	26	No			No				
Michigan	73%	106	No			No				
Connecticut	69%	36	Yes	8000 hours	Yes	Yes	AA		§ 20-146	No
Georgia	58%	102	Yes	3000 hours	Yes	Yes	1 year		§ 43-29-7	Yes
Ohio	63%	256	Yes	2 years	Yes	Yes	AA		§ 4725.48	No
Maine	75%	12	no			no				
Nevada	59%	66	Yes	3 years	Yes	Yes	AA	1 year	§ 637.100	Yes
Kentucky	51%	55	Yes	2 years	Yes	Yes	AA		§ 326.040	Yes
Arizona	57%	187	Yes	3 years	No	Yes	AA	1 year	§ 32-1683	Yes
Massachusetts	66%	98	Yes	4200 hours	Yes	Yes	AA	2100 hours	§ 2.07	Yes
Hawaii	44%	32	Yes	2 years	No	Yes	AA		§ 458-6.5	No
South Carolina	45%	58	Yes	2 years	Yes	Yes	AA		§ 40-38-240	Yes
Tennessee	54%	153	Yes	3 years	Yes	Yes	AA		§63-14-103 a	Yes
Washington	57%	191	Yes	6000 hours	Yes	Yes	AA		§246-824-040	Yes

ISSUE MEMORANDUM

DATE	June 18, 2020
TO	Members, Dispensing Optician Committee (DOC)
FROM	Shara P. Murphy, Executive Officer <i>Prepared by Marc Johnson, Policy Analyst and Natalia Leeper, Opticianry Program Coordinator</i>
SUBJECT	Update, Discussion and Possible Action on Title 16, §§1399.200 – 1399.285 of California Code of Regulations (Optician Program Regulations)

Summary/History:

As part of the DOC's statutorily mandated duties under BPC §3020, the DOC is charged with recommending registration standards and criteria for the registration of dispensing opticians, nonresident contact lens sellers, spectacle lens dispensers, and contact lens dispensers. As the optician statutory review is ongoing, this agenda item continues that mandate by reviewing existing optician program regulations.

Since the optician statutory review may spawn changes that will need to be implemented into regulation going forward, staff proposes minor changes to the existing regulations. It would be limited to placing current initial registration and renewal forms (used with the BreEZe system), align current fees with the statute, and make other non-substantive changes. Similarly, the DOC and the Board had [previously approved](#) a regulatory package in November of 2017, but the previous staff did not continue to process the package due to missing and inaccurate information, such as incorrect fee amounts and application requirements.

Staff requests DOC discussion on the proposed text and possible approval for recommendation to the full board.

If a motion to approve is desired:

"I motion to recommend to the full board approval of the regulation changes made to Sections 1399.200 through 1399.285 of the California Code of Regulations based on the discussion and materials presented here today, and direct staff and Legal Counsel to make any further changes prior to presentation to the full board."

Changes to Regulation Text:

Attachment A contains the Opticianry Regulation text, with staff's suggested changes. Where appropriate, the proposed new text is underlined and deleted text is ~~struck through~~.

Staff proposes the following changes:

Article 1.**§ 1399.200**

Staff proposes removing the mention of the word 'chapter' throughout the sections and replace it with 'division' when referring to the division of the optician program regulations.

§ 1399.203.

Removal of the meaning of 'division', which was previously used when the optician program was under the Medical Board Division of Licensing. This term is no longer applicable. The section is also renumbered for consistency.

Article 2.

Staff has added the current requirements for each license type as it will appear in Breeze.

§ 1399.220(a)

This proposed subsection sets out requirements for the Registered Dispensing Optician Initial Application for registration. Information required includes business name, the 'doing business as' name, address of the business, contact information, and SSN/ITIN. For different types of businesses, different documentation is required such as leases, business licensees and applicable corporation documentation. Further, the application asks for the types of lenses being dispensed from the location and the information for the Spectacle Lens Dispenser and or Contact Lens Dispenser who will be performing such tasks. Finally, the application requires a declaration by the applicant under the penalty of perjury that the information provided is true and accurate.

§ 1399.220 (b)

This proposed section sets out requirements for an initial application for a Contact Lens Dispenser registration. It requires the name, address, contact information, date of birth, SSN/ITIN, gender and race, other state registrations and NCLE Exam information. It also requests possible military service information, employer information, whether the applicant has ever had a professional license suspended and background check information. Finally, the application requires a declaration by the applicant under the penalty of perjury that the information provided is true and accurate.

§ 1399.220 (c)

This proposed section sets out requirements for an initial application for a Spectacle Lens Dispenser registration. It requires the name, address, contact information, date of birth, SSN/ITIN, gender, race, other state registrations and ABO Exam information. It also requests possible military service information, employer information, whether the applicant has ever had a professional license suspended and background check information. Finally, the application requires a declaration by the applicant under the penalty of perjury that the information provided is true and accurate.

§ 1399.220 (d)

This proposed section sets out requirements for an initial application for a Nonresident Contact Lend Dispenser registration. It requires basic entity information such as business name, the 'doing business as' name, address of business, contact information, type of business, and

SSN/ITIN. Additionally, it requests whether or not the applicant is licensed to sell contact lenses in their state of operation and information about the license, a toll-free number for consumer complaints, contact information for the person designated to handle Board inquiries and information on the applicant's designated agent. For different types of businesses, it requires applicable documentation such as leases, business licenses, applicable corporation documentation and an example of literature that is included in the contact shipment. Finally, the application requires a declaration by the applicant under the penalty of perjury that the information provided is true and accurate.

§ 1399.222 (a)

This proposed section requests the same information for a Registered Dispensing Optician renewal application as in § 1399.220(a). The applicant would be required within BreEZe to verify the information previously submitted as part of the initial application and to make any changes as part of the renewal.

§ 1399.222 (b)

This proposed section requests the same information for a Registered Dispensing Optician renewal application as in § 1399.220(c). The applicant would be required within BreEZe to verify the information previously submitted as part of the initial application and to make any changes as part of the renewal.

§ 1399.222 (c)

This proposed section requests the same information for a Registered Dispensing Optician renewal application as in § 1399.220(b). The applicant would be required within BreEZe to verify the information previously submitted as part of the initial application and to make any changes as part of the renewal.

§ 1399.222 (d)

This proposed section requests the same information for a Registered Dispensing Optician renewal application as in § 1399.220(d). The applicant would be required within BreEZe to verify the information previously submitted as part of the initial application and to make any changes as part of the renewal.

§ 1399.260

Fees have been updated to reflect the current statute and current fees charged through Breeze. Application and delinquent fees were added. Registration and renewal fees were corrected.

§ 1399.261

Fees have been updated to reflect the current statute and current fees charged through Breeze. Application and delinquent fees were added. Registration and renewal fees were corrected.

§ 1399.262

This text has been deleted, as per Department of Consumer Affairs policy, the Board no longer offers refunds.

§ 1399.263

Fees have been updated to reflect current statute and current fees charged through Breeze. Application and delinquent fees were added. Registration and renewal fees were corrected.

Registered Dispensing Opticians of the California State Board of Optometry

Proposed text is underlined and deleted text is ~~strikethrough~~.

Amend Sections of Division 13.5 of Title 16 of the California Code of Regulations as follows:

Article 1. General Provisions

§ 1399.200. Citation.

This ~~chapter~~ division may be cited and referred to as the "Registered Dispensing Optician Regulations."

Note: Authority and reference cited: Section 2558, Business and Professions Code.

§ 1399.201. Location of Principal Office.

The principal office of the California State Board of Optometry for the purpose of the administration of the registered dispensing optician program is located at 2450 Del Paso Road, Suite 105, Sacramento, California 95834.

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Section 2554, Business and Professions Code.

§ 1399.203. Definitions.

For the purposes of the regulations contained in this ~~Chapter~~ Division, the term:

(a) "Board" means the California State Board of Optometry.

~~(b) "Division" means the California State Board of Optometry.~~

~~(b-e)~~ (b) "Code" means the Business and Professions Code.

~~(c-d)~~ (c) "Engaging in the business of a dispensing optician" means the filling of prescriptions of licensed physicians and surgeons or optometrists for prescription lenses, and as incidental to the filling of such prescriptions:

(1) Using a keratometer to measure the curvature of the cornea of the eye;

(2) Converting a compounded prescription for spectacle lens by means of an algebraic formula in order to (a) compensate for the different vertex distance between the eye and the refractionist's test lens and between the eye and lens actually dispensed or, (b) to determine the appropriate power of contact lenses in accordance with such prescription;

(3) Taking facial measurements, fitting and adjusting prescription lenses, and fitting and adjusting spectacle frames.

~~(d-f)~~ (d) "Personal knowledge," as used in Section 2552(b) of the code, means knowledge of the affiant which is not based on hearsay.

~~(e-g)~~ (e) "Physician and Surgeon" means a physician and surgeon, holding a valid certificate issued by the Medical Board of California to practice medicine in the State of California.

~~(f-h)~~ (f) "Prescription," as used in Chapter 5.5, Division 2 of the code, means:

- (1) A written order from a physician and surgeon or optometrist for spectacle or contact lenses, or
- (2) An oral order from a physician and surgeon or optometrist for spectacle or contact lenses if such order is reduced to writing and a copy of such writing is sent to the prescribing physician or optometrist prior to the delivery of the lenses to the patient.

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Sections 2550, 2552 and 2558, Business and Professions Code.

§ 1399.204. Delegation of Functions.

Except for those powers reserved exclusively to the “agency itself” under the Administrative Procedure Act (Section 11500 et seq. of the Government Code), the ~~division Board~~ delegates and confers upon the executive officer of the ~~division Board~~, or his or her designee, all functions necessary to the dispatch of business of the ~~division Board~~ in connection with investigative and administrative proceedings under the jurisdiction of the ~~division Board~~.

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Section 2555, Business and Professions Code; and 11500, Government Code.

Article 2. Applications

§ 1399.220. Applications for Registration.

All applications shall be submitted on a form prescribed by the ~~division Board~~, accompanied by such evidence, statements or documents as therein required, and filed with the ~~division Board~~ at its principal office with the required fee.

(a) The Registered Dispensing Optician initial application for registration shall request the following information:

- (1) First, middle, and last names.
- (2) Organizational name, or “Doing Business As” name, if applicable.
- (3) Address of record, including:
 - (A) Street address;
 - (B) City, state and zip code;
 - (C) County; and
 - (D) Country.
- (4) Telephone number.
- (5) Email address, if any.
- (6) Entity type:
 - (A) Sole Proprietor;
 - (B) Partnership;
 - (C) Professional Corporation;
 - (D) Health Facility;
 - (E) A Non-Profit Organization;
 - (F) Sole owner.

- (7) Social Security Number or Individual Taxpayer Identification Number.
- (8) The type(s) of lenses for which the business will be filling prescriptions.
- (9) Whether the person(s) dispensing lenses is a registered contact lens dispenser or registered spectacle lens dispenser, if applicable.
- (10) Contact information of any person designated to handle board inquiries and complaints, including:
 - (A) First, Middle and Last Name;
 - (B) Title;
 - (C) Telephone number; and
 - (D) Email address, if any.
- (11) Whether the applicant is the owner or operator of the business for which they are applying.
- (12) Name(s) and registration number(s) of the contact lens dispenser or the spectacle lens dispenser who will be filling prescriptions for the registered dispensing optician.
- (13) Applicable business documents, including but not limited to:
 - (A) Lease agreements;
 - (B) Agreements with subleased optometrist or ophthalmologist if applicable;
 - (C) Business License issued by the town, city or county if applicable;
 - (D) If a partnership, the partnership agreement;
 - (E) If a corporation, the articles of incorporation;
 - (F) If a corporation, a list of officers, stakeholders and directors;
 - (G) If a corporation, a letter of Good Standing from California Secretary of State;
 - (H) If a corporation, a letter of good standing or equivalent from the resident state, if applicable.
- (14) Agent for service of process.
- (15) A declaration by the applicant under penalty of perjury that the information provided, including all accompanying documents or other requested proof of completion, is true and accurate, and that the applicant understands and agrees that any misstatements of material facts may be cause for denial of the application and discipline by the board.

(b) The Contact Lens Dispenser application shall request the following information:

- (1) First, middle, and last names.
- (2) Address of record, including:
 - (A) Street address;
 - (B) City, state and zip code;
 - (C) County; and
 - (D) Country.
- (3) Telephone number.
- (4) Email address, if any.
- (5) Date of birth.
- (6) Social Security Number or Individual Taxpayer Identification number.
- (7) Gender.

(8) Race.

(9) Whether the applicant also holds a Spectacle Lens Dispenser Registration in the State of California.

(10) Whether the applicant has been licensed in another state, and if so, the registration number, and the original issuance date.

(11) Whether the applicant has taken and passed the National Contact Lens Examiner Examination or equivalent, and if so, the examination date, and state and city in which it was taken.

(12) Whether the applicant is currently serving in the U.S. Armed Forces.

(13) Whether the applicant is requesting expediting of the application for spouses or domestic partners of an active duty member of the Armed Forces, and if applicable, a copy of DD-214 or other supporting documentation for the waiver.

(14) Whether the applicant is requesting expediting of the application for honorably discharged members of the U.S. Armed Forces, and if applicable, a copy of DD-214 or other supporting documentation for the waiver;

(15) Whether the applicant has ever had a professional license suspended, revoked or otherwise disciplined, or has ever had to surrender such license in California or any other state or territory of the United States.

(16) Whether the applicant is currently employed at a registered dispensing optician business, and if applicable, the business name, registration number, and location address of the business.

(17) Whether the applicant will furnish a live scan or fingerprint hard cards to the Board for a background check.

(18) A declaration by the applicant under the penalty of perjury that the information provided, including all accompanying documents or other requested proof of completion, is true and accurate, and that the applicant understands and agrees that any misstatements of material facts may be cause for denial of the application and discipline by the board.

(c) The Spectacle Lens Dispenser application shall request the following information:

(1) First, middle, and last names.

(2) Address of record, including:

(A) Street address;

(B) City, state and zip code;

(C) County; and

(D) Country.

(3) Telephone number.

(4) Email address, if any.

(5) Date of birth.

(6) Social Security Number or Individual Taxpayer Identification number.

(7) Gender.

(8) Race.

(9) Whether the applicant also holds a Contact Lens Dispenser Registration in the State of California.

(10) Whether the applicant has been licensed in another state, and if so, the registration number and the original issuance date.

- (11) Whether the applicant has taken and passed the American Board of Opticianry Examination or equivalent, and if so, the examination date, and city and state in which it was taken.
- (12) Whether the applicant is currently serving in the U.S. Armed Forces.
- (13) Whether the applicant is requesting expediting of the application for spouses or domestic partners of an active duty member of the Armed Forces, and if applicable, a copy of DD-214 or other supporting documentation for the waiver.
- (14) Whether the applicant is requesting expediting of this application for honorably discharged members of the U.S. Armed Forces, and if applicable, a copy of DD-214 or other supporting documentation for the waiver.
- (15) Whether the applicant has ever had a professional license suspended, revoked or otherwise disciplined, or has ever had to surrender such license in California or any other state or territory of the United States.
- (16) Whether the applicant is currently employed at a registered dispensing optician business, and if so, the business name, registration number, and location address of the business.
- (17) Whether the applicant will furnish a live scan or fingerprint hard cards to the Board for a background check.
- (18) A declaration by the applicant under penalty of perjury that the information provided including all accompanying documents or other requested proof of completion is true and accurate, and that the applicant understands and agrees that any misstatements of material facts may be cause for denial of the application and discipline by the board.

(d) The Nonresident Contact Lens Dispenser initial application for registration shall request the following information:

- (1) First, middle, and last names.
- (2) Organizational name, or "Doing Business As" name if applicable.
- (3) Address of record, including:
 - (A) Street address;
 - (B) City, state and zip code;
 - (C) County; and
 - (D) Country.
- (4) Telephone number.
- (5) Email address, if any.
- (6) Entity type:
 - _____ (A) Sole Proprietor;
 - _____ (B) Partnership;
 - _____ (C) Corporation; or
 - _____ (D) Limited Liability Corporation.
- (7) Social Security Number or Individual Taxpayer Identification Number.
- (8) Whether the applicant is licensed or otherwise authorized to sell contact lenses in their state or country, including:
 - _____ (A) State or country name;
 - _____ (B) Whether the state or country issues a license, and the license number if applicable;

- (C) Whether the license is in good standing; and
- (D) License expiration date.
- (9) A toll-free telephone number, which is available at least six days a week and 40 hours per week in which consumers can call with questions and complaints
- (10) Contact information of person designated to handle board inquiries and complaints, including:
 - (A) First, Middle and last name;
 - (B) Title;
 - (C) Telephone number; and
 - (D) Email address, if any.
- (11) Information of applicant's designated agent for service of process, including:
 - (A) Agent's first and last names;
 - (B) Agent's street address, city, state, and zip code;
 - (C) Agent's telephone number; and
 - (D) Email address, if any.
- (12) Applicable business documents, including but not limited to:
 - (A) Lease agreements;
 - (B) Agreements with subleased optometrist or ophthalmologist if applicable;
 - (C) Business License issued by the town, city or county if applicable;
 - (D) If a partnership, the partnership agreement;
 - (E) If a corporation, the articles of incorporation;
 - (F) If a corporation, a list of officers, stakeholders and directors;
 - (G) If a corporation, a letter of Good Standing from California Secretary of State;
 - (H) If a corporation, a letter of good standing or equivalent from the resident state and if applicable;
 - (I) A sample of literature that is included with the contact lens shipment.
- (13) A declaration by the applicant under penalty of perjury that the information provided including all accompanying documents or other requested proof of completion is true and accurate, and that the applicant understands and agrees that any misstatements of material facts may be cause for denial of the application and discipline by the board.

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Section 2555, Business and Professions Code; and 11500, Government Code.

§ 1399.221. Denial of Applications. § 1399.220(a)

In the event an application is denied pursuant to Section 2552 or 2553.6 of the code, the ~~division~~ Board shall notify the applicant in writing within thirty days of the deficiencies or reasons for denial, and of the procedure for requesting a hearing on the denial.

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Sections 2552, 2553 and 2553.6, Business and Professions Code.

§ 1399.222. Renewal Applications.

A renewal application will be submitted on a form ~~provided~~ prescribed by the ~~division~~ Board, accompanied by the renewal fee and filed with the ~~division~~ Board at its office in Sacramento prior to the expiration date of the registration.

(a) The Registered Dispensing Optician renewal application shall request the following information:

- (1) First, middle, and last names.
- (2) Organizational name, or "Doing Business As" name if applicable.
- (3) Address of record, including:
 - _____ (A) Street address;
 - _____ (B) City, state and zip code;
 - _____ (C) County; and
 - _____ (D) Country.
- (4) Telephone number.
- (5) Email address, if any.
- (6) Entity type:
 - _____ (A) Sole Proprietor;
 - _____ (B) Partnership;
 - _____ (C) Professional Corporation;
 - _____ (D) Health Facility;
 - _____ (E) A Non-Profit Organization;
 - _____ (F) Sole owner.
- (7) Social Security Number or Individual Taxpayer Identification Number.
- (8) The type(s) of lenses for which the business will be filling prescriptions.
- (9) Whether the person(s) dispensing lenses is a registered contact lens dispenser or registered spectacle lens dispenser, if applicable.
- (10) Contact information of any person designated to handle board inquires and complaints, including:
 - _____ (A) First, middle and last name;
 - _____ (B) Title;
 - _____ (C) Telephone number; and
 - _____ (D) Email address, if any.
- (11) Whether the applicant is the owner or operator of the business for which they are applying.
- (12) Name(s) and registration number(s) of the contact lens dispenser or the spectacle lens dispenser who will be filling prescriptions for the registered dispensing optician.
- (13) Agent for service of process.
- (14) A declaration by the applicant under penalty of perjury that the information provided, including all accompanying documents or other requested proof of completion, is true and accurate, and that the applicant understands and agrees that any misstatements of material facts may be cause for denial of the application and discipline by the board.

