



ISSUE MEMORANDUM

| | |
|----------------|--|
| DATE | May 21, 2021 |
| TO | Members, California State Board of Optometry |
| FROM | Marc Johnson, Policy Analyst |
| SUBJECT | Agenda Item #5a - Adopt Title 16, Sections 1583, 1584, 1585, 1586 and 1587 of the California Code of Regulations (CCR); Amend CCR, Title 16, Sections 1505 and 1524 (Mobile Optometric Offices, Implementation of Assembly Bill 896 – Low, Chapter 121, Statutes of 2020 |

Summary:

This regulatory proposal would implement Assembly Bill 896 (Low, Chapter 121, Statutes of 2020), which was signed into law on September 24, 2020, and created a new [Business and Professions Code \(BPC\) Section 3070.2](#). The law, among other things, allows for nonprofits and charitable organizations to provide optometric services to patients regardless of the patient's ability to pay through mobile optometric offices under a new registration program within the Board. The law requires regulatory implementation by January 1, 2022.

If approval is desired, suggested motion:

“I move to approve the proposed text to adopt Title 16, Sections 1583, 1584, 1585, and 1586 and to amend Sections 1505 and 1524 of the California Code of Regulations as presented and discussed here today; to adopt proposed forms ONOP1 and QTR1 as incorporated by reference as presented and discussed here today, and direct staff to submit the text to the Office of Administrative Law for posting for a 45-day comment period; and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, making any non-substantive changes to the package and set the matter for hearing.”

Discussion:

At the February 25, 2021 meeting, the CPC noted two concerns.

The ambiguity of certain types of charity care providers and their legal status under BPC 3070.2.

BPC 3070.2(b) lists certain organizations who may be exempted, but a concern was raised that certain providers may not be exempted by the law and thus required to register with the Board, even though the apparent intention of the bill is not to require such registration by such groups. Additionally, concern was noted that optometry or optician licensees may be operating outside of the optometry practice act by providing such services since the services are not regulated by the Board under BPC 3070.2 or other provisions and not falling in the temporary practice of licensure provision.

For additional background, several providers were mentioned who may not be exempted as listed in subsection (b). Staff contacted several of the providers and reviewed their websites to determine their current operating models as basic information for the CPC. The information is informational only and not a determination of actual legal status.

- [Project Homeless Connect](#)

According to staff with Project Homeless Connect, they are a nonprofit with a fiscal sponsor, Community Initiatives, which is a 501(c)(3). They provide services with the help of provider partners, many of whom are medical professionals, who volunteer their time.

- [Veterans Stand Down](#)

Veterans stand down are typically one to three-day events organized by Community-Based Veterans Services Organizations, Non-Profit Organizations, and County Veterans Service Offices in cooperation with a variety of state, federal, and private agencies. Staff was unable to determine specifics on these events.

- [Healing California](#)

According to staff with Healing California, 40 optometrists and 21 opticians are registered in their volunteer system and they operate as a 501(c)(3).

- [California Vision Foundation](#)

It appears the California Vision Foundation operates as a 501(c)(3).

Due to statutory limitations and the requirement of implementation by January 1, 2021, staff requests Board direction on further areas of research within this issue.

The definition of a mobile optometric office.

Current law under BPC Section 3070.2 explicitly says “trailer, van or other means of transportation”. The CPC has noted the future of optometric care probably does not involve a large van with optometric equipment; it will probably be a portable unit that can be carried in a vehicle and taken out and set up in space. Legal Counsel has determined the definition of “other means of transportation” could not be refined in regulation to mean a “unit” or something similar, nor could existing wording be used to register individual sets of optometry equipment.

Proposed Text - Amend Title 16, Sections 1505 and 1524; Adopt Title 16, Sections 1583, 1584, 1585, 1586 and 1587 of the California Code of Regulations (CCR); (Attachment A):

Amend Section 1505 – Notification of Intention to Engage in Practice

Adds a requirement that an optometrist will comply with notice requirements in BPC 3070.2 via a statement of licensure.

Amend Section 1524 - Fees

Adopts a fee of \$2,632.00 for owner and operator application, \$2,632.00 for a biennial renewal and a delinquent fee of \$150.00. The fees may be subject to modifications as the rulemaking process continues.

Adopt Section 1583 – Registration Requirements.

