



STATE BOARD OF OPTOMETRY
 2450 DEL PASO ROAD, SUITE 105, SACRAMENTO, CA 95834
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Draft

MEETING MINUTES

Friday, August 31, 2012

Teleconference at the Following Locations:

2675 Saturn Avenue
 Huntington Park, CA 90255

140 C Tower Street
 Beaconsfield, Quebec H9W 6B2

2035 East Katella Avenue
 Anaheim, CA 92806

Kaiser/Dept. of Optometry
 5601 De Soto Avenue
 Woodland Hills, CA 91367

7455 Silva Valley Parkway
 El Dorado Hills, CA 95762

111 North Hope Street, Rm 340
 Los Angeles, CA 90012

3301 E. Main Street, Suite 1006
 Ventura, CA 93003

2450 Del Paso Road, Suite 105
 Sacramento, CA 95834

Members Present

Alex Arredondo, O.D., Board President
 Monica Johnson, Vice President
 Alexander Kim, Secretary
 Ken Lawenda, O.D., Professional Member
 Donna Burke, Public Member
 Madhu Chawla, O.D., Professional Member
 Glenn Kawaguchi, O.D., Professional Member
 William Kysella, Public Member

Staff Present

Mona Maggio, Executive Officer
 Andrea Leiva, Policy Analyst
 Michael Santiago, Senior Staff Counsel

Excused Absence

Fred Dubick, O.D., MBA, Professional Member

Guest List

No guests

4:35 p.m.

FULL BOARD OPEN SESSION

1. Call to Order – Roll Call – Establishment of a Quorum

Board President, Alex Arredondo, O.D. called the meeting to order at 4:35 p.m. Dr. Arredondo called roll and a quorum was established.

2. Agenda Item 2 – Discussion and Possible Action on California Code of Regulations (CCR)

§1575, Uniform Standards Related to Substance Abuse & Disciplinary Guidelines

Ms. Andrea Leiva, Policy Analyst, provided an overview of this item.

When this rulemaking package was submitted on the Department of Consumer Affairs (DCA) Legal Office for final review, it was found that language in CCR §1575, subsection (a), continued to be unclear and gave the Board discretion on when the uniform standards related to substance abuse should be used. The package was returned to the Board to clarify the language, specifically subsection §1575(a).

Ms. Leiva also recommended removing language that requires a minimum \$100 fee per month in *Condition 4. Probation Monitoring Costs*. Upon review of eight DCA health boards, it was found that none of them have a specific fee in the language of their disciplinary guidelines. These fees change from probationer to probationer, and due to the fluid nature of the fee, the Board should refrain from requiring a specific minimum monthly fee. Removing the fee will also place the Board in line with the other health professions.

Lastly, Ms. Leiva recommend adding supporting documents to the rulemaking file that were made available after the Board began this rulemaking. Adding the following documents will complete this package in the event the Office of Administrative Law has questions regarding the uniform standards:

- Legislative Counsel Bureau Opinion, October 27, 2011
- Office of the Attorney General Informal Legal Opinion, February 29, 2012
- Department of Consumer Affairs Opinion, April 5, 2012

Dr. Arredondo opened the floor for discussion. There was no further discussion.

Mr. Kysella moved to approve the recommend modified text and added documents, and directed staff to initiate the 15-day public comment period. If after the 15-day public comment period, no adverse comments are received, the Board authorized the Executive Officer to make any non-substantive changes to the proposed regulation before completing the rulemaking process. Donna Burke seconded. The Board voted unanimously (8-0) to pass the motion.

Member	Aye	No	Abstention
Dr. Arredondo	X		
Ms. Johnson	X		
Mr. Kim	X		
Dr. Lawenda	X		
Ms. Burke	X		
Dr. Chawla	X		
Dr. Kawaguchi	X		
Mr. Kysella	X		

10. Public Comment for Items Not on the Agenda

There were no public comments.

11. Suggestions for Future Agenda Items

There were no suggestions offered.

12. Adjournment

Dr. Arredondo moved to adjourn the meeting. Bill Kysella seconded. The Board voted unanimously (8-0) to pass the motion.

Member	Aye	No	Abstention
Dr. Arredondo	X		
Ms. Johnson	X		
Mr. Kim	X		
Dr. Lawenda	X		
Ms. Burke	X		
Dr. Chawla	X		
Dr. Kawaguchi	X		
Mr. Kysella	X		

The meeting adjourned at 4:45 p.m.

Alexander Kim, Board Secretary

Date