(b) The Spectacle Lens Dispenser renewal application shall request the following information:

- (1) First, middle, and last names.
- (2) Address of record, including:
 - (A) Street address;
 - (B) City, state and zip code;
 - (C) County; and
 - (D) Country.
- (3) Telephone number.
- (4) Email address, if any.
- (5) Date of birth.
- (6) Social Security Number or Individual Taxpayer Identification number.
- (7) Gender.
- (8) Race.
- (9) Whether the applicant also holds a Contact Lens Dispenser Registration in the State of California.
- (10) Whether the applicant is currently serving in the U.S. Armed Forces.
- (11) Whether the applicant is requesting expediting of the application for spouses or domestic partners of an active duty member of the Armed Forces, and if applicable, a copy of DD-214 or other supporting documentation for the waiver.
- (12) Whether the applicant is requesting expediting of this application for honorably discharged members of the U.S. Armed Forces, and if applicable, a copy of DD-214 or other supporting documentation for the waiver.
- (13) Whether the applicant has ever had a professional license suspended, revoked or otherwise disciplined, or has ever had to surrender such license in California or any other state or territory of the United States.
- (14) Whether the applicant is currently employed at a registered dispensing optician business, and if so, the business name, registration number, and location address of the business.
- (15) A declaration by the applicant under penalty of perjury that the information provided including all accompanying documents or other requested proof of completion is true and accurate, and that the applicant understands and agrees that any misstatements of material facts may be cause for denial of the application and discipline by the board.

(b) The Contact Lens Dispenser renewal application shall request the following information:

- 1) First, middle, and last names.
- (2) Address of record, including:
 - (A) Street address;
 - (B) City, state and zip code;
 - (C) County; and
 - (D) Country.
- (3) Telephone number.
- (4) Email address, if any.
- (5) Date of birth.

- (6) Social Security Number or Individual Taxpayer Identification number.
- (7) Gender.
- (8) Race.
- (9) Whether the applicant also holds a Spectacle Lens Dispenser Registration in the State of California.
- (10) Whether the applicant is currently serving in the U.S. Armed Forces.
- (11) Whether the applicant is requesting expediting of the application for spouses or domestic partners of an active duty member of the Armed Forces, and if applicable, a copy of DD-214 or other supporting documentation for the waiver.
- (12) Whether the applicant is requesting expediting of the application for honorably discharged members of the U.S. Armed Forces, and if applicable, a copy of DD-214 or other supporting documentation for the waiver;
- (13) Whether the applicant has ever had a professional license suspended, revoked or otherwise disciplined, or has ever had to surrender such license in California or any other state or territory of the United States.
- (14) Whether the applicant is currently employed at a registered dispensing optician business, and if applicable, the business name, telephone number, registration number, and location address of the business.
- (15) A declaration by the applicant under the penalty of perjury that the information provided, including all accompanying documents or other requested proof of completion, is true and accurate, and that the applicant understands and agrees that any misstatements of material facts may be cause for denial of the application and discipline by the board.

(d) The Nonresident Contact Lens Dispenser renewal application shall request the following information:

- (1) First, middle, and last names.
- (2) Organizational name, or "Doing Business As" name if applicable.
- (3) Address of record, including:
 - (A) Street address;
 - (B) City, state and zip code;
 - (C) County; and
 - (D) Country.
- (4) Telephone number.
- (5) Email address, if any.
- (6) Entity type:
 - _____ (A) Sole Proprietor;
 - _____ (B) Partnership;
 - _____ (C) Corporation; or
 - _____ (D) Limited Liability Corporation.
- (7) Social Security Number or Individual Taxpayer Identification Number.
- (8) A toll-free telephone number, which is available at least six days a week and 40 hours per week in which consumers can call with questions and complaints
- (9) Contact information of person designated to handle board inquires and complaints, including:
 - (A) Name:

(B) Title:

(C) Telephone number; and

(D) Email address, if any.

(10) Information of applicant's designated agent for service of process, including:

(A) Agent's first and last names;

(B) Agent's street address, city, state, and zip code;

(C) Agent's telephone number; and

(D) Email address, if any.

(11) A declaration by the applicant under penalty of perjury that the information provided including all accompanying documents or other requested proof of completion is true and accurate, and that the applicant understands and agrees that any misstatements of material facts may be cause for denial of the application and discipline by the board.

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Section 2554, Business and Professions Code.

§ 1399.223. Abandonment of Application.

An applicant shall be deemed to have abandoned an application if he or she does not complete the requirements for registration within one year from the date on which the application was filed. An application submitted subsequent to an abandoned application shall be treated as a new application.

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Section 2551, Business and Professions Code.

Article 3. Prescriptions for Ophthalmic Devices

§ 1399.230. Oral Prescriptions.

If an oral prescription or order is received for lenses the order shall be reduced to writing and a copy of such writing sent to the prescribing physician or optometrist prior to the delivery of the lenses to the patient.

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Section 2550, Business and Professions Code.

§ 1399.231. Retention of Records.

All written prescriptions or oral prescriptions which have been reduced to writing shall be retained for three years after the dates such prescriptions have been filed.

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Sections 2550, 2555 and 2556, Business and Professions Code.

§ 1399.232. Ophthalmic Devices.

The minimum quality standards for prescription ophthalmic devices sold, dispensed or furnished by registered dispensing opticians are the current standards of the American National Standard Institute Z80.1 and Z80.2.

Note: Authority cited: Section 2541.3, Business and Professions Code. Reference: Section 2541.3, Business and Professions Code.

§ 1399.233. Evaluation of Contact Lenses.

In accordance with Section 2562 of the Code, a registered contact lens dispenser shall ensure that a written statement is enclosed with each contact lens container which directs the person named in the contact lens prescription to return to the prescribing physician or optometrist for an evaluation within 60 days.

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Section 2562, Business and Professions Code.

Article 4. Changes of Business Name, Business Address, or Ownership

§ 1399.240. Change of Business Name or Address.

A registrant shall report to the ~~division~~ Board in writing within ten working days any change of the business name or address. The ~~division~~ Board shall change its records accordingly and shall notify the registrant in writing of the change. There is no fee for recording such a change.

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Sections 2553 and 2554, Business and Professions Code.

§ 1399.242. Change of Ownership.

The ~~division~~ Board shall be promptly notified by the registrant when there is a change in the ownership of the registrant, and the certificate of registration shall immediately be returned to the ~~division~~ Board for cancellation. No new certificate of registration shall be issued until the previous certificate is cancelled. If there is such a change, the new registrant shall file a new application and pay the prescribed application and initial registration fees.

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Sections 2551 and 2553, Business and Professions Code.

Article 5. Advertising

§ 1399.250. Advertising.

A registered dispensing optician may advertise the provision of any ophthalmic goods or services authorized to be provided by such registration in a manner authorized by Section 651 of the code so long as such advertising does not promote the excessive or unnecessary use of such services.

*Note: Authority cited: Sections 651 and 2558, Business and Professions Code.
Reference: Sections 651, 2556 and 17500, Business and Professions Code.*

§ 1399.251. Advertisement for Eye Examination.

It is unprofessional conduct for a registered dispensing optician to advertise a price or fee for a visual eye examination or a complete medical eye examination or to otherwise advertise the furnishing of the services of an optometrist or a physician and surgeon.

*Note: Authority cited: Sections 651 and 2558, Business and Professions Code.
Reference: Sections 651, 2540, 2556 and 17500, Business and Professions Code.*

§ 1399.252. Advertising Requirements.

Registered dispensing opticians shall include the names under which they are registered in all advertising in connection with the business of dispensing optician. For purposes of this ~~chapter~~ division, advertising includes classified directories and solicitations to the public.

*Note: Authority cited: Sections 651 and 2558, Business and Professions Code.
Reference: Sections 651, 2556 and 2558, Business and Professions Code.*

Article 6. Fees

§ 1399.260. Registered Dispensing Optician Fees.

- (a) The application fee for a registered dispensing optician registration shall be one hundred fifty dollars (\$150.00.)
- (b) The initial registration fee shall be two hundred dollars (\$75 200.00.)
- (~~c~~ b) The biennial renewal fee shall be two hundred dollars (\$75 200.00.)
- (d) The delinquency fee for a biennial renewal shall be fifty dollars (\$50.00.)

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Section 2565, Business and Professions Code.

§ 1399.261. Contact Lens Dispenser Fees.

- (a) The application fee for a registered contact lens dispenser shall be one hundred fifty dollars (\$150.00.)
- (b) The initial registration fee shall be two hundred dollars (\$75 200.00.)
- (~~c~~ b) The biennial renewal fee shall be two hundred dollars (\$75 200.00.)
- (d) The delinquency fee for a biennial renewal shall be fifty dollars (\$50.00.)

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Section 2566, Business and Professions Code.

§ 1399.262. Refund of Application Fee.

~~Any applicant for registration as a contact lens dispenser who does not meet the requirements for registration shall be refunded \$50.00 upon written request.~~

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Section 2566, Business and Professions Code.

§ 1399.263. Spectacle Lens Dispenser Fees.

- (a) The application fee for registration shall be one hundred fifty dollars (\$150.00.)
- (b) The initial registration fee shall be ~~two~~ hundred dollars (\$~~75~~ 200.00.)
- (c) ~~b~~ The biannual renewal fee shall be two hundred dollars (\$~~75~~ 200.00.)
- (d) The delinquency fee for a biennial renewal shall be fifty dollars (\$50.00.)

§1399.264 Non Resident Contact Lens Seller Fees.

- (a) The application fee for a non-resident contact lens seller shall be one hundred fifty dollars (\$150.00)
- (b) The initial registration fee shall be two hundred dollars (\$200).
- (c) The biannual renewal fee shall be two hundred dollars (\$200).
- (d) The delinquency fee for a biennial renewal shall be fifty dollars (\$50).

Note: Authority cited: Section 2558, Business and Professions Code. Reference: Section 2566.1 and 2546.9, Business and Professions Code.

Article 7. Enforcement

§ 1399.270. Substantial Relationship Criteria.

For the purpose of denial, suspension, or revocation of the registration of a dispensing optician pursuant to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be considered substantially related to the qualifications, functions, and duties of a dispensing optician if to a substantial degree it evidences present or potential unfitness of a dispensing optician to perform the functions authorized by his registration in a manner consistent with the public health, safety, or welfare. Such crimes or acts shall include, but not be limited to, those involving the following:

- (a) Any violation of the provisions of Article 6, Chapter 1, Division 2 of the code relating to dispensing opticians.
- (b) Any violation of the provisions of Chapter 5.4, Division 2 of the code.
- (c) Any violation of the provisions of Chapter 5.5, Division 2, of the code.

Note: Authority cited: Sections 481 and 2558, Business and Professions Code. Reference: Sections 481, 2555.1 and 2556, Business and Professions Code.

§ 1399.271. Criteria for Denial and Reinstatement of Registration.

When considering the denial of a registration under Section 480 of the code, or a petition for reinstatement under Section 11522 of the code, the ~~division~~ Board in evaluating the rehabilitation of the applicant and his or her present eligibility for registration, shall consider the following criteria:

- (a) The nature and severity of the act(s) or crime(s) under consideration as grounds for denial.

- (b) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Business and Professions Code.
- (c) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (a) or (b).
- (d) In the case of a denial or revocation based upon the conviction of a crime, the criteria set forth in Section 1399.272.
- (e) Evidence, if any, of rehabilitation submitted by the applicant.

Note: Authority cited: Sections 482 and 2558, Business and Professions Code.

Reference: Sections 482, 2555.1 and 2556, Business and Professions Code.

§ 1399.272. Rehabilitation Criteria for Suspensions and Revocations.

When considering the suspension or revocation of a registration on the grounds that the registrant has been convicted of a crime, the ~~division~~ Board, in evaluating the rehabilitation of such person and his or her present eligibility for a registration, shall consider the following criteria:

- (a) Nature and severity of the act(s) or offense(s).
- (b) Total criminal record.
- (c) Extent of time that has elapsed since commission of the act(s) or offense(s).
- (d) Whether the registrant has complied with any or all terms of parole, probation, restitution or any other sanctions lawfully imposed against the registrant.
- (e) If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.
- (f) Evidence, if any, of rehabilitation submitted by the registrant.

Note: Authority cited: Sections 482 and 2558, Business and Professions Code.

Reference: Sections 482, 2555.1 and 2556, Business and Professions Code.

§ 1399.274. Definitions.

As used in Sections 1399.275 through 1399.279, inclusive.

- (a) "Chief of licensing" means the executive officer of the Board, or his or her designee.
- (b) "Optician" means a registered dispensing optician, and a registered spectacle lens dispenser or a registered contact lens dispenser, as applicable.

Note: Authority cited: Sections 125.9 and 2558, Business and Professions Code.

Reference: Sections 2550 and 2550.1, Business and Professions Code.

§ 1399.275. Citations and Fines.

- (a) The chief of licensing is authorized to issue citations containing orders of abatement and fines for violations by opticians of the provisions of law referred to in this section.
- (b) A citation shall be issued whenever any fine is levied or any order of abatement is issued. Each citation shall be in writing and shall describe with particularity the nature and facts of the violation, including a reference to the statute or regulations alleged to have been violated. The citation shall be served upon the individual personally or by certified mail.

*Note: Authority cited: Sections 125.9 and 2558, Business and Professions Code.
Reference: Section 125.9, Business and Professions Code.*

§ 1399.276. Amount of Fines.

The amount of any fine to be levied by the chief of licensing shall take into consideration the factors listed in subdivision (b) (3) of Section 125.9 of the code and shall be within the range set forth in each subsection below.

(a) The fine for a violation of the following provisions shall be from \$1100 to \$2500:

- (1) Business and Professions Code Section 810;
- (2) Business and Professions Code Section 2542;
- (3) Business and Professions Code Section 2553;
- (4) Business and Professions Code Section 2556.5;
- (5) Business and Professions Code Section 2559.1;
- (6) Business and Professions Code Section 2559.2(e);
- (7) Business and Professions Code Section 2560.

(b) The fine for a violation of the following provisions shall be from \$100 to \$1000:

- (1) Business and Professions Code Section 650;
- (2) Business and Professions Code Section 651;
- (3) Business and Professions Code Section 654;
- (4) Business and Professions Code Section 655;
- (5) Business and Professions Code Section 2540;
- (6) Business and Professions Code Section 2541.3;
- (7) Business and Professions Code Section 2543;
- (8) Business and Professions Code Section 2553.6;
- (9) Business and Professions Code Section 2554;
- (10) Business and Professions Code Section 2556;
- (11) Business and Professions Code Section 2562;
- (12) Business and Professions Code Section 2564.5;
- (13) Title 16 Cal. Code Reg. Section 1399.230;
- (14) Title 16 Cal. Code Reg. Section 1399.231;
- (15) Title 16 Cal. Code Reg. Section 1399.232;
- (16) Title 16 Cal. Code Reg. Section 1399.240;
- (17) Title 16 Cal. Code Reg. Section 1399.242;
- (18) Title 16 Cal. Code Reg. Section 1399.251;
- (19) Title 16 Cal. Code Reg. Section 1399.252.

(c) In her or his discretion, the chief of licensing may issue an order of abatement without levying a fine for the first violation of any provision set forth in subsection (b).

(d) The sanctions authorized under this section shall be separate from and in addition to any other civil or criminal remedies.

*Note: Authority cited: Sections 125.9 and 2558, Business and Professions Code.
Reference: Section 125.9, Business and Professions Code.*

§ 1399.277. Compliance with Orders of Abatement.

(a) If a cited optician who has been issued an order of abatement is unable to complete the correction within the time set forth in the citation because of conditions beyond his or her control after the exercise of reasonable diligence, the person cited may request an extension of time from the chief of licensing in which to complete the correction. Such a request shall be in writing and shall be made within the time set forth for abatement.

(b) When an order of abatement is not contested or if the order is appealed and the optician cited does not prevail, failure to abate the violation charged within the time allowed shall constitute a violation and failure to comply with the order of abatement. An order of abatement shall either be personally served or mailed by certified mail, return receipt requested. The time allowed for the abatement of a violation shall begin the first day after the order of abatement has been served or received. Such failure may result in disciplinary action being taken by the ~~division~~ Board or other appropriate judicial relief being taken against the optician cited.

Note: Authority cited: Sections 125.9 and 2558, Business and Professions Code.

Reference: Section 125.9, Business and Professions Code.

§ 1399.278. Citations for Unlicensed Practice.

The chief of licensing is authorized to issue citations containing orders of abatement and fines against persons, partnerships, corporations or associations who are performing or who have performed services for which registration as an optician is required under Chapters 5.4 and 5.5 of Division 2 of the Code. Each citation issued shall contain an order of abatement. Where appropriate the chief of licensing shall levy a fine for such unlicensed activity in accordance with subdivision (b) (3) of Section 125.9 of the code. The provisions of Sections 1399.275 and 1399.277 shall apply to the issuance of citations for unlicensed activity under this subsection. The sanctions authorized under this section shall be separate from and in addition to any other civil or criminal remedies.

Note: Authority cited: Sections 125.9 and 2558, Business and Professions Code.

Reference: Section 125.9, Business and Professions Code.

§ 1399.279. Contest of Citations.

(a) In addition to requesting a hearing provided for in subdivision (b) (4) of Section 125.9 of the code, the optician cited may, within ten (10) days after service or receipt of the citation, notify the chief of licensing in writing of his or her request for an informal conference with the chief of licensing regarding the acts charged in the citation. The time allowed for the request shall begin the first day after the citation has been served or received.

(b) The chief of licensing shall hold, within 30 days from the receipt of the request, an informal conference with the optician cited for his or her legal counsel or authorized representative. At the conclusion of the informal conference the chief of licensing may affirm, modify or dismiss the citation, including any fine levied or order of abatement issued. The chief of licensing shall state in writing the reasons for his or her action and

serve or mail, as provided in subsection (b) of Section 1399.277, a copy of his or her findings and decision to the optician cited within ten days from the date of the informal conference. This decision shall be deemed to be a final order with regard to the citation issued, including the fine levied and the order of abatement.

(c) The optician cited does not waive his or her request for a hearing to contest a citation by requesting an informal conference after which the citation is affirmed by the chief of licensing. If the citation is dismissed after the informal conference, the request for a hearing on the matter of the citation shall be deemed to be withdrawn. If the citation, including any fine levied or order of abatement, is modified, the citation originally issued shall be considered withdrawn and new citation issued. If a hearing is requested for the subsequent citation, it shall be requested within 30 days in accordance with subdivision (b) (4) of Section 125.9.

Note: Authority cited: Sections 125.9 and 2558, Business and Professions Code.

Reference: Section 125.9, Business and Professions Code.

Article 8. Optical Dispensing Educational Programs (Repealed 1990)

ISSUE MEMORANDUM

DATE	June 18, 2020
TO	Members, Dispensing Optician Committee (DOC)
FROM	Members, California State Board of Optometry <i>Prepared by Marc Johnson, Policy Analyst and Natalia Leeper, Licensing Program Coordinator</i>
SUBJECT	Agenda Item #8: Update, Discussion and Possible Action on Changes to Dispensing Optician Statutes

Summary:

At the [May 15, 2020 Board Meeting](#), the full Board reviewed proposed changes to the dispensing optician statutes. After discussion of the item, the Board directed the DOC to further review certain sections of the proposal, as well as consider feedback received at the meeting from individual board members and stakeholders. The feedback and suggested staff changes are presented for DOC discussion. Once DOC changes have been made, this item will be referred to the Legislative and Regulatory Committee.