As required by BPC Section 3070.2, this proposed section sets out registration requirements, the initial application “Form ONOP1, 04-21[New]” incorporated by reference and requires a fingerprint background check for the application’s responsible officers. Additionally, this section sets out requirements for reporting changes and grounds for abandonment of the application. The applicant must meet all requirements as set out by statute and provide all information as requested by the ONOP1 application. Upon successful completion of the application, the owner and operator will be issued a “certificate to operate” mobile optometric offices.

Adopt Section 1584 – Certificate to Operate a Mobile Optometric Office

As required by BPC Section 3070.2, this proposed section sets out various operating requirements for the certificate:

- A two-year renewal period for the certificate and requirements to renew, including various certifications of compliance;
- What happens if the certificate expires;
- Requirements for response to any inquiry by the Board within 14 days;
- Disciplinary actions may be taken against the owner and operator or the optometrist directing the medical operations.

Adopt Section 1585 – Fingerprints and Background Checks Required

This proposed section sets out requirements for responsible individuals, as listed on the ONOP1 form, to undergo a fingerprint background check as authorized by BPC Section 144. It also states a registration will not be issued until the applicants as listed on the form have cleared the background check. This process is the same as new optometry or optician applicants must complete for licensure.

Adopt Section 1586 – Reporting Requirements

As required by BPC Section 3070.2, this proposed section requires a quarterly report to be filed, via “FORM QTR1 (New 04-2021)” incorporated by reference into the section. It also sets out the quarterly deadline for submission of the form.

Adopt Section 1587 - Patient Notification and Records.

As required by BPC Section 3070.2, this proposed section sets out requirements for a patient notice, which must be provided to each patient or patient’s caregiver or guardian. It is largely based on the existing consumer notice in CCR Section 1522. The notice contains information on the optometrist who provided services, the owner and operator name and contact information, and information on how to file a complaint with the Board. Additionally, the owner and operator must retain a copy of the patient record and agree to maintain copies of all records.

Application for Registration for Ownership and Operation of Mobile Optometric Offices (Form ONOP1, 04-21[New]) – incorporated by reference into CCR Section 1583 (Attachment B)

This proposed form ONOP1 is the first step for a charitable organization to be registered with the Board. To be issued a certificate to operate mobile optometric offices, an organization must complete the form and provide the requested information. The form is broken down into various sections:

- Notice and Requirements – this section sets out various notices and requirements for the applicant.
- Section A – General Information – basic information is required, such as the organization name and address, contact person, and managing optometrist's information.
- Section B – Organization Information – requests the organization information, such as 501c3 type, TIN and whether the organization plans to not accept payment for services other than those provided to Medi-Cal beneficiaries.
- Section C – Responsible Organization Officers or Officials – requests the names and personal identifying information, including SSN/ITIN, of individuals who are responsible for the operations of the organization.
- Section D – Operating Standards and Compliant History – requires detailed information about how the organization operates. It requires a written description of services rendered, names of all optometrists who will be providing patient care, dates of operation, cities and counties served and how follow up care will be provided. It also requires a catalog of complaints received within the last three years along with detailed information on the complaint history of each, and how the complaint was resolved.
- Section E – Certification – requires the authorized representative to certify under penalty of perjury that all information is true and accurate. The form also includes a notice of personal information collection and access.

Owner and Operator Quarterly Report Form” (FORM QTR1 (New 04-2021)) (Attachment C)

This proposed form QTR1 will be used by the owner and operator to submit quarterly reports to the Board, as required by BPC Section 3070.2. This form is required to be filed on the third business day quarterly (four times a year) with the following information:

- Section A – Background Information – requests basic information such as name, contact person and managing optometrist's information.
- Section B – Additional Information Requested - As required by statute, The owner and operator are required to submit specific information about their mobile optometric office operations in that quarter:
 - A list of all visits made and information about those visits.

- A summary of any complaints received and the disposition of those complaints.
- An updated list of licensed optometrists who provided care during those visits.
- An updated and current list of optometrists available for follow-up care or who accept Medi-Cal payments.
- Section C – Certification - requires the authorized representative to certify under penalty of perjury that all information is true and accurate. The form also includes a notice of personal information collection and access.

