



ISSUE MEMORANDUM

DATE	February 1, 2019
TO	California State Board of Optometry (CSBO)
FROM	Martha “Ruby” Garcia, CLD, SLD – Chair prepared by Cheree Kimball, Enforcement Lead
SUBJECT	Agenda Item #9A –Dispensing Opticians Committee (DOC) Report from January 4, 2019

[Meeting Audio: January 4, 2019](#)

The Dispensing Opticians Committee met on January 4, 2019 in Sacramento, CA and discussed the following items:

1. Registered Dispensing Optician (RDO) Program Fingerprint Delinquency

Board staff provided an update on the issue of a small number of RDO Program registrants who did not have live scan fingerprint information attached to their files. The issue held up renewals of some registrants. Board staff has been working with DCA, the Medical Board, the Department of Justice, and the RDO Program registrants to resolve the issue to update the registration files.

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

The Board’s legal counsel, Mina Hamilton provided an update on the working draft of the RDO Program Disciplinary Guidelines. A history of the Uniform Standards for Substance Abusing Licensees changes have been made to the Disciplinary Guidelines. Committee members and Board staff engaged in discussion regarding additional changes to those Disciplinary Guidelines.

Patrick Le, from DCA’s Board and Bureau Relations provided updates regarding DCA’s Substance Abuse Coordination Committee (SACC). The SACC was directed by [SB 796 \(Hill, Chap. 600, Statutes of 2017\)](#) to meet during 2018 to determine whether changes should be made to Uniform Standard #4 that sets the frequency of biological fluid testing of substance abusing licensees. SACC has recommended changes to Uniform Standard #4. DCA staff will be drafting updated language for Uniform Standard #4 that will be incorporated into the RDO Program Disciplinary Guidelines. Mr. Le indicated there may be further changes to the Uniform Standards. Ms. Hamilton suggested changes to the Disciplinary

Guidelines need to be made as DCA and the Board work to implement the provisions of AB 2138 (Chiu, Chap. 995, Statutes of 2018). Staff has been directed to incorporate the changes discussed in the DOC meeting, including proposed changes by DCA, and they will bring the Disciplinary Guidelines back to the future DOC meeting.

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

Ms. Hamilton provided information of the ongoing process of implementing AB 2138. Currently, DCA is working on drafting regulatory language that was not finalized at the DOC meeting. Ms. Hamilton expects the materials to be ready for the March DOC meeting.