Comments Received:

The proposed text is attached with yellow highlight indicating issues for DOC discussion. Below are comments made by Board members at the May 15th meeting. Staff also received a letter on May 14th from the National Association of Optometrists and Opticians (NAOO).

2545(b)(1): Dr. Kawaguchi supports raising the limit of the fine to \$50,000, but is concerned about the possible risk of consistency in the application of the fines over the years, and asked if it would make sense to include a base fine and use multipliers based on the number of violations or number of business locations? Staff notes that fine levels can potentially be handled in regulation.

NAOO, in their letter, felt this proposed change in fines was done “in order to be able to hit large businesses” and would strongly oppose this change. The California Optometric Association is in support of this change.

2550.1(c): NAOO feels this definition “does not make sense as written...suggest that certain acts will be listed but no such list of acts is included”. NAOO suggests rewording to match 2550(d). Staff requests further DOC discussion of this comment.

2550.1(e): NAOO suggests removal of the terms “registered optician” and “registered dispensing optician” are confusing and recommends the terms be removed from statute and replaced with definitions from subsect. 1-4. Does this grouping create confusion?

2550.1(f): Dr. McIntyre feels the use of the word “Plano” creates confusion as a Plano lens does not change the power of the human eye. Staff has moved the reference to plano contact

lens to ensure that the language does not imply that plano lenses alter or change the visual powers of the human eye.

2550.1(g): Ms. Brandvein suggested defining what a “registered assistant” may be with opticianry. Staff has suggested the use of “unregistered optician trainee”.

2555(u): NAOO feels this proposed section would be posing an “unmeetable” standard on an optician and feels an optician would not be trained to know when/how to refer. The California Optometric Association recommends “observation” in place of “examination”. Staff has adopted that suggestion and recommends further discussion on this section for additional rewording.

2559.15: Several stakeholders, including Warby Parker and CAAO, have expressed concern with the removal of the words “allowing for usual and customary absences”. CAAO notes this section has existed for decades and feels no harm has been identified and the removal may harm small optician businesses.

Dr. Kawaguchi feels the proposed ratio of three unregistered assistants to one registered spectacle lens dispenser is too high and proposes a ratio of six to one.

2559.2(a): Dr. Kawaguchi does not agree with the change from five to three years. NAOO also opposes, feeling that the change is being made without evidence of need. In past DOC discussion, committee members referenced the ABO/NCLE requirements for continuing education every three years. Also referenced were the 18 other states that require opticians to maintain ABO/NCLE certification throughout the use of a state-issued license. (Audio: 34:46 / 02:27:41- https://www.optometry.ca.gov/meetings/20190927_doc_audio.mp3)

2559.2(e): NAOO feels the addition of the words “licensed ophthalmologist” or “licensed optometrist” is confusing in describing a location where a spectacle lens dispenser may be practicing. Staff proposes changes to the text specifying any location where the practice of ophthalmology or optometry is practiced.

2564.5: NAOO opposes this new requirement, feeling the cost to be prohibitive and that portable handwashing stations are sufficient under CDC guidelines. Staff requests further discussion on this issue.

Article 2.5: NAOO opposes the expansion of online contact lens seller registration to include online sellers of any prescription optical devices, including eyeglasses. They ask where the demonstrated need for expansion into eyeglasses and note only one other state has imposed such a requirement. Staff notes, and the committee has discussed, the current unregulated sale of eyeglasses within California. Staff suggests that this committee err on the side of consumer protection rather than unregulated distribution.

2564.74: NAOO offers the following comments on this section:

- A requirement of a president or secretary if a corporation must sign the application form; NAOO suggests a company's designated signatory instead. Staff rejects this suggestion.
- For registration number, NAOO asks which registration number does this refer to and how can the company have a registration number if they are just making an application? Staff proposes adding "if applicable" for clarity.
- NAOO suggests limiting the advertising requirement to just California. Staff requests further DOC discussion on this comment.

2564.76: Board Members raised the following concerns on this section:

- Subsection (a)(2): Dr. Kawaguchi feels federal laws may be too lenient and create a loophole. Current Federal prescription rules as set out are [here](#).
- Subsection (c): Dr. McIntyre feels the text could be misinterpreted to mean that a color of a packaged lens could be altered by a dispenser. Staff recommends the removal of the words "the color or".

2564.80: Same concern as set out in 2545(b).

Article 3.5: The NAOO recommends that these sections be moved back to the beginning of the optician sections in the 2550 area. They feel this provides needed basic information to applicants and registrants and provide a more logical flow. Legal Counsel had initially reviewed these changes and did not feel the creation of this new article was inappropriate.

2568.2: NAOO suggests adding in limited liability companies back into these sections. Staff rejects this change, as the Attorney General's office has determined that optical companies must be professional corporations, as defined by Corporations Code Section 13401.

Proposed motion:

If the committee wishes to approve the current text with any changes, the following motion is suggested:

"I move to recommend to the full Board approval of the changes as proposed and made here today to Business and Professions Code Division 2, Chapters 5.4, 5.45 and 5.5, of the Optician Program statutes."

BUSINESS AND PROFESSIONS CODE – DIVISION 2

CHAPTER 5.4. Prescription Lenses [2540 - 2545]

2540. No person other than a physician and surgeon or optometrist may measure the powers or range of human vision or determine the accommodative and refractive status of the human eye or the scope of its functions in general or prescribe ophthalmic devices.
(Amended by Stats. 2006, Ch. 148, Sec. 2. Effective January 1, 2007.)

2541. A prescription ophthalmic device includes each of the following:

- (a) Any spectacle or contact lens ordered by a physician and surgeon or optometrist, that alters or changes the visual powers of the human eye.
- (b) Any contact lens described in paragraph (1) of subdivision (n) of Section 520 of the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 360j and following).
- (c) Any plano contact lens that is marketed or offered for sale in this state. "Plano contact lens" means a zero-power or noncorrective contact lens intended to change the appearance of the normal eye in a decorative fashion.
(Amended by Stats. 2006, Ch. 148, Sec. 3. Effective January 1, 2007.)

2541.1. (a) A spectacle lens prescription shall include all of the following:

- (1) The dioptric power of the lens. When the prescription needed by the patient has not changed since the previous examination, the prescriber may write on the prescription form "copy lenses currently worn" instead.
- (2) The expiration date of the prescription.
- (3) The date of the issuance of the prescription.
- (4) The name, address, telephone number, prescriber's license number, and signature of the prescribing optometrist or physician and surgeon.
- (5) The name of the person to whom the prescription is issued.
- (b) The expiration date of a spectacle lens prescription shall not be less than two ~~years~~ to and shall not exceed four years from the date of issuance unless the patient's history or current circumstances establish a reasonable probability of changes in the patient's vision of sufficient magnitude to necessitate reexamination earlier than two years, or presence or probability of visual abnormalities related to ocular or systemic disease indicates, the need for reexamination of the patient earlier than two years. In no circumstances shall the expiration date be shorter than the period of time recommended by the prescriber for reexamination of the patient. Establishing an expiration date that is not consistent with this section shall be regarded as unprofessional conduct by the board that issued the prescriber's certificate to practice.
- (c) The prescriber of a spectacle lens shall orally inform the patient of the expiration date of a spectacle lens prescription at the time the prescription is issued. The expiration date of a prescription may be extended by the prescriber and transmitted by telephone, electronic mail, or any other means of communication. An oral prescription for a spectacle lens shall be reduced to writing and a copy of that writing shall be sent to the prescriber prior to the delivery of the lenses to the person to whom the prescription is issued.

(d) A prescriber of a spectacle lens shall abide by the rules pertaining to spectacle lens prescriptions and eye examinations adopted by the Federal Trade Commission found in Part 456 of Title 16 of the Code of Federal Regulations.

(e) An expired prescription may be filled if all of the following conditions exist:

(1) The patient's spectacles are lost, broken, or damaged to a degree that renders them unusable.

(2) Upon dispensing a prescription pursuant to this subdivision, the person dispensing shall recommend that the patient return to the optometrist or physician and surgeon who issued the prescription for an eye examination and provide the prescriber with a written notification of the prescription that was filled.

(Added by Stats. 1998, Ch. 8, Sec. 1. Effective January 1, 1999.)

2541.2. (a) (1) The expiration date of a contact lens prescription shall not be less than one year ~~to~~ and shall not exceed two years from the date of issuance, unless the patient's history or current circumstances establish a reasonable probability of changes in the patient's vision of sufficient magnitude to necessitate reexamination earlier than one year, or the presence or probability of visual abnormalities related to ocular or systemic disease indicate the need for reexamination of the patient earlier than one year. If the expiration date of a prescription is less than one year, the health-related reasons for the limitation shall be documented in the patient's medical record. In no circumstances shall the prescription expiration date be less than the period of time recommended by the prescriber for reexamination of the patient.

(2) For the purposes of this subdivision, the date of issuance is the date the patient receives a copy of the prescription.

(3) Establishing an expiration date that is not consistent with this section shall be regarded as unprofessional conduct by the board that issued the prescriber's license to practice.

(b) Upon completion of the eye examination or, if applicable, the contact lens fitting process for a patient as described in subdivision (f), a prescriber or a registered dispensing optician shall provide the patient with a copy of the patient's contact lens prescription signed by the prescriber, unless the prescription meets the standards set forth in subdivision (c).

(c) A prescriber shall retain professional discretion regarding the release of the contact lens prescription for patients who wear the following types of contact lenses:

(1) Rigid gas permeables.

(2) Bitoric gas permeables.

(3) Bifocal gas permeables.

(4) Keratoconus lenses.

(5) Custom designed lenses that are manufactured for an individual patient and are not mass produced.

(d) If a patient places an order with a contact lens seller other than a physician and surgeon, an optometrist, or a registered dispensing optician, the prescriber or his or her authorized agent shall, upon request of the contact lens seller and in the absence of the actual prescription, attempt to promptly confirm the information contained in the prescription through direct communication with the contact lens seller.

(e) The contact lens prescription shall include sufficient information for the complete and accurate filling of a prescription, including, but not limited to, the power, the material or manufacturer or both, the base curve or appropriate designation, the diameter when appropriate, and an appropriate expiration date. When a provider prescribes a private label

contact lens for a patient, the prescription shall include the name of the manufacturer, the trade name of the private label brand, and, if applicable, the trade name of the equivalent national brand.

(f) The contact lens fitting process begins after the initial comprehensive eye examination, and includes an evaluation to determine the lens specifications, an initial evaluation of the fit of the lens on the patient's eye, except in the case of a renewal prescription of an established patient, and followup examinations that are medically necessary, and ends when the prescriber or registered dispensing optician determines that an appropriate fit has been achieved, or in the case of a prescription renewal for an established patient, the prescriber determines that there is no change in the prescription.

(g) The payment of professional fees for the eye exam, fitting, and evaluation may be required prior to the release of the prescription, but only if the prescriber would have required immediate payment from the patient had the examination revealed that no ophthalmic goods were required. A prescriber or registered dispensing optician shall not charge the patient any fee as a condition to releasing the prescription to the patient. A prescriber may charge an additional fee for verifying ophthalmic goods dispensed by another seller if the additional fee is imposed at the time the verification is performed.

(h) A prescriber shall not condition the availability of an eye examination, a contact lens fitting, or the release of a contact lens prescription on a requirement that the patient agree to purchase contact lenses from that prescriber. A registered dispensing optician shall not condition the availability of a contact lens fitting on a requirement that the patient agrees to purchase contact lenses from that registered dispensing optician.

(i) A prescriber or a registered dispensing optician shall not place on the contact lens prescription, deliver to the patient, or require a patient to sign a form or notice waiving or disclaiming the liability or responsibility of the prescriber or registered dispensing optician for the accuracy of the ophthalmic goods and services dispensed by another seller. This prohibition against waivers and disclaimers shall not impose liability on a prescriber or registered dispensing optician for the ophthalmic goods and services dispensed by another seller pursuant to the prescriber's prescription.

(j) The willful failure or refusal of a prescriber to comply with the provisions of this section shall constitute grounds for professional discipline, including, but not limited to, the imposition of a fine or the suspension or revocation of the prescriber's license. The Medical Board of California and the State Board of Optometry shall adopt regulations, to implement this subdivision, including, but not limited to, standards for processing complaints each receives regarding this subdivision.

(k) For the purposes of this section, "prescriber" means a physician and surgeon or an optometrist.

(l) Nothing in this section shall be construed to expand the scope of practice of a registered dispensing optician as defined in Sections 2542, 2543, and Chapter 5.5 (commencing with Section 2550).

(Added by Stats. 2002, Ch. 814, Sec. 1. Effective January 1, 2003.)

2541.3. (a) The State Department of Public Health, the State Board of Optometry, and the Medical Board of California shall prepare and adopt quality standards and adopt regulations relating to prescription ophthalmic devices, including, but not limited to, lenses, frames, and contact lenses. In promulgating these rules and regulations, the department and the boards

shall adopt the current standards of the American National Standards Institute regarding ophthalmic materials. Nothing in this section shall prohibit the department and the boards from jointly adopting subsequent standards that are equivalent or more stringent than the current standards of the American National Standards Institute regarding ophthalmic materials.

(b) No individual or group that deals with prescription ophthalmic devices, including, but not limited to, distributors, dispensers, manufacturers, laboratories, optometrists, or ophthalmologists shall sell, dispense, or furnish any prescription ophthalmic device that does not meet the minimum standards set by the State Department of Public Health, the State Board of Optometry, or the Medical Board of California.

(c) Any violation of the regulations adopted by the State Department of Public Health, the State Board of Optometry, or the Medical Board of California pursuant to this section shall be a misdemeanor.

(d) Any optometrist, ophthalmologist, or dispensing optician who violates the regulations adopted by the State Department of Public Health, the State Board of Optometry, or the Medical Board of California pursuant to this section shall be subject to disciplinary action by his or her licensing board.

(e) The State Board of Optometry or the Medical Board of California may send any prescription ophthalmic device to the State Department of Public Health for testing as to whether or not the device meets established standards adopted pursuant to this section, which testing shall take precedence over any other prescription ophthalmic device testing being conducted by the department. The department may conduct the testing in its own facilities or may contract with any other facility to conduct the testing.

(Amended by Stats. 2016, Ch. 489, Sec. 10. (SB 1478) Effective January 1, 2017.)

2541.6. No prescription ophthalmic device that does not meet the standards adopted by the State Department of Public Health, the State Board of Optometry, or the Medical Board of California under Section 2541.3 shall be purchased with state funds.

(Amended by Stats. 2016, Ch. 489, Sec. 11. (SB 1478) Effective January 1, 2017.)

2542. A registered dispensing optician shall ~~fit, adjust, or~~ dispense contact lenses, including plano contact lenses, only on the valid prescription of a physician and surgeon or optometrist, and acting on the advice, direction, and responsibility of the physician and surgeon or optometrist. The optician shall also comply with the requirements of Section 2560. A registered dispensing optician shall not ~~fit a~~ dispense contact lens or lenses, or a plano contact lens or lenses, unless the prescription specifically refers to and authorizes contact lenses. A registered dispensing optician shall not fit a generic type of contact lens or mode of wear for a contact lens contrary to the type or mode, if any, referred to in the prescription.

(Amended by Stats. 1985, Ch. 1139, Sec. 3.)

2543. (a) Except as provided in the Nonresident ~~Contact Ophthalmic Lens Dispenser Seller~~ Registration Act (Chapter ~~5.45~~ 5.5 (commencing with Section ~~2546~~ 2564.70)), the right to dispense, sell or furnish prescription ophthalmic devices at retail or to the person named in a prescription is limited exclusively to licensed physicians and surgeons, licensed optometrists, and registered dispensing opticians as provided in this division. This section shall not be construed to affect licensing requirements pursuant to Section 111615 of the Health and Safety Code.

(b) It shall be considered a deceptive marketing practice for:

(1) Any licensed physician and surgeon, licensed optometrist, or registered dispensing optician to publish or cause to be published any advertisement or sales presentation relating to contact lenses that represents that contact lenses may be obtained without confirmation of a valid prescription.

(2) Any individual or entity who offers for sale plano contact lenses, as defined in subdivision (c) of Section 2541, to represent by any means that those lenses may be lawfully obtained without an eye examination or confirmation of a valid prescription, or may be dispensed or furnished to a purchaser without complying with the requirements of Section 2562, except as provided in Chapter ~~5.45~~ 5.5 (commencing with Section ~~2546~~ 2564.70).
(Amended by Stats. 2006, Ch. 148, Sec. 6. Effective January 1, 2007.)

2544. (a) Notwithstanding any other provision of law, an assistant in any setting where

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 cycloplegics, 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.

(Amended by Stats. 2010, Ch. 604, Sec. 1. (AB 2683) Effective January 1, 2011.)

2545. (a) Whenever any person has engaged, or is about to engage, in any acts or practices

the county wherein the acts or practices take place, or are about to take place, may issue an injunction, or other appropriate order, restraining the conduct on application of the State Board of Optometry, the Medical Board of California, the Osteopathic Medical Board of California, the Attorney General, or the district attorney of the county. The proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure.

(b) (1) Any person who violates any of the provisions of this chapter shall be subject to a fine of

Commented [JM1]: Dr. Kawaguchi is concerned about the possible risk of consistency in application of the fine over the years. He asks if it would make sense to include a base fine and use multipliers based on the number of violations or number of business locations? Staff notes that fine levels can potentially be handled in regulation.

NAOO, in their letter, felt this change was done "in order to be able to hit large businesses" and would strongly oppose this change.

~~thousand five hundred dollars (\$2,500)~~ fifty thousand dollars (\$50,000) per violation. The fines collected pursuant to this section from licensed physicians and surgeons shall be available upon appropriation to the Medical Board of California for the purposes of administration and enforcement. The fines collected pursuant to this section from licensed optometrists and registered dispensing opticians shall be deposited into the Optometry Fund and the Dispensing Opticians Fund, respectively, and shall be available upon appropriation to the State Board of Optometry for the purposes of administration and enforcement.

(2) The Medical Board of California and the State Board of Optometry shall adopt regulations implementing this section and shall consider the following factors, including, but not limited to, applicable enforcement penalties, prior conduct, gravity of the offense, and the manner in which complaints will be processed.

(3) The proceedings under this section shall be conducted in accordance with the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(Amended by Stats. 2016, Ch. 489, Sec. 12. (SB 1478) Effective January 1, 2017.)

~~CHAPTER 5.45. Nonresident Contact Lens Sellers [2546 - 2546.10]~~

Relocated entire Chapter 5.45 into Chapter 5.5, Article 2.5.

CHAPTER 5.5. Registered Dispensing Opticians [2550 - 2569]

Article 1. General Provisions [2550 – 2559]

~~2550. Individuals, corporations, and firms engaged in the business of filling prescriptions of physicians and surgeons licensed by the Medical Board of California or optometrists licensed by the State Board of Optometry for prescription lenses and kindred products, and, as incidental to the filling of those prescriptions, doing any or all of the following acts, either singly or in combination with others, taking facial measurements, fitting and adjusting those lenses and fitting and adjusting spectacle frames, shall be known as dispensing opticians and shall not engage in that business unless registered with the State Board of Optometry.~~
(Amended by Stats. 2016, Ch. 489, Sec. 13. (SB 1478) Effective January 1, 2017.)

~~2550.1. All references in this chapter to the board shall mean the State Board of Optometry.~~

(a) "Board" means the State Board of Optometry.

(b) "Prescription" means any order made by a licensed physician and surgeon or licensed optometrist pursuant to Sections 2541.1 or 2541.2.