PROPOSED TEXT

Amend Sections 1505 and 1524 and Adopt Sections 1583 to 1586 in Division 15 of Title 16 of the California Code of Regulations (CCR) to read as follows:

Article 2. Location of Practice

§ 1505. Notification of Intention to Engage in Practice.

(a) The notification of intention to engage in the practice of optometry which is required by Section 3070 of the code shall be addressed to the Board at its office in Sacramento.

(b) Such notification of intention to engage in the practice of optometry includes notifying the Board of intention to accept employment to practice optometry, the name or names of the optometrist or optometrists, or those who by law may employ an optometrist and the address or addresses of the office or offices at which the licensee will be employed. If the licensee will engage in the practice of optometry only at a mobile optometric office, then the licensee shall comply with the notice requirements in subdivision (m) of section 3070.2 of the code.

(c) Such notification of intention to engage in the practice of optometry includes notifying the Board prior to the establishment of any office or offices to practice optometry of the intention to establish such office or offices and the location or locations to be occupied.

Note: Authority cited: Section 3025, Business and Professions Code. Reference: Sections 3070, 3070.2 and 3077, Business and Professions Code.

Article 5. Application for Licensure Examination

§ 1524. Fees.

The following fees are established:

- | | |
|--|-------|
| (a) Application fee for certificate of registration as an optometrist by examination | \$275 |
| (b) Biennial renewal of a certificate of registration as an optometrist | \$425 |
| (c) Delinquency fee for failing to renew a certificate of registration timely | \$50 |

| | |
|---|------|
| (d) Application fee for a branch office license | \$75 |
| (e) Annual renewal of a branch office license | \$75 |
| (f) Penalty fee for failure to renew a branch office license timely | \$25 |
| (g) Issuance fee for a certificate of registration or upon change of name of a person holding a certificate of registration | \$25 |
| (h) Application fee for a fictitious name permit | \$50 |
| (i) Annual renewal of a fictitious name permit | \$50 |
| (1) Delinquency fee for failure to renew a fictitious name permit timely | \$25 |
| (j) Application fee for a statement of licensure | \$40 |
| (1) Biennial renewal of a statement of licensure | \$40 |
| (2) Penalty fee for failure to renew a statement of licensure timely | \$20 |
| (k) Application fee for a certificate to use therapeutic pharmaceutical agents | \$25 |
| (l) Application fee for approval of a continuing education course | \$50 |
| (m) Application fee for a certificate to treat primary open angle glaucoma | \$35 |

- (n) Application fee for a certificate to perform lacrimal irrigation and dilation \$25
- (o) Application fee for a retired license \$25
- (p) Application fee for a retired license with a volunteer designation \$50
- (q) Biennial renewal for a retired license with a volunteer designation \$50
- (r) Application fee for a certificate to operate as an owner and operator of a mobile optometric office \$2,632
- (s) Biennial renewal fee for a certificate to operate as an owner and operator of a mobile optometric office \$2,632
- (t) Delinquency fee for failure to renew a certificate to operate as an owner and operator of a mobile optometric office \$ 150

Note: Authority cited: Sections 3025, 3044, 3075, 3152 and 3152.5, Business and Professions Code. Reference: Sections 163.5, 3055, 3070.2, 3075, 3078, 3151, 3151.1, 3152 and 3152.5, Business and Professions Code.

Adopt Article 13 and Sections 1583, 1584, 1585 and 1586 of Division 15 of Title 16 of the California Code of Regulations (CCR) to read as follows:

Article 13. Mobile Optometric Offices

§1583 Registration Requirements for Ownership and Operation of Mobile Optometric Offices; Notice of Changes; Abandonment; Grounds for Denial

(a) An owner and operator of a mobile optometric office who wishes to offer optometric services at a mobile optometric office in this State shall register with the Board prior to offering services to the public. An owner and operator shall register with the Board and receive a certificate to operate as an owner and operator of a mobile optometric office by submitting to the Board a completed form “Application for Registration for Ownership and Operation of Mobile Optometric Offices” (Form ONOP1, 04-21[New]), which is hereby incorporated by reference, and meeting the application requirements of this section.