(c) "Fit" and "fitting" means doing any or all of the following acts prior to the act of adjusting, either singly or in combination with others, designing, the taking of measurements to determine the size or shape or specifications, or replacing the prescribed optical aids, pursuant and incidental to the filling of any prescription for lenses, spectacles, eyeglasses, contact lens, plano contact lens and other ophthalmic devices as specified in Section 2541, and prescriptions.

Commented [JM2]: NAOO feels this definition "does not make sense as written...suggest that certain acts will be listed but no such list of acts is included". Suggests rewording to match 2550(d).

(d) "Adjust" and "adjusting" means doing any or all of the following acts, either singly or in combination with others, adapting, delivering or replacing the prescribed optical aids, pursuant and incidental to the filling of any prescription for lenses, spectacles, eyeglasses, contact lens, plano contact lens and other ophthalmic devices as specified in Section 2541, and prescriptions.

(e) "Dispensing Optician", "Registered Dispensing Optician" and "Registrant" means any individual, corporation or firm who is registered with the board as follows:

- (1) "Spectacle Lens Dispenser" means any individual who is registered with the board pursuant to Article 1.5 (commencing with Section 2559.1) of this chapter.
- (2) "Contact Lens Dispenser" means any individual who is registered with the board pursuant to Article 2 (commencing with Section 2560) of this chapter.
- (3) "Nonresident Ophthalmic Lens Dispenser" means a business who is registered with the board pursuant to Article 2.5 (commencing with Section 2564.70) which offers, advertises and performs optical services to the general public.
- (4) "Registered Dispensing Ophthalmic Business" means a business who is registered with the board pursuant to Article 3.5 (commencing with Section 2568.1) which offers, advertises and performs optical services to the general public.

(f) "Ophthalmic Lens" or "Ophthalmic Device" means any prescription lenses, spectacles, eyeglasses, contact lens, other ophthalmic devices that alter or change the visual powers of

(g) "Unregistered Optician Trainee" means an individual who is not registered with the board pursuant to this chapter. The unregistered trainee may perform the following:

- (1) Fitting and adjusting of spectacle lenses under the direct responsibility and supervision of a duly registered spectacle lens dispenser pursuant to section 2559.15.
- (2) Fitting and adjusting of contact lenses under the direct responsibility and supervision of a duly registered contact lens dispenser pursuant to section 2560.
- (3) The selection of frame designs, the actual sales transaction, and the transfer of physical possession of lenses, spectacles, eyeglasses, contact lenses, and other optical devices subsequent to performance of all services of the dispensing optician.
- (4) Administrative, custodial or office tasks not related to direct patient care.

The provisions of this chapter shall not apply to an individual 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, pursuant to section 2544 of the business and professions code.

(Amended by Stats. 2016, Ch. 489, Sec. 14. (SB 1478) Effective January 1, 2017.)

2551. (a) Individuals, corporations, and firms shall make application for registration and shall not engage in that business prior to being issued a certificate of registration.

(b) Application for that registration shall be on forms prescribed by the board, shall bear the signature of the individual, or general partners if a partnership, or the president or secretary if a

Commented [JM3]: NAOO suggests the terms "registered optician" and "registered dispensing optician" are confusing and recommends the terms be removed from statute and replaced with definitions from subsect. 1-4.

Commented [JM4]: Changed to remove confusion with unregistered assistants working under Optometrists.

Commented [JM5]: Dr. Kawaguchi does not feel subsections (3) and (4) are needed as it makes the statute more confusing.

corporation or firm, and shall contain specify the name under which he or she, they or it proposes to do business and the business address.

~~(c) Corporations and firms shall be organized and exist pursuant to the general corporation law and shall be a professional corporation within the meaning of Part 4, Division 3, Title 1 of the Corporations Code.~~

~~(d) If applicable, the application shall include a list of officers in the corporation, firm or partnership and a copy of the articles of incorporation as submitted to the Secretary of State.~~

~~(e) Separate applications shall be made for each place of business and each application must be accompanied by the application fee prescribed by Section 2565.~~

~~(Amended by Stats. 1990, Ch. 1190, Sec. 2.)~~

2552. (a) Each application shall be verified under oath by the person required to sign the application and shall designate the name, address, and direct business telephone number of the applicant's employee who will be responsible for handling customer inquiries and complaints with respect to the business address for which registration is applied. Any changes to this information shall be reported in writing to the board within 14 days.

(b) The applicant shall furnish such additional information or proof, oral or written, which the board may request, including information and proof relating to the provisions of Division 1.5 (commencing with Section 475).

(c) The board shall promptly notify any applicant if, as of the 30th day following the submission of an application under this chapter, the application and supporting documentation are not substantially complete and in proper form. The notification shall be in writing, shall state specifically what documents or other information are to be supplied by the applicant to the board, and shall be sent to the applicant by certified, electronic or registered mail. Within 30 days of the applicant's submission of the requested documents or information to the board, the board shall notify the applicant by certified, electronic or registered mail if the board requires additional documents or information.

(d) This section shall become operative on January 1, 1988.

(Amended by Stats. 2016, Ch. 489, Sec. 15. (SB 1478) Effective January 1, 2017

2553. ~~If the board, after investigation, approves the application, it shall register the applicant and issue to the applicant a certificate of dispensing optician. A separate certificate of registration shall be required for each address where the business is to be conducted.~~

~~A certificate authorizes the applicant, its agents and employees acting therefor to engage in the business defined in Section 2550 provided that the fitting and adjusting of spectacle lenses is performed in compliance with Article 1.5 (commencing with Section 2559.1) and the fitting and adjusting of contact lenses is performed in compliance with Article 2 (commencing with Section 2560).~~

(a) Each certificate shall be at all times displayed in a conspicuous place at the certified place of business. The certificate shall not be transferable, but on application to the board there may be registered a change of address of the certificate. The certificate displayed must include the registration number issued by the board, the applicant's name, address of record and certificate expiration date.

~~2553.1. (a) If a registered dispensing optician business sells or transfers ownership of his or her place of business, both of the following requirements shall be satisfied:~~
~~(1) The registered dispensing optician business selling or transferring ownership of the business shall return the certificate of registration to the board no later than 10 calendar days after the change of ownership is completed and shall submit a request for cancellation of registration on a form prescribed by the Board. This registered dispensing optician business shall be responsible for complying with all laws relating to the optical dispensing business until the notice described in paragraph (2) is received by the board.~~
~~(2) The registered dispensing optician business assuming ownership of the business shall record with the board a written notice of the change of ownership, providing all information required by the board. This notice shall be filed with the board no later than 10 calendar days after the change of ownership is completed.~~
~~(3) The registered dispensing optician business assuming ownership of the business shall apply for a new certificate of registration from the board no later than 10 calendar days after the change of ownership is completed.~~
~~(b) This section does not apply to a change of location of business by a registered dispensing optician.~~

2553.5. (a) A registered dispensing optician may fit and adjust spectacle lenses and frames or take facial measurements in any of the following locations:
(1) A health facility as defined in Section 1250 of the Health and Safety Code for a person admitted to that facility or an employee of that facility.
(2) A business location as defined in subdivision (f) for an employee or independent contractor of the person operating the business at that location.
(3) Any certified place of business pursuant to Section ~~2553~~ 2568.1.
(b) A registered dispensing optician who fits and adjusts spectacle lenses at a health facility or business location shall provide to the patient written information disclosing the registrant's regular business address, certificate of registration number, phone number, and the name and phone number of the person designated by the licensee to receive complaints and inquiries, as specified in Section ~~2554~~ 2568.3.
(c) Nothing in this section shall be deemed to permit a registered dispensing optician or registered contact lens dispenser to fit or adjust contact lenses at a health facility or at a business location, as defined in subdivision (f).
(d) A registered spectacle lens dispenser may fit and adjust spectacle lenses at a health facility or at a business location, only if he or she is in personal attendance at a certified place of business pursuant to Section ~~2553~~ 2568.1 at least 40 percent of his or her regular working hours each week.
~~(e) A registered spectacle lens dispenser who fits and adjusts spectacle lenses at a health facility or at a business location, as defined in subdivision (f), other than on a temporary basis, shall maintain an emergency patient response system. This system shall consist of a telephone answering machine or service or a telephone paging device and the registered spectacle lens dispenser shall respond to patient inquiries received through the emergency system within 24 hours excluding weekends and holidays.~~

(e)-(f) "Business location" means the place at which any business employs more than 25 persons at any single business address, but shall not include a health facility, as defined in Section 1250 of the Health and Safety Code, or a certified place of business as specified in Section 2553.

(f) ~~(g)~~ This section shall not affect the requirements regarding fitting and adjusting as set forth in Sections 2559.1 and 2560.

(Amended by Stats. 1993, Ch. 240, Sec. 1. Effective January 1, 1994.)

2553.6. (a) The board shall deny any application for registration under this chapter if any person licensed under Chapter 5 (commencing with Section 2000), for whom the applicant, in accordance with Section 2550, proposes to fill any prescription, has any proprietary interest, or has designated or arranged for any other person to have any proprietary interest in or with the applicant.

(b) The board may, in accordance with Section 2555, suspend, revoke, or refuse to renew the certificate of any individual or firm under this chapter, if such individual or firm, after the effective date of this section, fills, or has filled, while holding a certificate issued pursuant to this chapter, any prescription issued by any person licensed under Chapter 5 (commencing with Section 2000) who has any proprietary interest, or has designated or arranged for any other person to have any proprietary interest, in or with such individual or firm. Such penalties shall be in addition to, and not to the exclusion of, any other remedies or penalties provided by law.

(1) "Proprietary interest," for the purposes of this section, means any membership, coownership, stock ownership, legal or beneficial interest, any other proprietary interest, or profit-sharing arrangement, designated or arranged or held, directly or indirectly in any form, in or with any individual or firm applying for registration or registered under this chapter, except stock ownership in a corporation which is listed on a stock exchange regulated by the Securities and Exchange Commission if the stock is acquired in a transaction conducted through such stock exchange.

(c) This section shall apply only to a dispensing optician required to be registered pursuant to Chapter 5.5 (commencing with Section 2550) and shall not be construed to modify Section 2557, or to affect the fitting of prescription lenses by an assistant pursuant to Section 2544.
(Amended by Stats. 2010, Ch. 604, Sec. 2. (AB 2683) Effective January 1, 2011.)

2553.7. Registrations of ~~registrants dispensing opticians, spectacle lens dispensers, and contact lens dispensers~~ shall expire 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.

(Added by Stats. 2017, Ch. 564, Sec. 1. (AB 1708) Effective January 1, 2018.)

2554. Each registrant shall conspicuously and prominently display at each registered location the following consumer information:

"Eye doctors are required to provide patients with a copy of their ophthalmic lens prescriptions as follows:

Spectacle prescriptions: Release upon completion of exam.

Contact lens prescriptions: Release upon completion of exam or upon completion of the fitting process. Patients may take their prescription to any eye doctor or registered dispensing optician to be filled.

Optometrists and registered dispensing opticians are regulated by the State Board of Optometry. The State Board of Optometry receives and investigates all consumer complaints involving the practice of optometry and registered dispensing opticians. Complaints involving a California-licensed optometrist or a registered dispensing optician should be directed to:

California State Board of Optometry
Department of Consumer Affairs
2450 Del Paso Road, Suite 105
Sacramento, CA 95834
Phone: 1-866-585-2666 or (916) 575-7170
Email: optometry@dca.ca.gov
Internet Web site: www.optometry.ca.gov"

(Amended by Stats. 2016, Ch. 489, Sec. 17. (SB 1478) Effective January 1, 2017.)

2555. Certificates issued hereunder may in the discretion of the board be suspended or revoked or subjected to terms and conditions of probation for violating or attempting to violate this chapter, Chapter 5.4 (commencing with Section 2540) or any regulation adopted under this chapter or, Chapter 5.4 (commencing with Section 2540), or Section 651, 654, or 655, or for incompetence, gross negligence, or repeated similar negligent acts performed by the registrant or by an employee of the registrant. The proceedings shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

The board may take action against any registrant who is charged with unprofessional conduct, and may deny an application for a registration if the applicant has committed unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

(a) Violating or attempting to violate, directly or indirectly assisting in or abetting the violation of, or conspiring to violate any provision of this chapter or any of the rules and regulations adopted by the board pursuant to this chapter.

(b) Gross negligence.

(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or omissions.

(d) Incompetence.

(e) The commission of fraud, misrepresentation, or any act involving dishonesty or corruption, that is substantially related to the qualifications, functions, or duties of a registered optician.

(f) Any action or conduct that would have warranted the denial of a registration.

(g) The use of advertising relating to optometry that violates Section 651 or 17500.

(h) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license, registration or permit by another state or territory of the United States, by any other governmental agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

(i) Procuring his or her registration by fraud, misrepresentation, or mistake.

- (j) Making or giving any false statement or information in connection with the application for issuance of a license.
- (k) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered dispensing optician, in which event the record of the conviction shall be conclusive evidence thereof.
- (l) Administering to himself or herself any controlled substance or using any of the dangerous drugs specified in Section 4022, or using alcoholic beverages to the extent, or in a manner, as to be dangerous or injurious to the person applying for a license or holding a registration under this chapter, or to any other person, or to the public, or, to the extent that the use impairs the ability of the person applying for or holding a license to conduct with safety to the public the practice authorized by the license, or the conviction of a misdemeanor or felony involving the use, consumption, or self-administration of any of the substances referred to in this subdivision, or any combination thereof.
- (m) (1) Committing or soliciting an act punishable as a sexually related crime, if that act or solicitation is substantially related to the qualifications, functions, or duties of an ~~optometrist~~ optician.
(2) Committing any act of sexual abuse, misconduct, or relations with a patient. The commission of and conviction for any act of sexual abuse, sexual misconduct, or attempted sexual misconduct, whether or not with a patient, shall be considered a crime substantially related to the qualifications, functions, or duties of a registrant. This paragraph shall not apply to sexual contact between any person licensed under this chapter and his or her spouse or person in an equivalent domestic relationship when that registrant provides optometry treatment to his or her spouse or person in an equivalent domestic relationship.
- (3) Conviction of a crime that requires the person to register as a sex offender pursuant to Chapter 5.5 (commencing with Section 290) of Title 9 of Part 1 of the Penal Code. A conviction within the meaning of this paragraph means a plea or verdict of guilty or a conviction following a plea of nolo contendere. A conviction described in this paragraph shall be considered a crime substantially related to the qualifications, functions, or duties of a registrant.
- (n) The failure to maintain adequate and accurate records relating to the provision of services to his or her patients.
- (o) Performing, or holding oneself out as being able to perform, or offering to perform, any professional services beyond the scope of the license authorized by this chapter.
- (p) The practice of functions defined in this chapter without a valid, unrevoked, unexpired registration.
- (q) The employing, directly or indirectly, of any suspended or unregistered optician to perform any work for which an optician registration is required.
- (r) Permitting another person to use the registration for any purpose.
- (s) Altering with fraudulent intent a registration issued by the board, or using a fraudulently altered license, permit certification or any registration issued by the board.
- (t) Except for good cause, the knowing failure to protect patients by failing to follow infection control guidelines of the board, thereby risking transmission of bloodborne infectious diseases from optician to patient, from patient to patient, or from patient to optician. In administering this subdivision, the board shall consider the standards, regulations, and guidelines of the State Department of Public Health developed pursuant to Section 1250.11 of the Health and Safety Code and the standards, guidelines, and regulations pursuant to the California Occupational Safety and Health Act of 1973 (Part 1 (commencing with Section 6300) of Division 5 of the

Labor Code) for preventing the transmission of HIV, hepatitis B, and other bloodborne pathogens in health care settings.

(u) Failure to refer a patient to an appropriate optometrist or physician and surgeon if an

Commented [JM6]: NAOO feels this proposed section would be posing an “unmeetable” standard on an optician and feels an optician would not be trained to know when/how to refer.

The California Optometric Association recommends “observation” in place of “examination”.

Staff recommends further discussion on this section for additional rewording.

2555.1. (a) In the discretion of the board, a certificate issued hereunder may be suspended or revoked if an individual certificate holder or persons having any proprietary interest who will engage in dispensing operations, have been convicted of a crime substantially related to the qualifications, functions and duties of a dispensing optician. The record of conviction or a certified copy thereof shall be conclusive evidence of the conviction.

(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions and duties of a dispensing optician is deemed to be a conviction within the meaning of this article. The board may order the certificate suspended or revoked, or may decline to issue a certificate, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.

(c) The proceeding under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein. This section shall become operative on January 1, 1988.

(d) This section shall only apply to individuals included on the registration on file with the board and shall not include stockholders or unaffiliated employees. For the purposes of this section, the term “unaffiliated employees” means a person or persons who do not perform the functions of fitting and adjusting of spectacle lenses performed in compliance with Article 1.5 (commencing with Section 2559.1) and the fitting and adjusting of contact lenses performed in compliance with Article 2 (commencing with Section 2560).

(Amended by Stats. 2016, Ch. 489, Sec. 19. (SB 1478) Effective January 1, 2017.)

2556. (a) Except as authorized by Section 655, it is unlawful for a registered dispensing optician or a person who engages in the business of, or holds himself or herself out to be, a dispensing optician to do any of the following: to advertise the furnishing of, or to furnish, the services of an optometrist or a physician and surgeon, to directly employ an optometrist or physician and surgeon for the purpose of any examination or treatment of the eyes, or to duplicate or change lenses without a prescription or order from a person duly licensed to issue the same. For the purposes of this section, “furnish” does not mean to enter into a landlord-tenant relationship of any kind.

(b) Notwithstanding Section 125.9, the board may, by regulation, impose and issue administrative fines and citations for a violation of this section or Section 655, which may be assessed in addition to any other applicable fines, citations, or administrative or criminal actions.

(Amended by Stats. 2018, Ch. 703, Sec. 22. (SB 1491) Effective January 1, 2019.)

2556.1. All licensed optometrists and registered dispensing opticians who are in a colocated setting shall report the business relationship to the State Board of Optometry, as determined by the board. The State Board of Optometry shall have the authority to inspect any premises at which the business of a registered dispensing optician is colocated with the practice of an optometrist, for the purposes of determining compliance with Section 655. The inspection may include the review of any written lease agreement between the registered dispensing optician and the optometrist or between the optometrist and the health plan. Failure to comply with the inspection or any request for information by the board may subject the party to disciplinary action. The board shall provide a copy of its inspection results, if applicable, to the Department of Managed Health Care.

(Amended by Stats. 2016, Ch. 31, Sec. 2. (SB 836) Effective June 27, 2016.)

2556.2. (a) Notwithstanding any other law, subsequent to the effective date of this section and until January 1, 2019, any individual, corporation, or firm operating as a registered dispensing optician under this chapter before the effective date of this section, or an employee of such an entity, shall not be subject to any action for engaging in conduct prohibited by Section 2556 or Section 655 as those sections existed prior to the effective date of this bill, except that a registrant shall be subject to discipline for duplicating or changing lenses without a prescription or order from a person duly licensed to issue the same.

(b) Nothing in this section shall be construed to imply or suggest that a person registered under this chapter is in violation of or in compliance with the law.

(c) This section shall not apply to any business relationships prohibited by Section 2556 commencing registration or operations on or after the effective date of this section.

(d) Subsequent to the effective date of this section and until January 1, 2019, nothing in this section shall prohibit an individual, corporation, or firm operating as a registered dispensing optician from engaging in a business relationship with an optometrist licensed pursuant to Chapter 7 (commencing with Section 3000) before the effective date of this section at locations registered with the Medical Board of California before the effective date of this section.

(e) This section does not apply to any administrative action pending, litigation pending, cause for discipline, or cause of action accruing prior to September 1, 2015.

(f) Any registered dispensing optician or optical company that owns a health plan that employs optometrists, subject to this section, shall comply with the following milestones:

(1) By January 1, 2017, 15 percent of its locations shall no longer employ an optometrist.

(2) By August 1, 2017, 45 percent of its locations shall no longer employ an optometrist.

(3) By January 1, 2019, 100 percent of its locations shall no longer employ an optometrist.

(g) Any registered dispensing optician or optical company that owns a health plan that employs optometrists shall report to the State Board of Optometry in writing as to whether it has met each of the milestones in subdivision (f) within 30 days of each milestone. The State Board of Optometry shall provide those reports as soon as it receives them to the director and the Legislature. The report to the Legislature shall be submitted in compliance with Section 9795 of the Government Code.

(h) (1) Notwithstanding any other law and in addition to any action available to the State Board of Optometry, the State Board of Optometry may issue a citation containing an order of abatement, an order to pay an administrative fine, or both, to an optical company, an optometrist, or a registered dispensing optician for a violation of this section. The

administrative fine shall not exceed fifty thousand dollars (\$50,000). In assessing the amount of the fine, the board shall give due consideration to all of the following:

- (A) The gravity of the violation.
 - (B) The good faith of the cited person or entity.
 - (C) The history of previous violations of the same or similar nature.
 - (D) Evidence that the violation was or was not willful.
 - (E) The extent to which the cited person or entity has cooperated with the board's investigation.
 - (F) The extent to which the cited person or entity has mitigated or attempted to mitigate any damage or injury caused by the violation.
 - (G) Any other factors as justice may require.
- (2) A citation or fine assessment issued pursuant to a citation shall inform the cited person or entity that if a hearing is desired to contest the finding of a violation, that hearing shall be requested by written notice to the board within 30 days of the date of issuance of the citation or assessment. If a hearing is not requested pursuant to this section, payment of any fine shall not constitute an admission of the violation charged. Hearings shall be held pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.
- (3) The board shall adopt regulations to implement a system for the issuance of citations, administrative fines, and orders of abatement authorized by this section. The regulations shall include provisions for both of the following:
- (A) The issuance of a citation without an administrative fine.
 - (B) The opportunity for a cited person or entity to have an informal conference with the executive officer of the board in addition to the hearing described in paragraph (2).
- (4) The failure of a licensee to pay a fine within 30 days of the date of assessment, unless the citation is being appealed, may result in disciplinary action being taken by the board. Where a citation is not contested and a fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the license. A license shall not be renewed without payment of the renewal fee and fine.
- (5) Notwithstanding any other law, if a fine is paid to satisfy an assessment based on the finding of a violation, payment of the fine shall be represented as satisfactory resolution of the matter for purposes of public disclosure.
- (i) Administrative fines collected pursuant to this section shall be deposited in the Dispensing Opticians Fund. It is the intent of the Legislature that moneys collected as fines and deposited in the fund be used by the board primarily for enforcement purposes.
- (Amended by Stats. 2016, Ch. 31, Sec. 3. (SB 836) Effective June 27, 2016.)*

2556.5. Any person who holds himself out as a "dispensing optician" or "registered dispensing optician" or who uses any other term or letters indicating or implying that he is registered and holds a certificate under the terms of this law without having at the time of so doing a valid, unrevoked certificate, as provided in this chapter, is guilty of a misdemeanor.

(Added by Stats. 1953, Ch. 1144.)

2557. This chapter shall not affect any person licensed as an optometrist under Chapter 7 of Division II of this code, or any physician and surgeon licensed under Chapter 5 of Division II of this code. Such exemption shall not apply to any optometrist or physician and surgeon

exclusively engaged in the business of filling prescriptions for physicians and surgeons. This chapter does not prohibit the sale of goggles, sun glasses, colored glasses, or occupational protective eye devices if they do not have refractive values nor do the provisions of this chapter prohibit the sale of complete ready-to-wear eyeglasses as merchandise.
(Added by Stats. 1939, Ch. 955.)

2557.1. (relocated from 2563) A certificate issued to a registered spectacle lens or contact lens dispenser may in the discretion of the board be suspended or revoked for violating or attempting to violate any provision of this chapter or any regulation adopted under this chapter, or for incompetence, gross negligence, or repeated similar negligent acts performed by the certificate holder. A certificate may also be suspended or revoked if the individual certificate holder has been convicted of a felony as provided in Section 2555.1.

Any proceedings under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

2558. Any person who violates any of the provisions of this chapter is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail not less than 10 days nor more than one year, or by a fine of not less than two hundred dollars (\$200) nor more than one thousand dollars (\$1,000) or by both such fine and imprisonment.

The board may adopt, amend, or repeal, in accordance with the Administrative Procedure Act, any regulations as are reasonably necessary to carry out this chapter.

(Amended by Stats. 2016, Ch. 489, Sec. 20. (SB 1478) Effective January 1, 2017.)

2558.1 (relocated from 2559.6) No spectacle lens or contact lens prescription that is issued on or after January 1, 1999, shall be dispensed unless the prescription meets the requirements of Section 2541.1. No spectacle lens prescription shall be dispensed after the expiration date of the prescription unless authorized pursuant to subdivision (e) of Section 2541.1. A person violating this section shall not be guilty of a misdemeanor pursuant to Section 2558. A violation of this section shall be considered unprofessional conduct by the board that issued the dispenser's certificate to practice. A registered dispensing optician may defend this proceeding by establishing that the expiration date of the prescription was not established consistent with Section 2541.1. Nothing in this section shall be construed to authorize a registered dispensing optician to fill a prescription after the expiration date or to make any judgment regarding the appropriateness of the expiration date.

2559. Whenever any person has engaged, or is about to engage, in any acts or practices which constitute, or will constitute, a violation of any provision of this chapter, or Chapter 5.4 (commencing with Section 2540), the superior court in and for the county wherein the acts or practices take place, or are about to take place, may issue an injunction, or other appropriate order, restraining such conduct on application of the board, the Attorney General, or the district attorney of the county.

The proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure.

(Amended by Stats. 2016, Ch. 489, Sec. 21. (SB 1478) Effective January 1, 2017.)

Article 1.5. Spectacle Lens Dispensing [2559.1 – 2559.6]

2559.15. On and after January 1, 1988, no individual may fit and adjust spectacle lenses

individual is a duly registered spectacle lens dispenser as provided in Section 2559.2 or (2) the individual **unregistered** trainee performs the fitting and adjusting under the direct responsibility and supervision of a duly registered spectacle lens dispenser whose certificate of registration is then conspicuously and prominently displayed on the premises. A supervising registered dispenser shall be **physically present** on the registered premises when an unregistered

~~absences including illness and vacation, and shall not supervise more than three unregistered trainees at a time.~~

(Added by Stats. 1986, Ch. 773, Sec. 12. Section operative January 1, 1988, pursuant to Section 2559.5.)

2559.2. (a) An individual shall apply for registration as a registered spectacle lens dispenser on forms prescribed by the board. The board shall register an individual as a registered spectacle lens dispenser upon satisfactory proof that the individual has passed the registry examination of the American Board of Opticianry or any successor agency to that board. In the event the board should determine, after hearing, that the registry examination is not appropriate to determine entry level competence as a spectacle lens dispenser or is not designed to measure specific job performance requirements, the board may thereafter prescribe or administer a written examination that meets those specifications. If an applicant for renewal has not engaged in the full-time or substantial part-time practice of fitting and adjusting spectacle lenses within the last **five three years** then the board may require the applicant to take and pass the examination referred to in this section as a condition of registration. Any examination prescribed or administered by the board shall be given at least twice each year on dates publicly announced at least 90 days before the examination dates. The board is authorized to contract for administration of an examination.

(b) The board may deny registration where there are grounds for denial under the provisions of Division 1.5 (commencing with Section 475).

(c) The board shall issue a certificate to each qualified individual stating that the individual is a registered spectacle lens dispenser.

(d) Any individual who had been approved as a manager of dispensing operations of a registered dispensing optician under the provisions of Section 2552 as it existed before January 1, 1988, and who had not been subject to any disciplinary action under the provisions of Section 2555.2 shall be exempt from the examination requirement set forth in this section and shall be issued a certificate as a registered spectacle lens dispenser, provided an application for that certificate is filed with the board on or before December 31, 1989.

(e) A registered spectacle lens dispenser is authorized to fit and adjust spectacle lenses at any place of business holding a certificate of registration under Section 2553, **or within any location where the practice of ophthalmology or optometry is practiced.** The certificate of the registered spectacle lens dispenser is **must be displayed in a conspicuous place at the place of business where he or she is fitting and adjusting.** **The registered spectacle lens dispenser must report this location to the board within 14 days of its display of the certificate.**

(Amended by Stats. 2016, Ch. 489, Sec. 22. (SB 1478) Effective January 1, 2017.)

Commented [JM7]: Several stakeholders have expressed concern with this removal. CAOO notes this section has existed for decades and feels no harm has been identified.

Commented [JM8]: Dr. Kawaguchi feels the 3:1 ratio is unnecessary and suggests 6:1. CAOO also opposes this change.

Commented [JM9]: In past DOC discussion, committee members referenced the ABO/NCLE requirements for continuing education every three years. Also referenced were the 18 other states that require opticians to maintain ABO/NCLE certification throughout the use of a state-issued license.

Commented [JM10]: Dr. Kawaguchi disagrees with this change. NAOO also opposes, feeling that the change is being made without evidence of need.

Commented [JM11]: Staff proposes changes to (e), based on NAOO's comments that the original phrasing of "a licensed ophthalmologist or optometrist" location was confusing.

2559.3. A certificate issued to a registered spectacle lens dispenser may, in the discretion of the board, be suspended or revoked for violating or attempting to violate any provision of this chapter or any regulation adopted under this chapter, or for incompetence, gross negligence, or repeated similar negligent acts performed by the certificate holder. A certificate may also be suspended or revoked if the individual certificate holder has been convicted of a felony as provided in Section 2555.1.

Any proceedings under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

(Amended by Stats. 2016, Ch. 489, Sec. 23. (SB 1478) Effective January 1, 2017.)

2559.4. This article shall not apply to an assistant fitting spectacle lenses pursuant to Section 2544 if the assistant is acting under the direct responsibility and supervision of a physician and surgeon or optometrist who engages in the practice of fitting spectacle lenses for his or her patients.

(Amended by Stats. 2010, Ch. 604, Sec. 3. (AB 2683) Effective January 1, 2011.)

2559.5. This article shall become operative on January 1, 1988. However, the board may, prior to that date, accept and process applications, including the collection of fees, and perform other functions necessary to implement this article.

~~**2559.6.** No spectacle lens prescription that is issued on or after January 1, 1999, shall be dispensed unless the prescription meets the requirements of Section 2541.1. No spectacle lens prescription shall be dispensed after the expiration date of the prescription unless authorized pursuant to subdivision (c) of Section 2541.1. A person violating this section shall not be guilty of a misdemeanor pursuant to Section 2558. A violation of this section shall be considered unprofessional conduct by the board that issued the dispenser's certificate to practice. A registered dispensing optician may defend this proceeding by establishing that the expiration date of the prescription was not established consistent with Section 2541.1. Nothing in this section shall be construed to authorize a registered dispensing optician to fill a prescription after the expiration date or to make any judgment regarding the appropriateness of the expiration date.~~

ARTICLE 2. Contact Lens Dispensing [2560 - 2564.6]

2560. No individual may fit and adjust contact lenses, including plano contact lenses, unless the registration requirement of Section 2550 is complied with, and unless (a) the individual is a duly registered contact lens dispenser as provided in Section 2561 or (b) ~~the individual an~~ unregistered trainee performs the fitting and adjusting under the direct responsibility and supervision of a duly registered contact lens dispenser who is then physically present on the registered premises. In no event shall a registered contact lens dispenser supervise more than three contact lens dispenser ~~trainees-unregistered trainee~~.

(Amended by Stats. 1994, Ch. 26, Sec. 44. Effective March 30, 1994.)

2561. (a) An individual shall apply for registration as a registered contact lens dispenser on forms prescribed by the board.

(b) The board shall register an individual as a registered contact lens dispenser upon satisfactory proof that the individual has passed the contact lens registry examination of the National Committee of Contact Lens Examiners or any successor agency to that committee. In the event the board should ever find after hearing that the registry examination is not appropriate to determine entry level competence as a contact lens dispenser or is not designed to measure specific job performance requirements, the board may thereafter from time to time prescribe or administer a written examination that meets those specifications.

(c) If an applicant for renewal has not engaged in the full-time or substantial part-time practice of fitting and adjusting contact lenses within the last five years then the board may require the applicant to take and pass the examination referred to in this section as a condition of registration.

(d) Any examination administered by the board shall be given at least twice each year on dates publicly announced at least 90 days before the examination dates. The board is authorized to contract with the National Committee of Contact Lens Examiners or any successor agency to that committee to provide that the registry examination is given at least twice each year on dates publicly announced at least 90 days before the examination dates.

(e) The board may deny registration where there are grounds for denial under the provisions of Division 1.5 (commencing with Section 475).

(f) The board shall issue a certificate to each qualified individual stating that the individual is a registered contact lens dispenser. A registered contact lens dispenser may use that designation, but shall not hold himself or herself out in advertisements or otherwise as a specialist in fitting and adjusting contact lenses.

(Amended by Stats. 2016, Ch. 489, Sec. 25. (SB 1478) Effective January 1, 2017.)

2562. Upon satisfactory completion of the fitting of contact lenses, but in no event more than 60 days after receipt of the prescription, a registered contact lens dispenser shall direct the person named in the prescription to return to the prescribing physician and surgeon or optometrist for an evaluation.

(Added by Stats. 1982, Ch. 418, Sec. 8.)

~~**2563.** A certificate issued to a registered contact lens dispenser may in the discretion of the board be suspended or revoked for violating or attempting to violate any provision of this chapter or any regulation adopted under this chapter, or for incompetence, gross negligence, or repeated similar negligent acts performed by the certificate holder. A certificate may also be suspended or revoked if the individual certificate holder has been convicted of a felony as provided in Section 2555.1.~~

~~Any proceedings under this section shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.~~

2564. The provisions of this article shall not apply to an assistant fitting contact lenses while acting under the direct responsibility and supervision of a physician and surgeon or optometrist who engages in the practice of fitting contact lenses for his or her patients under Section 2544.

(Amended by Stats. 2010, Ch. 604, Sec. 4. (AB 2683) Effective January 1, 2011.)

2564.5. A registered dispensing optician fitting contact lenses shall maintain accessible

contact lenses. **For the purposes of this section, "accessible handwashing facilities" means a clean and sanitary sink with hot and cold running water, disinfectant soap, and adequate drying devices such as a towel or electric hand dryer, which is physically separate from a lavatory or bathroom and is accessible to all relevant persons.**

(Added by Stats. 1982, Ch. 418, Sec. 8.)

Commented [JM12]: NAOO opposes this new requirement, feeling the cost to be prohibitive. They note the CDC guidelines only cold water is sufficient.

2564.6. A registered dispensing optician shall comply with the applicable provisions of Section

Article 2.5. Nonresident Ophthalmic Lens Dispensers

Placeholder section numbers listed; new section numbers to be determined by Legislative Counsel

2564.70. (relocated from 2546) This act may be cited as the **"Nonresident Contact Ophthalmic Lens Dispenser Registration Act."**

Commented [JM13]: NAOO opposes expansion of online contact lens seller registration to include online sellers of any prescription optical devices, including eyeglasses. They ask where the demonstrated need for expansion into eyeglasses and note only one other state has imposed such a requirement.

2564.71. (relocated from 2546.1) (a) On and after January 1, 1997, no person located outside at a California address unless registered with the ~~Division of Licensing of the Medical Board of California~~ State Board of Optometry.

(b) With regard to any person subject to registration pursuant to this section, only replacement contact lenses provided pursuant to a valid prescription as described in Section ~~2546.6~~ 2564.76 may be shipped, mailed, or delivered directly to a patient.

(Added by Stats. 1995, Ch. 853, Sec. 1. Effective January 1, 1996.)

2564.72 (Relocated from 2546.2) All references in this chapter to the division shall mean the

2564.73. (relocated from 2546.3) The ~~division~~ State Board of Optometry may adopt, amend,

(Added by Stats. 1995, Ch. 853, Sec. 1. Effective January 1, 1996.)

2564.74. (relocated from 2546.4) (a) Application for registration as a nonresident ~~contact~~

Optometry, accompanied by the fee prescribed by this chapter, and shall bear the signature of the individual, or individuals if a co-partnership, **or the president or secretary if a corporation,**

person proposes to do business, location of the business, **registration number as issued by the**

Commented [JM14]: NAOO suggests it be the company's designated signatory as opposed to these specific officers. Staff rejects this suggestion.

Commented [JM15]: NAOO asked what registration # does this refer to? How can the company have a registration # if they are just making application? Staff proposes adding "if applicable" for clarity.

(b) The board shall be notified in writing within 30 days of any change of name, fictitious or assumed name, location of business, corporate officer, or agent of service.

(c) Advertising, including but not limited to U.S. Mail, websites, electronic communications such as email, facsimile transmissions, directories, and newspaper and magazine ads must contain the following:

(1) The registration number issued by the board, along with text identifying the registration number as being issued by the board.

(2) Any other information the board deems necessary.

(Added by Stats. 1995, Ch. 853, Sec. 1. Effective January 1, 1996.)

2564.75. (relocated from 2546.5) In order to obtain and maintain registration, a nonresident ~~contact ophthalmic lens dispenser~~ seller shall:

(a) Be in good standing and either registered or otherwise authorized in the state or jurisdiction in which the selling facility is located and from which the contact lenses are sold.

(b) Comply with all directions and requests for information made by the board as authorized under this chapter.

(c) Maintain records of ~~contact ophthalmic~~ lenses shipped, mailed, furnished or delivered to patients in California for a period of at least three years.

(d) Provide a toll-free telephone service for responding to patient questions and complaints during the applicant's regular hours of operation, but in no event less than six days per week and 40 hours per week. The toll-free number shall be included in literature provided with each mailed ~~contact ophthalmic~~ lens prescription. All questions relating to eye care for the lens prescribed shall be referred back to the ~~contact ophthalmic~~ lens prescriber.

(e) Provide the following or a substantially equivalent written notification to the patient whenever contact lenses are supplied:

WARNING: IF YOU ARE HAVING ANY UNEXPLAINED EYE DISCOMFORT, WATERING, VISION CHANGE, OR REDNESS, REMOVE YOUR LENSES IMMEDIATELY AND CONSULT YOUR EYE CARE PRACTITIONER BEFORE WEARING YOUR LENSES AGAIN.

(f) Disclose in any price advertisement any required membership fees, enrollment fees, and indicate that shipping costs may apply unless the advertisement specifically and clearly states otherwise.

(g) Provide a toll-free telephone number, facsimile line, and electronic mail address that are dedicated to prescribers and their authorized agents for the purposes of confirmation of ~~contact ophthalmic~~ lens prescriptions. These numbers, along with an electronic mail address, shall be included in any communication with the prescriber when requesting confirmation of a contact lens prescription.

(h) It shall be considered a deceptive marketing practice for any nonresident ~~contact ophthalmic lens dispenser~~ seller to publish or cause to be published any advertisement or sales presentation relating to ~~contact ophthalmic~~ lenses representing that ~~contact ophthalmic~~ lenses may be obtained without confirmation of a valid prescription.

(Amended by Stats. 2002, Ch. 814, Sec. 4. Effective January 1, 2003.)