(b) Form ONOP1 shall be accompanied by the following:

(1) The non-refundable fee fixed by the Board pursuant to Section 1524; and,

(2) Full and complete fingerprints of the applicant's responsible officers or officials to the Board for use in conducting criminal background checks through the California Department of Justice and the Federal Bureau of Investigation, in the manner specified, and pursuant to the conditions and requirements set forth, in Section 1584. For the purposes of this section, "responsible officers or officials" means the individuals listed by the applicant on Form ONOP1 as the principal officers or officials responsible for the operations of the applicant's organization.

(c) The owner and operator of a mobile optometric office shall report to the Board in writing within fourteen (14) days any change in information provided to the Board on Form ONOP1 including, change of primary business address, responsible officers or officials, records location, and the name and license number of the optometrist responsible for directing medical operations.

(d) An applicant who fails to complete application requirements to register with the Board within one year after being notified by the Board of deficiencies in its application, shall be deemed to have abandoned the application and shall be required to file a new application and meet all registration requirements in effect at the time of reapplication.

(e) An application may be denied if an applicant fails to comply with any of the requirements of this section or Section 3070.2 of the code, or upon the grounds specified in Section 480 of the code.

Note: Authority cited: Sections 3025, 3041, 3070.2, Business and Professions Code. Reference: Sections 27, 30, 31, 142, 144, 163.5, 480, 494.5, 2544, 3041, 3041.3, 3055, 3070, 3070.1, 3070.2, Business and Professions Code.

§1584 Certificate to Operate a Mobile Optometric Office; Renewal Requirements; Grounds for Discipline; Reinstatement of Expired Certificate

(a) A certificate to operate a mobile optometric office ("certificate to operate") issued by the Board under this Article shall expire two years after the date of issuance unless renewed by the Board prior to its expiration by meeting the requirements in this section.

(b) To renew a certificate to operate, an owner and operator of a mobile optometric office shall pay the renewal fee set forth in section 1524 and certify in writing to the Board that it maintains compliance with the following requirements:

(1) Optometric services are provided to patients regardless of the patient's ability to pay;

(2) The owner and operator does not accept payment for services other than those provided to Medi-Cal beneficiaries;

(3) The medical operations of the mobile optometric office are directed by a licensed optometrist and in every phase is under the exclusive control of the licensed optometrist, including the selection and supervision of optometric staff, the scheduling of patients, the amount of time the optometrist spends with patients, the fees charged for optometric products and services, the examination procedures, the treatment provided to patients, and the followup care;

(4) The owner and operator of the mobile optometric office provides each patient and, if applicable, the patient's caregiver or guardian, a consumer notice prescribed by the board in section 1587 and maintains it in the patient's medical record;

(5) Upon request by the patient's caregiver or guardian, the mobile optometric office provides a copy of the prescription made for the patient;

(6) Any person who is employed by the owner and operator of the mobile optometric office to drive or transport the vehicle possesses a valid driver's license;

(7) The owner and operator of a mobile optometric office maintains records in the manner prescribed by Section 3070.2 of the code and makes them available to the board upon request for inspection; and,

(8) A licensed optometrist who is certified to use therapeutic pharmaceutical agents pursuant to Section 3041.3 of the code performs all examinations at the mobile optometric office.

(c) Failure to comply with the requirements of this section renders any application for renewal of a certificate to operate incomplete and that certificate will not be renewed until the owner and operator of a mobile optometric office demonstrates compliance with all requirements.

(d) In the event an owner and operator of a mobile optometric office does not renew the certificate to operate as provided in this section, the certificate to operate expires and the owner and operator shall be considered unlicensed. An expired certificate to operate may be reinstated and renewed at any time within three years after its expiration if the owner and operator of the mobile optometric office meets the renewal requirements of this section and pays all accrued and unpaid renewal and delinquency fees in section 1524.

(e) In order to remain registered with the Board, the owner and operator of a mobile optometric office shall respond to any inquiries by the Board, submit any documents requested by the Board, provide any information requested by the Board and cooperate in any investigation conducted by the Board regarding compliance with the Board's requirements, including section 3070.2 of the code. A response to any Board inquiry or request shall be provided within fourteen (14) days of the Board's written request.

(f) Failure to comply with any of the requirements of this Article or Section 3070.2 of the code, or furnishing false, inaccurate, incomplete or misleading information to the Board is considered unprofessional conduct and grounds for disciplinary action against the certificate to operate by the Board. The Board may also take disciplinary action against the owner and operator's certificate to operate on the grounds set forth in Section 3110 of the code for unprofessional conduct committed by the optometrist directing the medical operations of the owner and operator's mobile optometric office(s). Disciplinary actions shall be conducted in accordance with Section 3092 of the code. For purposes of this section, a "disciplinary action" includes revocation, suspension, probation or public reproof.