2564.76 (relocated from 2546.6) (a) ~~contact Ophthalmic~~ lenses may be sold only upon receipt of a written prescription or a copy of a written prescription and may be sold in quantities

Commented [JM16]: NAOO suggest limiting this requirement to California. Staff requests further DOC discussion on this comment.

consistent with the prescription's established expiration date and the standard packaging of the manufacturer or vendor. If the written prescription or a copy of it is not available to the ~~dispenser-seller~~, the ~~dispenser-seller~~ shall confirm the prescription by direct communication with the prescriber or his or her authorized agent prior to selling, shipping, mailing, or delivering any lens, and maintain a record of the communication. A prescription shall be deemed confirmed upon the occurrence of one of the following:

- (1) The prescriber or the prescriber's agent confirms the prescription by communication with the ~~dispenser-seller~~.
- (2) The prescriber fails to communicate with the ~~dispenser-seller~~ by 2 p.m. of the next business day within eight (8) business hours after the ~~dispenser-seller~~ requests confirmation, or the prescriber fails to communicate with the ~~dispenser-seller~~ by the next business day on or before the same time of day that the seller requested confirmation, whichever is sooner. For purposes of this paragraph, "business day" means each day except a Sunday or a federal holiday.
- (b) If a prescriber communicates with a ~~dispenser-seller~~ before the time period described in paragraph (2) of subdivision (a) elapses and informs the ~~dispenser-seller~~ that the contact lens prescription is invalid, the ~~dispenser-seller~~ shall not fill the prescription. The prescriber shall specify in the communication with the ~~dispenser-seller~~ the basis for invalidating the prescription.

(c) A ~~dispenser-seller~~ shall not alter any of the specifications of a ~~contact~~-ophthalmic lens prescription other than the color or to substitute a different manufacturer, brand, or other physical property of the lens.

(d) Notwithstanding the provisions of this section, if the contact lens is manufactured by a company, but sold under multiple private labels by that same company to individual providers, the ~~dispenser-seller~~ may fill the prescription with a contact lens manufactured by that company if the contact lens prescription and the related parameters are not substituted, changed, or altered for a different manufacturer or brand.

(Amended by Stats. 2002, Ch. 814, Sec. 5. Effective January 1, 2003.)

2564.77. (relocated from 2546.7) (a) A certificate may be denied, suspended, revoked, or otherwise subjected to discipline for any of the following:

- (1) Incompetence, gross negligence, or repeated similar negligent acts performed by the registrant or any employee of the registrant.
- (2) An act of dishonesty or fraud.
- (3) Committing any act or being convicted of a crime constituting grounds for denial of licensure or registration under Section 480.
- (4) Any violation of Section 2546.5 or 2546.6.
- (b) The proceedings shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the division shall have all powers granted therein.

(Added by Stats. 1995, Ch. 853, Sec. 1. Effective January 1, 1996.)

2564.78 (relocated from 2546.8) Every registration issued to a nonresident ~~contact~~ ophthalmic lens ~~dispenser-seller~~ shall expire 24 months after the initial date of issuance. To renew an unexpired registration, the registrant shall, before the time at which the license would otherwise expire, apply for renewal on a form prescribed by the division, and pay the renewal fee prescribed by this chapter.

Commented [JM17]: Dr. Kawaguchi feels federal laws may be too lenient and create a loophole. Current Federal prescription rules as set out [here](#)

Commented [JM18]: Dr. McIntyre feels the text could be misinterpreted to mean that a color of a packaged lens could be altered by a dispenser. Staff recommends the removal of this text.

(Added by Stats. 1995, Ch. 853, Sec. 1. Effective January 1, 1996.)

2564.79 (relocated from 2546.9) The amount of fees prescribed in connection with the registration of nonresident ophthalmic lens dispenser-seller is that established by the following schedule:

- (a) The application fee for a nonresident ~~contact~~ ophthalmic lens dispenser-seller shall be a minimum of one hundred fifty dollars (\$150) and shall not exceed two hundred dollars (\$200).
- (b) The initial registration fee shall be a minimum of two hundred dollars (\$200) and shall not exceed three hundred dollars (\$300).
- (c) The renewal fee shall be a minimum of two hundred dollars (\$200) and shall not exceed three hundred dollars (\$300).
- (d) The delinquency fee shall be a minimum of fifty dollars (\$50) and shall not exceed seventy-five dollars (\$75).
- (e) The fee for replacement of a lost, stolen, or destroyed registration shall be twenty-five dollars (\$25).
- (f) The State Board of Optometry may periodically revise and fix by regulation the fees specified in subdivisions (a), (b), (c), and (d), and these revised fees shall not exceed the reasonable regulatory cost.
- (g) The fees collected pursuant to this chapter shall be deposited in the Dispensing Opticians Fund, and shall be available, upon appropriation, to the State Board of Optometry for the purposes of this chapter.

(Repealed and added by Stats. 2016, Ch. 799, Sec. 5. (SB 1039) Effective January 1, 2017.)

2564.80. (relocated from 2546.10) (a) Any person who violates any of the provisions of this chapter shall be subject to a fine of not less than one thousand dollars (\$1,000) nor more than ~~two thousand five hundred dollars (\$2,500)~~ fifty thousand dollars (\$50,000) per violation. The fines collected pursuant to this section shall be available upon appropriation to the Medical ~~Board of California~~ for the purposes of administration and enforcement.

Commented [JM19]: Same concern as set out in 2545(b)

(b) ~~Medical Board of California~~ The State Board of Optometry shall adopt regulations implementing this section and shall consider the following factors, including, but not limited to, applicable enforcement penalties, prior conduct, gravity of the offense, and the manner in which complaints will be processed.

(c) The proceedings under this section shall be conducted in accordance with the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(Added by Stats. 2002, Ch. 814, Sec. 6. Effective January 1, 2003.)

ARTICLE 3. Fiscal Provisions [2565 - 2568]

2565. The amount of fees prescribed in connection with the registration of dispensing ophthalmic businesses shall be as set forth in this section.

- (a) The application fee for registration shall be a minimum of one hundred fifty dollars (\$150) and shall not exceed two hundred dollars (\$200).

- (b) The initial registration fee shall be a minimum of two hundred dollars (\$200) and shall not exceed three hundred dollars (\$300).
 - (c) The renewal fee shall be a minimum of two hundred dollars (\$200) and shall not exceed three hundred dollars (\$300).
 - (d) The delinquency fee shall be a minimum of fifty dollars (\$50) and shall not exceed seventy-five dollars (\$75).
 - (e) The fee for replacement of a lost, stolen, or destroyed certificate shall be twenty-five dollars (\$25).
 - (f) The State Board of Optometry may periodically revise and fix by regulation the fees specified in subdivisions (a), (b), (c), and (d), and these revised fees shall not exceed the reasonable regulatory cost.
- (Repealed and added by Stats. 2016, Ch. 799, Sec. 7. (SB 1039) Effective January 1, 2017.)*

2566. The amount of fees prescribed in connection with certificates for contact lens dispensers is as follows:

- (a) The application fee for a registered contact lens dispenser shall be a minimum of one hundred fifty dollars (\$150) and shall not exceed two hundred dollars (\$200).
 - (b) The initial registration fee shall be a minimum of two hundred dollars (\$200) and shall not exceed three hundred dollars (\$300).
 - (c) The biennial fee for the renewal of certificates shall be a minimum of two hundred dollars (\$200) and shall not exceed three hundred dollars (\$300).
 - (d) The delinquency fee shall be a minimum of fifty dollars (\$50) and shall not exceed seventy-five dollars (\$75).
 - (e) The division may by regulation provide for a refund of a portion of the application fee to applicants who do not meet the requirements for registration.
 - (f) The State Board of Optometry may periodically revise and fix by regulation the fees specified in subdivisions (a), (b), (c), and (d), and these revised fees shall not exceed the reasonable regulatory cost.
 - (g) The fee for replacement of a lost, stolen, or destroyed certificate is twenty-five dollars (\$25).
- (Repealed and added by Stats. 2016, Ch. 799, Sec. 9. (SB 1039) Effective January 1, 2017.)*

2566.1. The amount of fees prescribed in connection with certificates for spectacle lens dispensers shall be as set forth in this section:

- (a) The application for registration fee shall be a minimum of one hundred fifty dollars (\$150) and shall not exceed two hundred dollars (\$200).
 - (b) The initial registration fee shall be a minimum of two hundred dollars (\$200) and shall not exceed three hundred dollars (\$300).
 - (c) The renewal fee shall be a minimum of two hundred dollars (\$200) and shall not exceed three hundred dollars (\$300).
 - (d) The delinquency fee shall be a minimum of fifty dollars (\$50) and shall not exceed seventy-five dollars (\$75).
 - (e) The fee for replacement of a lost, stolen, or destroyed certificate is twenty-five dollars (\$25).
 - (f) The State Board of Optometry may periodically revise and fix by regulation the fees specified in subdivisions (a), (b), (c), and (d), and these revised fees shall not exceed the reasonable regulatory cost.
- (Repealed and added by Stats. 2016, Ch. 799, Sec. 11. (SB 1039) Effective January 1, 2017.)*

2566.2. Every registration issued to a dispensing ophthalmic business, contact lens dispenser, renewal. To renew an unexpired registration, the registrant shall, before the time at which the license would otherwise expire, apply for renewal on a form prescribed by the board, and pay the renewal fee prescribed by this chapter.

Added by Stats. 2017, Ch. 775, Sec. 102. (SB 798) Effective January 1, 2018.)

2567. (a) The provisions of Article 19 (commencing with Section 2420) and Article 20

chapter apply to the issuance and govern the expiration and renewal of certificates issued under this chapter. All fees collected from persons registered or seeking registration under this chapter shall be paid into the Dispensing Opticians Fund, and shall be available, upon appropriation, to the State Board of Optometry for the purposes of this chapter. Any moneys within the Contingent Fund of the Medical Board of California collected pursuant to this chapter shall be deposited in the Dispensing Opticians Fund.

(b) The board may employ, subject to civil service regulations, whatever additional clerical assistance is necessary for the administration of this chapter.

Amended by Stats. 2015, Ch. 405, Sec. 10. (AB 684) Effective January 1, 2016.)

2568. The board shall report to the Controller at the beginning of each month for the month

shall pay the entire amount thereof to the Treasurer for deposit in the Dispensing Opticians Fund, which fund is created to carry out the provisions of this chapter.

(Amended by Stats. 2005, Ch. 74, Sec. 6. Effective July 19, 2005.)

ARTICLE 3.5. Registered Dispensing Ophthalmic Businesses [2568.1 – 2568.5]
(New article; contains various relocated sections)

Placeholder section numbers listed; new section numbers to be determined by Legislative Counsel.

2568.1 (relocated from 2550). Individuals, corporations, and firms engaged in the business of filling prescriptions of physicians and surgeons licensed by the Medical Board of California or optometrists licensed by the State Board of Optometry for prescription lenses and kindred products shall be known as dispensing ophthalmic businesses and shall not engage in that business unless registered with the State Board of Optometry.

2568.2. (relocated from 2551) (a) Individuals, corporations, and firms shall make application for registration and shall not engage in that business defined in Section 2550 or 2550.1 prior to being issued a certificate of registration.

(b) Application for that registration shall be on forms prescribed by the board, shall bear the signature of the individual, or general partners if a partnership, or the president or secretary if a corporation or firm, and shall contain specify the name under which he or she, they or it proposes to do business and the business address.

Commented [JM20]: The NAOO recommends that these sections be moved back to the beginning of the optician sections in the 2550 area. They feel this provide needed basic information to applicants and registrants and provide a more logical flow. Legal Counsel had initially reviewed this change and did not feel the creation of this new article was inappropriate.

(c) Corporations and firms shall be organized and exist pursuant to the general corporation law and shall be a professional corporation within the meaning of Part 4, Division 3, Title 1 of the Corporations Code.

(d) If applicable, the application shall include a list of officers in the corporation, firm or partnership and a copy of the articles of incorporation as submitted to the Secretary of State.

(e) Separate applications shall be made for each place of business and each application must be accompanied by the application fee prescribed by Section 2565.

(Amended by Stats. 1990, Ch. 1190, Sec. 2.)

2568.3 (relocated from 2552) (a) Each application shall be verified under oath by the person required to sign the application and shall designate the name, address, and direct business telephone number of the applicant's employee who will be responsible for handling customer inquiries and complaints with respect to the business address for which registration is applied. Any changes to this information shall be reported in writing to the board within 14 days.

(b) The applicant shall furnish such additional information or proof, oral or written, which the board may request, including information and proof relating to the provisions of Division 1.5 (commencing with Section 475).

(c) The board shall promptly notify any applicant if, as of the 30th day following the submission of an application under this chapter, the application and supporting documentation are not substantially complete and in proper form. The notification shall be in writing, shall state specifically what documents or other information are to be supplied by the applicant to the board, and shall be sent to the applicant by certified, electronic or registered mail. Within 30 days of the applicant's submission of the requested documents or information to the board, the board shall notify the applicant by certified, electronic or registered mail if the board requires additional documents or information.

(d) This section shall become operative on January 1, 1988.

(Amended by Stats. 2016, Ch. 489, Sec. 15. (SB 1478) Effective January 1, 2017.)

2568.4 (relocated from 2553)

If the board, after investigation, approves the application, it shall register the applicant and issue to the applicant a certificate of dispensing ophthalmic business. A separate certificate of registration shall be required for each address where the business is to be conducted.

A certificate authorizes the applicant, its agents and employees acting therefor to engage in the business defined in Section 2550 or 2550.1 provided that the fitting and adjusting of spectacle lenses is performed in compliance with Article 1.5 (commencing with Section 2559.1) and the fitting and adjusting of contact lenses is performed in compliance with Article 2 (commencing with Section 2560). Only individuals registered with the board pursuant to those sections shall perform those supervisory functions.

2568.5 (relocated from 2553.1): (a) If a registered dispensing optician ophthalmic business sells or transfers ownership of his or her place of business, both of the following requirements shall be satisfied:

(1) The registered dispensing optician ophthalmic business selling or transferring ownership of the business shall return the certificate of registration to the board no later than 10 calendar days after the change of ownership is completed and shall submit a request for cancellation of

Commented [JM21]: NAOO suggests adding in limited liability companies back into these sections. Staff rejects this change, as the Attorney General's office has determined that optical companies must be professional corporations, as defined by Corporations Code Section 13401.

registration on a form prescribed by the Board. This registered dispensing ~~optician~~ ophthalmic business shall be responsible for complying with all laws relating to the ~~optician~~ ophthalmic dispensing business until the notice described in paragraph (2) is received by the board.

(2) The registered dispensing ~~optician~~ ophthalmic business assuming ownership of the business shall record with the board a written notice of the change of ownership, providing all information required by the board. This notice shall be filed with the board no later than 10 calendar days after the change of ownership is completed.

(3) The registered dispensing ~~optician~~ ophthalmic business assuming ownership of the business shall apply for a new certificate of registration from the board no later than 10 calendar days after the change of ownership is completed.

(b) This section does not apply to a change of location of business by a registered dispensing ophthalmic business.

(Added by Stats. 2011, Ch. 389, Sec. 1. (SB 824) Effective January 1, 2012.)

ARTICLE 4. Review [2569- 2569.]

2569. Notwithstanding any other law, the powers and duties of the board, as set forth in this chapter, shall be subject to review by the appropriate policy committees of the Legislature. The review shall be performed as if this chapter were scheduled to be repealed as of January 1, 2018.

May 14, 2020

California State Board of Optometry
c/o Shara Murphy, Executive Officer

Sent via email: optometry@dca.ca.gov

Dear Executive Officer Murphy and Members of the Board:

On behalf of the National Association of Optometrists and Opticians (NAOO), a national organization representing the retail optical industry and its thousands of employed and affiliated optometrists and opticians, I write today to express NAOO's suggestions and concerns about the draft of the proposed re-write of the optician statutory sections to the B&P Code and the Board's thoughts on telemedicine regulation.

The NAOO is consumer-service oriented, dedicated to the proposition the consumer's visual care needs are met most completely and economically by the free market, in the tradition of the American business system. NAOO members collectively represent nearly 9000 co-located eye care offices and optical dispensaries throughout the United States, serving millions of patients and eyewear customers each year, and over 800 location in the state of California.

Thank you for the opportunity to comment on the proposed changes to the optician sections of the B&P Code and ideas relating to telemedicine regulations.

Addressing, first, the Board's consideration of the Optician statutory language, while we would prefer to meet with Board staff to identify and discuss our areas of interest and concern, we know that is not possible to do so in person at this time. If arranging a conference or video call to get into more detail than we can present here makes sense, we will be happy to do that. In the meantime, however, we have charted some of our concerns (attached at end of letter) and would like to make to the following summary observations:

We recognize that part of the effort here is to reorganize sections of the law for clarity and organization, but we are concerned that the flow of the proposed draft is not logical. As one begins reading the new draft there are terms and phrases that are not yet defined, and the reader will be confused as to what applies to them as individuals or as a business. For example, applications, certificates and registrations are mentioned but there is nothing that sets forth the requirement to obtain such...until one gets to the end of the document.

We recommend that the new Article 3.5 sections of the statute be retained at the beginning of the optician sections with the necessary definitions and stated requirements for registration. This will provide a more logical flow and better advise applicants and registrants of the basic requirements.

Please note that we are in opposition to some of the changes being proposed relating to unregistered assistants, online dispensers of eyeglasses being required to register and what we perceive to be discriminatory intent regarding the imposition of fines on larger companies. We also would ask that the Board clarify whether the term "unregistered assistants" includes the

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assistants that are working for optometrists as well as those who work for registered dispensing opticians, and if not, why not.

We also suggest that any form of business entity be allowed to register as a dispensing ophthalmic business, including LLCs. Again, there is more detail in the attached chart, all of which we are happy to discuss.

Relating to Agenda item #11 and telemedicine, we offer the following:

We agree that refraction (and relatedly, prescribing corrective eyewear) should be seen as a separate issue versus performing a comprehensive eye exam. In fact, a comprehensive eye exam by definition in the CPT codes does not include a refraction. The two can be performed independently, and ODs should be allowed to use independent professional judgment as to what elements of a comprehensive eye exam should be performed, if any, when a person's eyewear prescription is updated.

The Board should evaluate the frequency of the need for correction of visual acuity as well as the frequency and demographic distribution of eye health risks and problems.

There is little if any evidence that patients can't understand the need for a comprehensive eye exam or recognize that as a separate issue from how they benefit from improved visual acuity by using corrective eyewear. If a patient needs education, it's incumbent on the professionals with the support of the Board to educate, rather than to deny refractive services in order to force a patient to get a comprehensive eye exam.

Similarly, there is no evidence to support a requirement that a patient-provider relationship must begin with an in-person encounter. There are multiple methods to ensure patient understanding and consent to beginning a patient-provider relationship remotely.

There is plenty of evidence that most if not all elements of a comprehensive eye exam can be performed by a remote interactive (synchronous) exam by a licensed OD or physician. Additionally, it is almost always simple and easy to schedule an in-person visit should the examining practitioner determine that additional information is needed that can't be gathered in a telemedicine encounter. A patient's health is not protected, much less improved, by denying access to some forms of testing or examination by telemedicine that meets the standard of care.

It would be helpful for the Board to be more forthcoming about the nature of the "low, but rising" number of complaints related to telemedicine. Is the basis of the complaint related to the patient's health and safety or economic? Is the source of the complaint a competitor or a consumer? Exactly how many have occurred over what period of time?

The Board would benefit from a more comprehensive review of the policies and consumer health and safety issues related to ocular telemedicine (both with optometry and with medical boards and professional associations) in other states, and with federal sources including the VA & the Indian Health Services.

Finally, the COVID-19 pandemic has led many states to loosen old restrictions on telemedicine. It will be useful to evaluate what has happened as a result. As many have pointed out in the numerous writings on this topic, the use of telemedicine going forward will be of great use to optometrists and benefit to patients. We recommend that the Board have an open mind about

its use and allow the licensed optometrist to use their professional judgment (as medical boards typically allow physicians to do) in deciding what forms of telemedicine to use and on what patients.

Again, thank you for the opportunity to comment. We look forward to further discussion on these matters. Best wishes for continued safety and good health.

Very truly yours,

Joseph B. Neville

Joseph B. Neville
Executive Director
National Association of Optometrists & Opticians

National Association of Optometrists & Opticians

CA Proposed Statutory Changes – Opticians

<p style="text-align: center;">DOC proposed changes</p> <p>strike through = deletion from current law <u>underline</u> = addition to current law</p>	<p style="text-align: center;">NAOO comments</p>
<p>2545. (a) Whenever any person has engaged, or is about to engage, in any acts or practices which constitute, or will constitute, an offense against this chapter, the superior court in and for the county wherein the acts or practices take place, or are about to take place, may issue an injunction, or other appropriate order, restraining the conduct on application of the State Board of Optometry, the Medical Board of California, the Osteopathic Medical Board of California, the Attorney General, or the district attorney of the county. The proceedings under this section shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure.</p> <p>(b) (1) Any person who violates any of the provisions of this chapter shall be subject to a fine of not less than <u>two hundred fifty dollars (\$250)</u> one thousand dollars (\$1,000) nor more than <u>two thousand five hundred dollars (\$2,500)</u> fifty thousand dollars (\$50,000) per violation. The fines collected pursuant to this section from licensed physicians and surgeons shall be available upon appropriation to the Medical Board of California for the purposes of administration and enforcement. The fines collected pursuant to this section from licensed optometrists and registered dispensing opticians shall be deposited into the Optometry Fund and the Dispensing Opticians Fund, respectively, and shall be available upon appropriation to the State Board of Optometry for the purposes of administration and enforcement.</p> <p>(2) The Medical Board of California and the State Board of Optometry shall adopt regulations implementing this section and shall consider the following factors, including, but not limited to, applicable enforcement penalties, prior conduct, gravity of the offense, and the manner in which complaints will be processed.</p> <p>(3) The proceedings under this section shall be conducted in accordance with the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.</p> <p>(Amended by Stats. 2016, Ch. 489, Sec. 12. (SB 1478) Effective January 1, 2017.)</p>	<p>Increase in fines –</p> <p>Arguably, this was done in order to be able to hit “large” business harder than small optical business for the same alleged transgression. We object to this discrimination and will oppose it vigorously if it is part of a legislative proposal. All opticians and registered dispensing opticians should be subject to the same level of fine for the same transgression or number of repeat offenses.</p>
<p>2550.1(c). <u>“Fit” and “fitting” means doing any or all of the following acts prior to the act of adjusting, either singly or in combination with others, designing, the taking of measurements to determine the size or shape or specifications, or replacing the prescribed optical aids, pursuant and incidental to the filling of any prescription for lenses, spectacles, eyeglasses, contact lens, plano contact lens and other ophthalmic devices as specified in Section 2541, and prescriptions.</u></p>	<p>This does not make sense as written. It suggests that certain acts will be listed, but no such list of acts is included.</p> <p>Perhaps it should be reworded to read the same as 2551.1(d).</p>

<p><u>2551.1(e) “Dispensing Optician”, “Registered Dispensing Optician” and “Registrant” means any individual, corporation or firm who is registered with the board as follows:</u></p> <p><u>(1) “Spectacle Lens Dispenser” means any individual who is registered with the board pursuant to Article 1.5 (commencing with Section 2559.1) of this chapter.</u></p> <p><u>(2) “Contact Lens Dispenser” means any individual who is registered with the board pursuant to Article 2 (commencing with Section 2560) of this chapter.</u></p> <p><u>(3) “Nonresident Ophthalmic Lens Dispenser” means a business who is registered with the board pursuant to Article 2.5 (commencing with Section 2564.70) which offers, advertises and performs optical services to the general public.</u></p> <p><u>(4) “Registered Dispensing Ophthalmic Business” means a business who is registered with the board pursuant to Article 3.5 (commencing with Section 2568.1) which offers, advertises and performs optical services to the general public.</u></p>	<p>In light of the definitions provided in (1)-(4), the use of the terms “Registered Optician” and “Registered Dispensing Optician” will be confusing. It is recommended that these terms be removed from the statute, throughout, and the newly defined terms be used in their place.</p>
<p><u>2555 – Relates to Unprofessional Conduct. Note the following:</u></p> <p><u>(q) The employing, directly or indirectly, of any suspended or unregistered optician to perform any work for which an optician registration is required.</u></p> <p><u>(u) Failure to refer a patient to an appropriate optometrist or physician and surgeon if an examination of the eyes indicates a substantial likelihood of any pathology that requires the attention of that optometrist or physician and surgeon.</u></p>	<p>(q) – how will the employer know this is the case? Seems that it will be difficult to fairly enforce</p> <p>(u) - What standard is used here? How would an optician know this? May be imposing an unmeetable standard on opticians that will pull them into many med-mal cases. Can an optician even conduct “an examination of the eyes?” Strongly recommend this be removed.</p>
<p><u>2559.15. On and after January 1, 1988, no individual may fit and adjust spectacle lenses unless the registration requirement of Section 2550 is complied with, and unless (1) the individual is a duly registered spectacle lens dispenser as provided in Section 2559.2 or (2) the individual unregistered assistant performs the fitting and adjusting under the direct responsibility and supervision of a duly registered spectacle lens dispenser whose certificate of registration is then conspicuously and prominently displayed on the premises. A supervising registered dispenser shall be physically present on the registered premises when an unregistered technician assistant fits and adjusts spectacle lenses, allowing for usual and customary absences including illness and vacation, and shall not supervise more than three unregistered assistants at a time.</u></p>	<p>Note the continuing reference to §2550, which has been removed above.</p> <p>This section adds that a registered dispenser must be on the premises for an unregistered assistant to undertake duties, eliminating the “customary absences” permission that has existed for decades. There has been no harm identified by the long-standing practice of temporary absences (what complaints have been received?) and, therefore, no evidence of the need for this change. This change will likely severely impact small providers</p>

<p>2559.15 – cont’d.</p>	<p>who rely on this provision from time-to-time. It should be removed.</p> <p>This section also adds a supervision limitation of three unregistered assistants per registrant, which has never existed up to this point. What demonstrable issues have arisen over the years with the lack of this limitation? The NAOO is not aware of any issues or complaints. Both of these proposed changes are regulation for regulation sake and unnecessary for public protection.</p>
<p>2559.2. (a) An individual shall apply for registration as a registered spectacle lens dispenser on forms prescribed by the board. The board shall register an individual as a registered spectacle lens dispenser upon satisfactory proof that the individual has passed the registry examination of the American Board of Opticianry or any successor agency to that board. In the event the board should determine, after hearing, that the registry examination is not appropriate to determine entry level competence as a spectacle lens dispenser or is not designed to measure specific job performance requirements, the board may thereafter prescribe or administer a written examination that meets those specifications. If an applicant for renewal has not engaged in the full-time or substantial part-time practice of fitting and adjusting spectacle lenses within the last five three years then the board may require the applicant to take and pass the examination referred to in this section as a condition of registration. Any examination prescribed or administered by the board shall be given at least twice each year on dates publicly announced at least 90 days before the examination dates. The board is authorized to contract for administration of an examination.</p> <p>(e) A registered spectacle lens dispenser is authorized to fit and adjust spectacle lenses at any place of business holding a certificate of registration under Section 2553, <u>a licensed ophthalmologist, or a licensed optometrist</u> provided that the certificate of the registered spectacle lens dispenser is displayed in a conspicuous place at the place of business where he or she is fitting and adjusting. <u>The registered spectacle lens dispenser must report this location to the board within 14 days.</u></p>	<p>In (a) - What is the basis for this change from 5 years down to 3 years? Any problems to date with the 5-year time frame? There have been no issues with this provision over the years of which the NAOO is aware. The mere opinion that it is being done for “consumer protection,” without evidence of need is not sufficient to make this provision more restrictive and exclusionary.</p> <p>In (e) - Not sure this phrasing re the ophthalmologist and optometrist makes sense. Is the intent to say that such fitting can be performed in an ophthalmologist’s <u>office</u> or an optometrist’s <u>office</u>? If so, that word should be added for clarity.</p> <p>In the last sentence of (e) - Why 14 days? Suggest making this 30 days.</p>
<p>2564.5. A registered dispensing optician fitting contact lenses shall maintain accessible handwashing facilities on the premises and those facilities shall be used before each fitting of contact lenses. <u>For purposes of this section, “accessible handwashing facilities” means a clean and sanitary sink with hot and cold running water, disinfectant soap, and adequate drying devices such as a towel or electric hand dryer, which is physically separate from a lavatory or bathroom and is accessible to all relevant persons.</u></p>	<p>Some small locations may have an issue with the hot water requirement in that they may only have portable hand-washing facilities in the contact lens room. Under CDC guidelines, cold water is sufficient. Cost to add hot water plumbing would be significant.</p>

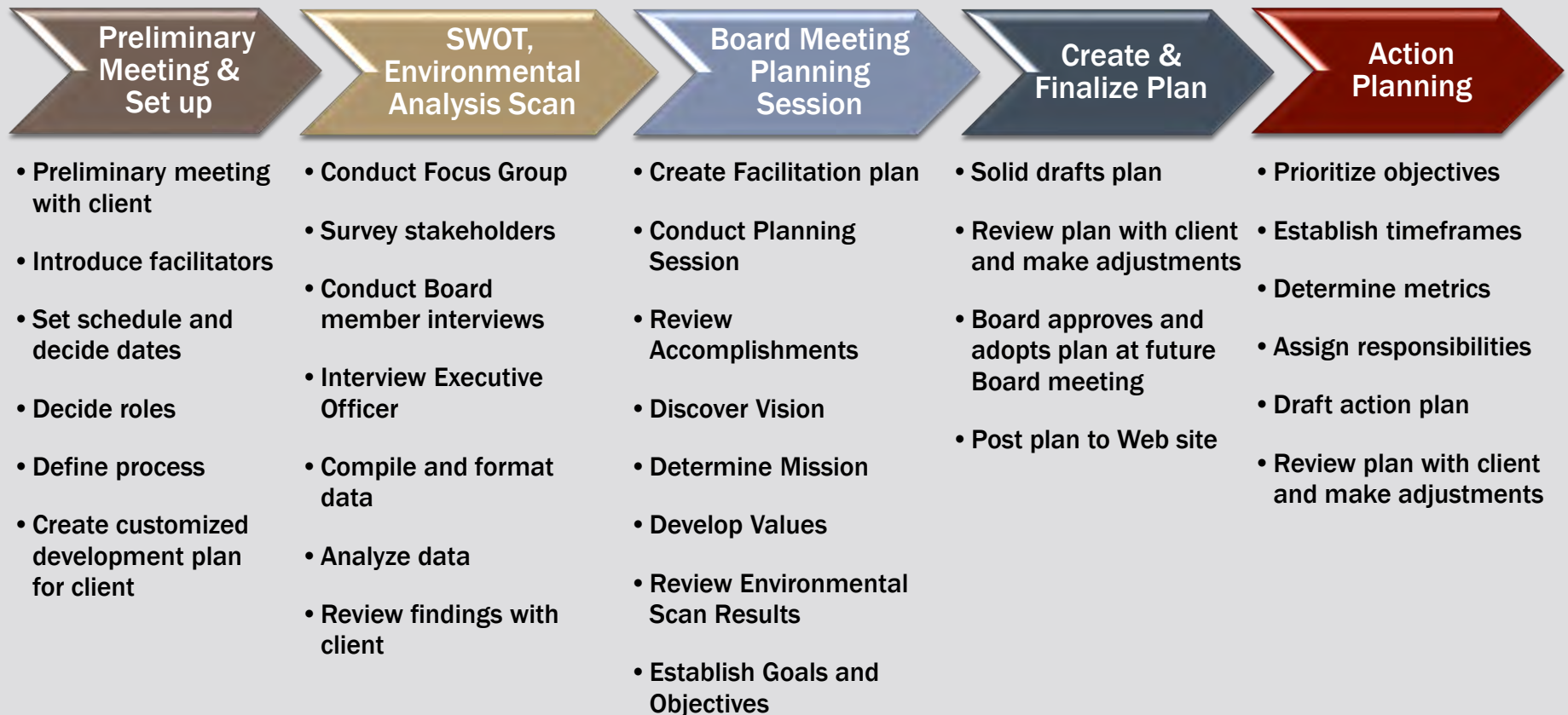
<p>Article 2.5. Non-Resident Ophthalmic Device Dispensers (New article; contains provisions from Chapter 5.45)</p>	<p>Expands online contact lens seller registration to online sellers of any prescription optical devices, including eyeglasses.</p> <p>What is the demonstrated need for expansion into eyeglasses? What is the demonstrable proof of a problem with the unregulated sale of glasses online? The NAOO is aware of no such issues. There has been no evidence supplied that harm has resulted from unregistered sales of eyeglasses. To date, only one state has imposed such a requirement. The NAOO opposes this unnecessary added regulation.</p>
<p>2564.74. (a) Application for registration as a nonresident contact ophthalmic lens seller shall be made on forms prescribed by the <u>State Board of Optometry</u>, accompanied by the fee prescribed by this chapter, and shall bear the signature of the individual, or individuals if a co-partnership, <u>or the president or secretary if a corporation</u>, and shall contain the name <u>or fictitious or assumed name, if applicable</u>, under which the person proposes to do business, location of the business, <u>registration number as issued by the board</u> and the designation of an agent for service of process in California.</p> <p>(b) The board shall be notified <u>in writing</u> within 30 days of any change of name, <u>fictitious or assumed name</u>, location of business, corporate officer, or agent of service.</p> <p>(c) Advertising, including but not limited to U.S. Mail, websites, electronic communications such as email, facsimile transmissions, directories, and newspaper and magazine ads must contain the following: (1) <u>The registration number issued by the board, along with text identifying the registration number as being issued by the board.</u> (2) <u>Any other information the board deems necessary.</u></p>	<p>Suggest it be the company's designated signatory as opposed to these specific officers.</p> <p>What registration # does this refer to? How can the company have a registration # if they are just making application?</p> <p>Does "in writing" include email?</p> <p>Suggest this be limited to advertising directed to California. Much too onerous if applied to national, regional or websites.</p>
<p>New Article 3.5</p>	<p>The NAOO recommends that these sections be moved back to the beginning of the optician sections in the 2550 area. This will provide needed basic information to applicants and registrants and provide a more logical flow.</p>
<p>2568.1 - (relocated from 2550). Individuals, corporations, <u>and</u> firms engaged in the business of filling prescriptions of physicians and surgeons licensed by the Medical Board of California or optometrists licensed by the State Board of Optometry for prescription lenses and kindred products shall be known as dispensing ophthalmic businesses and shall not engage in that business unless registered with the State Board of Optometry.</p>	<p>Before the word "and", add in "limited liability companies" to solve the problem the board created by not recognizing these as appropriate business entities for registration (but which it had done for many years before).</p>

<p>2568.2. (relocated from 2551) (a) Individuals, corporations, and firms shall make application for registration and shall not engage in that business defined in Section 2550 or 2550.1 prior to being issued a certificate of registration.</p> <p>(b) Application for that registration shall be on forms prescribed by the board, shall bear the signature of the individual, or general partners if a partnership, or the president or secretary if a corporation or firm, and shall contain specify the name under which he or she, they or it proposes to do business and the business address.</p> <p>(c) Corporations and firms shall be <u>organized and exist pursuant to the general corporation law and shall be a professional corporation within the meaning of Part 4, Division 3, Title 1 of the Corporations Code.</u></p> <p>(d) If applicable, the application shall include a list of officers in the corporation, firm or partnership and a copy of the articles of incorporation as submitted to the Secretary of State.</p> <p>(e) Separate applications shall be made for each place of business and each application must be accompanied by the application fee prescribed by Section 2565.</p>	<p>Same as above re adding LLCs.</p> <p>Suggest it be the company's designated signatory as opposed to these specific officers.</p> <p>Remove requirement for a professional corporation as most opticians are not organized that way and also allow for LLCs.</p>
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Board of Optometry Draft Strategic Plan Schedule

Planned Tasks		Tentative Date
Preliminary Meeting/Overview	SOLID works with Optometry Board to gather information about the organization and discuss the strategic planning process.	Mid May 2020
Provide Environmental Scan Survey Draft	SOLID will provide a draft of the environmental scan survey to be sent out to stakeholders.	Mid to late May 2020
Board Member Invitation for Interviews	SOLID will send Optometry Board a draft of the email invitation to be sent to Board members in preparation for the individual phone interviews.	Late May 2020
Determine stakeholders	Optometry Board to determine external stakeholders and obtain stakeholder email addresses for email distribution of survey. <i>Recipient count provided to SOLID.</i>	Late May 2020
Survey Stakeholders and Board Staff	Optometry Board will send the environmental scan survey to external stakeholders and staff.	Early June 2020
Board Member Phone Interviews	SOLID will schedule individual phone interviews with Board members. These interviews last up to 45 minutes and will cover the climate of the industry as well as their views on the Board's strategic focus for the upcoming plan.	Early June 2020
Employee & Management Focus Groups	SOLID will conduct separate (one for employees, one for management) focus group workshops to gather staff's thoughts on the Board's strengths and weaknesses, as well as review (and updated, if needed) mission, vision, and values.	Mid-June 2020
Compiled Results to EO for Review	Upon completion of interviews and surveys, SOLID will compile and analyze the data and produce a trends document to use with our presentation materials. This material will be sent to you for review and approval. The final environmental scan document will be discussed during the Strategic Planning Session.	June/July 2020
Pre-Session Meeting with EO	This meeting, usually held 1 to 2 weeks before the planning session, is designed for the facilitator and Executive Officer to discuss the game plan and materials for the planning session.	Late July/Early August 2020
Strategic Planning Session	SOLID will facilitate the strategic plan development session with the Board. Through discussion, our purpose is to highlight recent accomplishments of the Board, review trends identified from the surveys, interviews, focus groups, and establish a Vision, Mission, Values, Goals, and Objectives for the new plan.	August 13 or 14, 2020
Update Strategic Plan	SOLID will use the information gathered at the planning session to create the Board's strategic plan. A comprehensive draft will be sent to you for review by the target due date.	1 to 2 weeks after planning session
Board Approves Strategic Plan	Strategic plan is approved by the Board and posted on website.	Next Board meeting after strategic planning session
Action Planning Session	After the Board approves the strategic plan, SOLID will facilitate a meeting with Board staff to create an action plan to guide completion of strategic objectives by establishing due dates, identifying major tasks, and assigning responsible parties.	TBD

CALIFORNIA BOARD OF OPTOMETRY STRATEGIC PLAN DEVELOPMENT ROADMAP



Facilitator Biographies

Dennis Zanchi joined the SOLID team in 2013. Dennis has conducted focus groups for the Department of Justice as well as DCA boards and bureaus. Dennis has worked on strategic plans for the Bureau of Real Estate, Psychology, Optometry and 20+ DCA boards and bureaus. Prior to DCA, Dennis worked with colleges nationwide facilitating interactive sessions on a variety of education-related topics, including sessions designed to draw out opinions, build consensus, and guide groups to discover new solutions. He helped college administrators build a better framework for understanding student loan default prevention, financial literacy, and student retention. He also develops evaluation measurement methods to quantify the success of various initiatives. Prior to working with colleges, Dennis worked with credit unions nationwide to develop consumer research and marketing plans. He is a graduate of CSU, Sacramento.