Note: Authority cited: Sections 3025, 3041, 3070.2, 3092, 3110, Business and Professions Code. Reference: Sections 142, 144, 163.5, 480, 495, 2544, 3041, 3041.3, 3055, 3070, 3070.1, 3070.2, 3092, 3110, Business and Professions Code.

§ 1585 Fingerprints and Background Checks for Applicants to Register as an Owner and Operator of Mobile Optometric Office.

(a) Subject to subsection (b) of this section, all applicants for registration with the Board as an owner and operator of a mobile optometric office must submit fingerprints through the California Department of Justice's ("Department of Justice") electronic fingerprint submission Live Scan Service ("Live Scan").

(b) Applicants must complete the Department of Justice Form "Request for Live Scan Service," and submit fingerprinting, through Live Scan, for its responsible officers or officials. For the purposes of this section, "responsible officers or officials" means the

individuals listed by the applicant on Form ONOP1 in Section 1583 as the principal officers or officials responsible for the operations of the applicant's organization.

(c) The applicant's responsible officers or officials must take the form to a Live Scan location to have their fingerprints taken by the operator. The applicant, through its officers, will be required to pay all fingerprint processing fees payable to the Live Scan operator, including the Live Scan operator's "rolling fee," if any, and fees charged by the California Department of Justice, and the Federal Bureau of Investigation. For current information about fingerprint background checks, and Live Scan locations, individuals may visit the Attorney General's website at: <https://oag.ca.gov/fingerprints>.

(d) Individuals residing outside of California that cannot be fingerprinted electronically in California must have their fingerprints taken at a law enforcement agency in their state of residence, using fingerprint cards. These individuals should complete two fingerprint cards. The applicant should retain the second card, to be used if the first card is determined to be unreadable and rejected by the Department of Justice. Applicants must mail one fingerprint card, together with fees in the amount of \$49 (either personal check drawn on a U.S. bank, money order or certified check), payable to the "California Department of Justice," to:

California State Board of Optometry
2450 Del Paso Road, Suite 105
Sacramento, CA 95834

The applicant's responsible officers or officials will be notified if the first card is rejected. If rejected, the applicant's responsible officers or officials must follow the instructions on the rejection letter, and submit the second fingerprint card.

(e) No license will be issued until the Board receives a response from the Department of Justice for all persons required to submit fingerprint information under section 144 of the code and this Section, and the Board determines that the applicant with whom the persons fingerprinted are associated merits approval.

Note: Authority cited: Sections 3025, 3070.2, Business and Professions Code.
Reference: Sections 144, 3070.2, Business and Professions Code; Section 11105, Penal Code.

§1586 Mobile Optometric Office Quarterly Reporting Requirements

An owner or operator of each mobile optometric office shall file a quarterly report with the Board using the "Owner and Operator Quarterly Report Form" (Form QTR1 (New 04-2021)), which is hereby incorporated by reference. After the owner and operator has

been registered with the Board, the FORM QTR1 shall be submitted to the Board by the third business day of the following months and covering each quarter of operations as a registrant: March, June, September and December.

Note: Authority cited: Sections 3025, 3041, 3070.2, Business and Professions Code.
Reference: Sections 3070.2, Business and Professions Code.

§1587 Patient Notification and Records

(a) Each owner and operator of a mobile optometric office shall meet the requirements in sections 1566 and 1566.1 for posting a consumer notice in a conspicuous place in the mobile optometric office.

(b) In addition to the posted notice required by subdivision (a), each owner and operator of a mobile optometric office shall provide each patient, or the patient's caregiver or guardian, a consumer notice in at least 12-point font containing all of the following information:

(1) The name, license number, telephone number, primary business address, and business email address (if any), of the optometrist directing medical operations at the mobile optometric office;

(2) The owner and operator of the mobile optometric office's name, primary business address, telephone number, website or email address (if any), and Board-issued certificate to operate number;

(3) Information on followup care available for the patient, including a list of available Medi-Cal or volunteer optometrists; and,

(4) The following information:

NOTICE OF REGULATION AND WHO TO CONTACT REGARDING COMPLAINTS

The operation of mobile optometric offices and optometrists providing services at a mobile optometric office are regulated by the California State Board of Optometry ("Board"). The Board receives and investigates all consumer complaints involving the practice of optometry and opticianry. Complaints or grievances involving the operation of this mobile optometric office or a California-licensed optometrist or optician should be directed in writing to:

Board of Optometry

California 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
Website: optometry.ca.gov

PRESCRIPTIONS

Optometrists are required to provide patients upon request 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.