Elizabeth Coronel joined the SOLID team in 2016. She facilitates strategic planning, mission, vision and values workshops, employee satisfaction surveys and focus groups, stakeholder meetings, and trainings. In 2019 she graduated from the DCA's Future Leadership Development program and began implementing the project proposal she co-developed, the DCA Expert Witness Program. Elizabeth joined the DCA in 2014 as an Enforcement Analyst investigating complaints at the Veterinary Medical Board. She created the Board's expert witness manual and developed and facilitated the expert witness training. Elizabeth graduated from California State University Sacramento with a bachelor's degree in Business Administration with concentrations in Entrepreneurship, General Management, and Marketing. She helped local organizations with the development of strategic, marketing, and public relations plans.

Trisha St. Clair joined the SOLID team in 2016 as a Change Management Specialist with OCM, working with over eleven Boards/Bureaus to determine their change readiness and facilitate business process mapping workshops to streamline their business processes and determine their business requirements. In 2018, she became a Strategic Planner with SOLID. Prior to DCA, Trisha worked as a Forms Analyst for the Board of Equalization, facilitating meetings with key stakeholders to identify areas for improvement and formulate solutions for new and revised tax forms, as well as independently researching and analyzing tax form data to develop professional quality tax forms. Before coming to the state, she worked for 10 years in the technology industry as an Account Manager and Technical Support Representative. She graduated with a bachelor's degree in Fine Art with a minor in English Literature from the University of Redlands in Redlands, CA.

Suzanne Mayes is a strategic and systems thinker who leverages user centered design principles to cultivate empathy and create programs and processes that increase the effectiveness of organizations and their people. Suzanne has demonstrated expertise in strategic planning, meeting design and facilitation, managing organizational change, and stakeholder engagement. During her two decades in the nonprofit sector, Suzanne led large scale, cross-sector initiatives focused on aligning regional economic and workforce development initiatives, increasing access to high quality K-12 education, and expanding the region's philanthropic network. She is a skillful project manager with the proven ability to develop project timelines, enlist and engage key stakeholders, and coordinate numerous moving pieces to deliver high quality results. Suzanne holds a BA in Child Development from Humboldt State University and a Master's in Organizational Learning and Effectiveness from University of the Pacific. She is a Sacramento native and a proud Oak Park resident.

Sarah Irani joined DCA in March 2018 with the Organizational Improvement Office where she helped Boards and Bureaus with the Business Modernization effort. She used her expertise in business process documentation to analyze the programs' business processes and look for efficiencies both in and out of a new IT system. Prior to her career with the state, Sarah was a Lead Business Analyst in the technology industry where she led a team in report creation, documentation, and identification of deficiencies in the companies' business processes. Her analytical skills have allowed her to manage marketing projects around the globe. In addition, Sarah has experience training staff, event/meeting facilitation, strategic planning, organizational development, and an extensive knowledge of Excel. Currently with SOLID, she is a Strategic Planner, utilizing her previous experience to conduct Strategic Planning Sessions and Facilitate Organizational Improvement meetings. Outside of work, Sarah loves to play tabletop strategy games, read Shakespeare, and listen to podcasts about theme parks and medical history.

List of Dispensing Optician Committee (DOC) Accomplishments 2019 – 2020

1. Optician Statutory Review: Over the course of three meetings, beginning in 2019, the DOC completed a comprehensive review of the entire Optician statutes (Division 2, Chapters 5.4, 5.45, 5.5). This review is to clarify and strengthen existing laws, provide better definitions of duties, increase public protection and improve efficiency of the registration process. Many of the changes are non-substantive or clarify existing requirements. If approved by the Board, the proposal will be submitted to the Legislature for a potential bill in 2021 or 2022.
2. Contact Lens Dispenser Occupational Analysis: An Occupational Analysis was completed in 2019 and the results presented to the DOC at the September 2019 meeting. The information will be used to help inform decisions made by the DOC and the Board.
3. Spectacle Lens Dispenser Occupational Analysis: An Occupational Analysis was completed in 2020 and the results presented to the DOC at the June 2020 meeting. The information will be used to help inform decisions made by the DOC and the Board.
4. Review of Research on Unlicensed Assistants – Approval of Occupational Analysis for Optometric Assistants: Following the recommendation made by the DOC at the June 7, 2019 public meeting, an OA for Unlicensed Assistants was authorized by the Board at the August 2, 2019 public meeting. The OA is needed to determine whether optometric assistants should be regulated for the protection of consumers. The OA was included in the Governor's May Revise Budget and will be conducted by Office for Professional Exam Services in FY2020-2021.
5. Optician Program Disciplinary Guidelines: The DOC reviewed proposed Disciplinary Guidelines for the optician program at the December 2019 meeting. The Guidelines will be presented to the full Board for approval by Fall 2020.
6. Implementation of Assembly Bill 2138 (Chiu, Chapter 995, Statutes of 2018): The DOC reviewed and approved changes to CCR Sections 1399.270, 1399.271 and 1399.272 (Denial of Applications and Substantial Relationship Criteria) at the April 2019 meeting as a result of AB 2138. The rulemaking package is currently undergoing final approval.
7. RDO Fingerprint Deficiency Communication: The Board currently maintains nearly 5,000 Contact Lens and Spectacle Lens Dispenser registrations. In 2017-18, DCA implemented a new registration classification, resulting in a hold due to insufficient fingerprint records. Board staff immediately began manual checks of BreEZe files to verify the presence of fingerprint records and remove renewal holds where appropriate. Nearly 3,000 registrant files were manually reviewed by staff in 2019 and the holds were released.

8. Website Updates and Communication: Staff completed a new FAQ for optician applicants and improved the information available for opticians on the Board's website.
9. Optician Regulatory Review: Beginning in April 2020, staff reviewed existing Optician program regulations (CCR Sections 1399.200 – 1399.285) and proposed changes, including codification of existing forms and current fees. The DOC will review the proposal at the June 18, 2020 meeting before presentation to the full Board.
10. Clarification on RDO business types permitted by law: Staff was informed by the Attorney General's office that LLCs cannot hold licenses, registrations or certificates, consistent with the practice of other state consumer protection boards. All registrants must be professional corporations. In September 2019, staff determined that approximately 50 current registrants and 11 applicants are affected by this requirement and all were sent letters detailing the requirement. Compliance with this requirement is ongoing and response has been very positive.
11. Outreach to Optician Stakeholders, Schools and Applicants: Throughout 2019, staff presented to the California Association of Dispensing Opticians and the California State Society for Opticians. Staff further engaged optician and optical career technical programs in California, with the goal to present to graduating students, who could become registered spectacle lens dispensers and registered contact lens dispensers.
12. Elimination of Application Backlogs: With new staff joining the Board at the beginning of 2019, it was determined a 10-12 week processing time existed for Registered Dispensing Optician, Spectacle Lens Dispenser (SLD), and Contact Lens Dispenser (CLD) applications. As of 2020, Board staff has significantly reduced that processing time to 6-8 weeks for these applications.

Goal 1: Licensing

The Board provides applicants and licensees a method for obtaining and maintaining license registration, business licenses, and certifications required to practice optometry in California.

Objective 1.2: Review the possibility of including continuing education requirements for both spectacle and contact lens dispenser licenses to protect consumers and maintain licensee competence.

- Researched other states' continuing education (CE) requirements for Opticians.
- Researched consumer complaints from other state agencies that regulate opticians.
- Utilized consumer complaint reports received to research and identify any potential consumer harm.
- Presented research to DOC (Dispensing Optician Committee) for consideration.
- DOC recommended not pursuing continuing education requirements at this time. While continuing education is important for registrants to stay apprised of technological advances and industry standards, research indicates no immediate or apparent consumer protection need.

Status:
COMPLETED
¹CD: Dec. 2017

Goal 2: Examination

The Board works to provide a fair, valid and legally defensible licensing exam (California Law and Regulation Examination) and exam process to ensure that only qualified and competent individuals are licensed to provide optometric services in California.

Objective 2.3: Create a budget change proposal to secure funds so the Board can perform an occupational analysis on the registered dispensing optician program in order to check for validity of the examination.

- OPES and DCA Budgets presented to DOC regarding the RDO's fund condition and recommendations for proceeding with OAs for ABO and NCLE exams
- Working with DCA Budgets to prepare/submit BCP Concept; final BCP submitted in June 2019.

Status:
COMPLETED
CD: July 2019

Objective 2.4: Consider the feasibility of developing a state law exam for opticians to verify their familiarity with California laws.

- DOC DISCUSSION: The DOC and staff identified a significant need to provide outreach to registrants about the Board, registration, and renewal requirements. In addition, the DOC is working to streamline registration processes and revise applications. Due to this need, staff recommends holding off on considering new registration requirements for one year. This will allow time for stabilizing the existing program.

Status:
IN PROGRESS
²SCD: Jun. 2021

¹CD: Completion Date

²SCD: Scheduled Completion Date

Goal 3: Law and Regulation

The Board works to establish and maintain fair and just laws and regulations that provide for the protection of consumer health and safety and reflect current and emerging, efficient and cost-effective practices.

Objective 3.2: Contact members of congress and the Federal Trade Commission regarding the current 48 hour law to obtain information that would assist in closing existing loopholes.	Status: NOT STARTED SCD: Jun. 2018
<ul style="list-style-type: none">• BOARD/DOC DISCUSSION: Please clarify for staff what “loopholes” currently exist.• Board is not responsible for communications with Federal Officials	
Objective 3.3: Continue prioritization for review and updates to existing statutes, legislation, and regulations, for both optometry and dispensing opticians, in order to identify whether or not they are the cause of enforcement delays and determine promulgation of new regulations.	Status: COMPLETED AND ONGOING CD: Dec. 2018
<ul style="list-style-type: none">• DOC and Board working on regulatory amendments to create RDO Program Disciplinary Guidelines and improve existing Optometry Disciplinary Guidelines.• DOC and Board approved regulatory amendments to improve applications.• Board sponsored SB 1386 which includes additional enforcement provisions to hold owners accountable for standard of care within optometry practice.s.• DOC and Board staff reviewed and proposed changes to optician statutes in 2019 and 2020.	
Objective 3.5: Review current methods and explore new opportunities to increase access to care (e.g. scope of practice, mobile clinics, new technology, tele-medicine).	Status: COMPLETED AND ONGOING CD: May 2020
<ul style="list-style-type: none">• Established mobile clinic workgroup to develop legislation increasing access to quality optometric care to homebound patients in 2017.• Board and staff worked with stakeholders and the Legislature on AB 458, signed into law in 2019, which allows optometrists to perform examinations and treatment for homebound patients• Board and staff discussed telemedicine at the October 2019 and May 2020 public meetings and formed telemedicine workgroup.	
Objective 3.6: Review and identify existing practice requirements with regards to unnecessary licensing barriers in an effort to reduce barriers to entry, enhance consumer access to care, and maintain consumer protection.	Status: COMPLETED CD: JAN. 2019
<ul style="list-style-type: none">• Reviewed the Little Hoover Report• Researched all relevant practice requirements and identify possible licensing barriers and worked with legislature to remove barriers in AB 1708.• Sponsored SB 1386 to repeal BPC § 3077 – an unnecessary license barrier that was created for the profession and for “the avoidance of the evils of competition.”	
Objective 3.8: Explore the feasibility of proposing legislation to merge the RDO and Optometry funds to stabilize the long-term Optometry fund condition.	Status: IN RPOGRESS SCD: May 2021
<ul style="list-style-type: none">• Bill introduced as Assembly Bill 896 and is currently pending approval in the Senate.	
Objective 3.9: Explore the feasibility of proposing legislation to merge the RDO program into the Optometry Practice Act.	
<ul style="list-style-type: none">• Worked with legal counsel to prepare legislative amendments combining the practice acts.• LRC and Board approved legislative approval in January 2018 with further Board discussion in 2019.• Board reviewed revised proposal at August 2019 public meeting but did not take any action.•	

¹CD: Completion Date

²SCD: Scheduled Completion Date

Goal 4: Enforcement

The Board protects the health and safety of consumers of optometric services through the active enforcement of the laws and regulations governing the safe practice of Optometry in California.

Objective 4.1: Review enforcement timing between initial offense and when it is conveyed to the Board to act upon in order to protect the consumer and maintain patient access to care.	Status: COMPLETED CD: Jan. 2019
<ul style="list-style-type: none"> Discussed during the Jan 2019 CPC Meeting, Enforcement reports that Subsequent Arrest Reports are obtained weekly, and cases are opened accordingly Established that lag in Board review of enforcement cases due to collection of reports from other jurisdictions 	
Objective 4.2: Explore the feasibility of participating in the FBI rap back program to expedite and enhance enforcement efforts.	Status: IN PROGRESS SCD: Dec. 2020
<ul style="list-style-type: none"> Discussed participation requirements with the FBI and DOJ Requested assistance from the DCA Discussed during January 2018 Director's Meeting DOJ starting stakeholders meeting to determine project plan and resources needed. 	
Objective 4.3: Research the possibility of changing the statute to require licensees to self-report to the Board within thirty days of conviction or other disciplinary action as a means of expediting and enhancing enforcement efforts.	Status: IN PROGRESS SCD: Oct. 2020
<ul style="list-style-type: none"> Discussed during the Jan 2019 CPC Meeting, Committee clarified desire to more quickly open enforcement cases against licensees disciplined by other boards, agencies and states Staff to research potential regulations (authority of other boards) to implement self-reporting of such actions, and present findings at a future meeting. 	
Objective 4.5: Develop proactive methods to enforce the unlicensed sale and distribution of cosmetic contact lenses.	Status: COMPLETED AND ONGOING CD: Dec. 2019
<ul style="list-style-type: none"> CPC reviewed plan for informational campaign on cosmetic contact lens at March 2019 meeting and full Board discussed at the August 2019 public meeting. Board staff and DCA created blog post on cosmetic contacts in October 2019 and posted on Board's website DCA Communications Unit produced outreach video in October 2019; Board staff created complementary outreach campaign. 	
Objective 4.6: Establish a partnership with DCA Boards and county and state organizations to identify and address unlicensed activity (e.g. contact lens sales and expired prescriptions) in an effort to protect consumers.	Status: COMPLETED AND ONGOING CD: Dec. 2019
<ul style="list-style-type: none"> Board staff participated in several optician fairs and made presentations on opticianry. 	
Objective 4.9: Adopt disciplinary guidelines for opticians to promote consistency and fairness with enforcement decisions and enhance consumer protection.	Status: IN PROGRESS SCD: Dec. 2021
<ul style="list-style-type: none"> Discussed multiple times during DOC meetings; held various workgroup meetings DOC reviewed and approved revised Guidelines at December 2019 public meeting Full Board review and approval expected by late summer 2020. 	
Objective 4.10: Improve working relationships with the Attorney General's Office, Division of Investigation, District Attorneys and other Government Agencies to identify and fix enforcement bottlenecks and streamline enforcement processes.	Status: COMPLETED AND ONGOING CD: Dec. 2019
<ul style="list-style-type: none"> Working with DAG Liaison to streamline processes, update transmittal memos, and improve communication throughout all AG Offices Met with Northern Area Commander at DOI to discuss concerns and improve investigation quality; requesting additional meetings with Southern Area Commander and the Division Chief. EO and Board staff met monthly with DAG Liaison and Legal Counsl throughout 2019. 	

¹CD: Completion Date

²SCD: Scheduled Completion Date

Goal 5: Outreach

The Board proactively educates, informs and engages consumers, licensees, students and other stakeholders on the practice of optometry and the laws and regulations which govern it.

Objective 5.1: Review and educate licensees about the scope of practice for optometric assistants, opticians, RDOs, CLDs and SLDs to mirror the letter and chart sent to optometrists clarifying privileges for specific licensing certifications to enhance consumer protection.	Status: COMPLETED AND ONGOING CD: July 2019
<ul style="list-style-type: none"> • Content developed as part of Spring 2018 Newsletter • Next Steps: Develop Scope of Practice FAQ • DOC and Board staff developed definitions of duties within statute for RDO, CLD and SLD as part of optician statutory review. 	
Objective 5.4 Educate the public on how to adequately fill contact lens prescriptions based on expiration dates and quantity limits to increase awareness and enhance consumer protection.	Status: NOT STARTED
Objective 5.5 Develop a public relations campaign to educate unlicensed sellers regarding contact lens distribution laws to mitigate future violations, therefore protecting consumers.	Status: ONGOING

¹CD: Completion Date

²SCD: Scheduled Completion Date

Objective 5.6 Promote BreEZe's online renewal capability to licensees to decrease manual entries and improve staff efficiency.	Status: COMPLETED AND ONGOING
<ul style="list-style-type: none"> Increased social media usage to specifically promote BreEZe Distributed courtesy emails to those up for renewal with link to BreEZe Replaced paper applications on Board's website with links to BreEZe Working with stakeholders to promote BreEZe 	
Objective 5.7 Develop a communication plan utilizing technology to communicate more effectively with stakeholders, patients, and licensees.	Status: COMPLETED
<ul style="list-style-type: none"> Communications plan adopted by the Board Currently implementing; developing videos, articles, op-eds Social Media: Facebook, Twitter New DCA License Lookup for mobile devices DCA Blog: Glaucoma Awareness Month, O's for the Eyes Consumer Connection Magazine (O's for the Eyes included) 	
Objective 5.9 Conduct an in depth review the Board's website and update information for consumers, licensees, and registrants.	Status: COMPLETED AND ONGOING CD: Aug. 2019
<ul style="list-style-type: none"> Completed committee review of website and updated information New FAQs provided on website for Optometry and Optician applicants Website re-design completed May 2019 to elevate presence of Optician Program, and bring new, more relevant communication to the homepage. 	
<p style="text-align: center;">Goal 6: Organizational Effectiveness</p> <p><i>The Board works to develop and maintain an efficient and effective team of professional and public leaders and staff with sufficient resources to improve the Board's provision of programs and services.</i></p>	
Objective 6.1: Provide customer service training for staff to improve communication with stakeholders.	Status: COMPLETED CD: Jan. 2019
<ul style="list-style-type: none"> Board management encourages customer service training for staff; staff to complete training at least every two years. 	
Objective 6.2: Investigate technology options for conducting committee and special meetings to broaden access to stakeholders and consumers.	Status: COMPLETED CD: Sep. 2019
<ul style="list-style-type: none"> Held various committee and stakeholder meetings using WebEx and provided call-in numbers for stakeholders throughout the US to participate in stakeholder meetings. Broadcasted DOC meetings using Facebook Live. 	
Objective 6.3: Provide teambuilding training or exercises to Board members to improve Board functioning.	Status: COMPLETED AND ONGOING CD: Mar. 2018
<ul style="list-style-type: none"> Rather than specific teambuilding training or exercises, Board members opted for lunches and dinners during various meetings. 	
Objective 6.4: Provide teambuilding exercises between Board members and staff to improve relationships.	Status: COMPLETED AND ONGOING CD: Jun. 2018
<ul style="list-style-type: none"> Rather than specific teambuilding training or exercises, Board members opted for coffee breaks, lunches and dinners during various meetings. 	
Objective 6.5: Improve communication and build relationships between the Governor's office, legislators, and the Board to effectively achieve the Board's objectives.	Status: COMPLETED AND ONGOING CD: Sep. 2019
<ul style="list-style-type: none"> Board staff held various meetings with legislators, regarding Board-sponsored legislation and legislative proposals for omnibus bill consideration. Children's Vision Workgroup participated in various meetings with author's office. 	

¹CD: Completion Date

²SCD: Scheduled Completion Date