COPIES OF MEDICAL RECORDS

Patients may obtain a copy of their medical records by contacting the owner and operator of this mobile optometric office as listed on this notice.

(c) Each owner and operator of a mobile optometric office shall retain in the patient's file, along with the notice required by this section, an acknowledgement of receipt of the consumer notice that sets forth all of the following: (1) the patient has received the consumer notice required by this section; (2) the printed name of the patient or the patient's caregiver or guardian, (3) the signature of the patient or the patient's caregiver or guardian; and (4) the date of receipt.

(d) An owner and operator of a mobile optometric office shall maintain at the primary business office in California a copy of all records required by Section 3070.2 of the code and this Article. The records may be maintained in either paper or electronic form.

Note: Authority cited: Sections 3025, 3041, 3070.2, Business and Professions Code. Reference: Sections 3041, 3041.3, 3070, 3070.1, 3070.2, Business and Professions Code.



Application for Registration for Ownership and Operation of Mobile Optometric Offices

Business and Professions Code (BPC) §3070.2; Title 16, California Code of Regulations (CCR) §§1583 – 1587 (Board’s regulations)

Unless exempt, all owners and operators of a mobile optometric office (“office”) where the practice of optometry is performed must be registered with the Board using this form and meet all requirements in BPC section 3070.2 and Sections 1583-1587 of the Board’s regulations to operate legally in California. Exemptions include an office affiliated with an approved optometry school, and, any facilities, services, or clinics set forth in Business and Professions Code sections 3070.1 or 3070.2(b).

Notices and Requirements:

- This form must be filled out in full with all information requested or the application may be rejected as incomplete. Attach extra sheets where needed.
- Please submit a non-refundable fee of \$2,632.000.
- Each applicant’s responsible officers or officials listed in Section “C” of this application must submit full and complete fingerprints for use in conducting criminal background checks as set forth in Section 1585 of the Board’s regulations.
- Any material misrepresentation of any information on the application is grounds for denial or subsequent revocation of the registration.
- The Board may revoke approval at any time it determines an owner and operator is not meeting the requirements of the law and the Board’s regulations.
- Upon the Board’s approval of the registration, the owner and operator shall be issued a certificate to operate, which shall be valid for two (2) years from the date of approval and expire unless renewed in accordance with Section 1584 of the Board’s regulations.
- Owners and operators must maintain the records required by BPC section 3070.2 and Article 13 of the Board’s regulations at the primary physical business address in California.
- Owners and operators must post addresses of record on the Internet and make them available to the public per BPC section 27. The Board will mail or serve official Board notices and actions to the address of record. The primary physical business address and the address of record may be the same address.
- Under Business and Professions Code sections 31 and 494, the State Board of Equalization (BOE) and the Franchise Tax Board (FTB) may share taxpayer information with the Board. You are required to pay your state tax obligation, if any. This application may be denied or your certificate to operate may be suspended if you have a state tax obligation (e.g., sales or use tax owed) and the state tax obligation is not paid and your name appears on either the BOE or FTB certified list of top 500 tax delinquencies.

| |
|--|
| A. General Information |
| Name of Owner and Operator’s Organization (Legal Name) |
| Owner and Operator’s Primary Physical Business Address |

| | | | |
|---|-------|--|---------------------------------------|
| City | State | Zip | Telephone |
| Owner and Operator's Address of Record | | | |
| City | State | Zip | Telephone |
| Website Address (if applicable) | | | |
| Name of Authorized Contact Person | | | Title of Contact Person |
| Direct Telephone Number of Contact Person | | | Contact Person's Email (Optional) |
| Full Legal Name of Optometrist Directing Medical Operations (Managing Optometrist) | | | Managing Optometrist's License Number |
| Managing Optometrist's Address of Record | | City | State Zip |
| Managing Optometrist's Email Address (Optional) | | Managing Optometrist's Direct Telephone Number | |
| B. Owner and Operator's Organizational Information. | | | |
| 1. Is the organization operating pursuant to section 501(c)(3) of the Internal Revenue Code? YES <input type="checkbox"/> NO <input type="checkbox"/> | | | |
| 2. Is the organization operating pursuant to section 501(c)(4) of the Internal Revenue Code? YES <input type="checkbox"/> NO <input type="checkbox"/> | | | |
| 3. Organization's Tax Identification Number: _____ | | | |
| 4. Does the organization plan to not accept payment for services other than those provided to Medi-Cal beneficiaries? YES <input type="checkbox"/> NO <input type="checkbox"/> (If you answer "no" to the above question, please list in a separate attachment what other payments you will collect other than those provided to Medi-Cal beneficiaries.) | | | |
| C. Responsible Organization Officers or Officials. Please list below information, including the social security number (SSN) or individual taxpayer identification number (ITIN) as required by BPC section 30, for each of the principal individuals who are the officers or officials responsible for the operations of the organization (non-profit or charitable organization). Attach additional sheets if necessary. | | | |
| Individual #1 – Name | | | Title |
| Address Line 1 | | | |
| Address Line 2 | | | |
| City | | State | Zip |

| | | |
|--|--|------------|
| SSN / ITIN | Business Phone Number | |
| Email Address (Optional) | Alternate Phone Number (if any) | |
| Individual #2 – Name | Title | |
| Address Line 1 | | |
| Address Line 2 | | |
| City | State | Zip |
| SSN / ITIN | Business Phone Number | |
| Email Address (Optional) | Alternate Phone Number (if any) | |
| Individual #3 – Name | Title | |
| Address Line 1 | | |
| Address Line 2 | | |
| SSN / ITIN | Business Phone Number | |
| Email Address (Optional) | Alternate Phone Number (if any) | |
| D. Operating Standards and Complaint History. Please provide the following information. Attach additional sheets of paper containing written responses to the following questions by question number. (Example: Response to Question No. 1.:) | | |
| 1. Please describe the services you will be rendering within the mobile optometric office(s). | | |
| 2. Please list the names and license numbers for all optometrists who will be providing patient care as part of the mobile optometric office(s). | | |
| 3. Please list the dates of operation of the mobile optometric office(s). | | |
| 4. Please list the cities and/or counties served. | | |
| 5. Please describe how follow-up care for all patients served by the mobile optometric office(s) will be provided. | | |

6. Please provide the Board with a catalog of complaints, if any, that the office has received in the past three years. If no complaints were received in the past three years, please mark this box N/A _____

If complaints were received within the last three years, a “catalog” of the complaints must be provided in the form of a list of complaints in alphabetical order by the patient’s name and containing the following information for each patient:

- (A) Complainant’s Name;**
- (B) Name of Patient;**
- (C) Date Complaint Received;**
- (D) How the Complaint was Received (e.g., in person, letter, email, fax or telephone)**
- (E) Date Patient Received Care at the Mobile Optometric Office;**
- (F) Name of Person(s) Providing Care or Services to the Patient;**
- (G) Title of Person(s) Providing Care or Services and License Number, if applicable;**
- (H) Complainant’s Contact Information (Phone, Address, Email);**
- (I) Summary of Complaint as Reported by the Complainant;**
- (J) Complainant’s Requested Resolution, if any;**
- (K) Whether the Owner and Operator Addressed the Issues in the Complaint and, if so, how the Complaint was Addressed with the Patient or the Patient’s Caregiver or Legal Guardian; and,**
- (L) Resolution Date.**

E. Certification

I hereby certify under penalty of perjury under the laws of the State of California that I am authorized to sign this application on behalf of the applicant, that I have read this application and the information provided herein along with any accompanying documents, and that the application and attachments are true and accurate.

| Authorized Representative’s Signature | Authorized Representative’s Printed Name and Title | Date |
|---------------------------------------|--|------|
| | | |

NOTICE OF PERSONAL INFORMATION COLLECTION AND ACCESS:

The information provided in this application will be used by the California State Board of Optometry to determine whether the owner and operator of a mobile optometric office (office) qualifies for registration in California. Unless otherwise specified, all information requested on this application is mandatory. Sections 30, 31, 144, 494.5, and 3070.2 of the California Business and Professions Code authorize the collection of this information. Failure to provide any of the required information is grounds for rejection of the application as being incomplete. Information provided may be transferred to the Department of Justice, a District Attorney, a City Attorney, the Franchise Tax Board, the Board of Equalization, or to another government agency as may be necessary to permit the Board, or the transferee agency, to perform its statutory or constitutional duties, or otherwise transferred or disclosed as provided in California Civil Code Section 1798.24. Each individual or applicant has the right to review their file, except as otherwise provided by the California Information Practices Act. Social security numbers (SSN) and individual taxpayer identification numbers (ITIN) are not considered public records. However, other information provided on this form may be disclosed to a member of the public, upon request, under the California Public Records Act. The Executive Officer of the California State Board of Optometry is responsible for maintaining the information in this form, and may be contacted at 2450 Del Paso Road, Suite 105, Sacramento, CA 95834, telephone number 916-575-7170 regarding questions about this notice or access to records.

Disclosure of the applicant’s responsible officers or official’s social security numbers or individual taxpayer identification numbers is mandatory. Sections 30 and 31 of the Business and Professions Code and Public Law 94-455 (42 USCA 405(c)(2)(C)) authorize the collection of the social security numbers or ITINs. The social security number or ITIN will be used exclusively for tax enforcement purposes or compliance with any judgment or order for family support in accordance with section 17520 of the California Family Code. If the applicant fails to disclose social security numbers or ITINs, the application will be deemed incomplete and not be processed.



Owner and Operator Quarterly Report Form

Business and Professions Code (BPC) section 3070.2; Title 16, California Code of Regulations (CCR) sections 1583 – 1587

After the owner and operator of a mobile optometric office has been registered with the Board, this report shall be submitted to the Board by the third business day of the following months covering each quarter of operation as a registrant: March, June, September, and December.

| | | | | |
|--|--|-------|--|---------------------------------------|
| A. Background Information | | | | |
| Name of Owner and Operator as Registered with the Board | | | | Certificate Number |
| Owner and Operator Address of Record | | | | |
| City | | State | Zip | Telephone |
| Website (if any) | | | | |
| Name of Authorized Contact Person | | | Contact Person's Title | |
| Contact Person's Direct Telephone Number | | | Contact Person's Email (Optional) | |
| Full Legal Name of Optometrist Directing Medical Operations (Managing Optometrist) | | | | Managing Optometrist's License Number |
| Managing Optometrist's Address of Record | | City | | State Zip |
| Managing Optometrist's Email Address (Optional) | | | Managing Optometrist's Direct Telephone Number | |
| B. The owner and operator of a mobile optometric office shall provide the following information to the Board with this report as an attachment: | | | | |
| <ol style="list-style-type: none"> 1. A list of all visits made by the mobile optometric office, including dates of operation, address, care provided, and names and license numbers of optometrists who provided care; 2. A summary of all complaints received by the mobile optometric office, the disposition of those complaints, and referral information. 3. An updated and current list of licensed optometrists who have provided care within the mobile optometric office since the last reporting period. | | | | |

4. An updated and current list of licensed optometrists who are available for follow-up care as a result of a complaint on a volunteer basis or who accept Medi-Cal payments.

C. Certification

I hereby certify under penalty of perjury under the laws of the State of California that I am authorized to sign this report on behalf of the owner and operator and that I have personally reviewed the report, and that the information provided and any accompanying documents are true and accurate.

Authorized Representative's Signature

Authorized Representative's Printed Name and Title

Date

NOTICE OF COLLECTION OF PERSONAL INFORMATION

The information requested on this form is mandatory pursuant to Business and Professions Code sections 27, 3070.2 and Title 16 CCR section 1585. The information provided will be used to determine compliance with BPC section 3070.2 and the owner and operator's continued qualification for registration. The information may be provided to other governmental agencies, or in response to a court order, subpoena, or public records request. You have a right of access to records containing personal information unless the records are exempted from disclosure by the Information Practices Act, including Civil Code section 1798.40. Individuals may obtain information regarding the location of their records by contacting the Executive Officer of the California State Board of Optometry at 2450 Del Paso Road, Suite 105, Sacramento, CA 95834, telephone number 916-575-7170.