



STATE BOARD OF OPTOMETRY
 2450 DEL PASO ROAD, SUITE 105, SACRAMENTO, CA 95834
 P (916) 575-7170 F (916) 575-7292 www.optometry.ca.gov



Friday, November 21, 2014

Western University of Health Sciences,
 College of Optometry
 701 E Second Street
 Health Education center (HEC) Building
 2nd Floor, Vision Science Lab 2205
 Pomona, CA 91766

Members Present	Staff Present
Alejandro Arredondo, O.D, Board President	Mona Maggio, Executive Officer
Donna Burke, Board Secretary, Public Member	Lydia Bracco, Administrative Assistant
Cyd Brandvein, Public Member	Jessica Sieferman, Enforcement Lead
Frank Giardina, O.D., Professional Member	
Glenn Kawaguchi, O.D, Professional Member	Michael Santiago, Senior Legal Counsel
William Kysella, Jr., Public Member	
Kenneth Lawenda, O.D., Professional Member	
Rachel Michelin, Public Member	
David Turetsky, O.D., Professional Member	
Excused Absence	
Madhu Chawla, O.D, Vice President, Professional Member	Guest List
Alexander Kim, MBA, Public Member	On File

9:00 a.m.

FULL BOARD OPEN SESSION

1. Call to Order and Establishment of a Quorum

Donna Burke called the meeting to order at 9:20 a.m. and conducted a roll call of members, a quorum was established. Ms. Burke noted that Board President Alejandro Arredondo, O.D., will join the meeting later in the morning.

Dr. Paul Dobies, O.D. Assistant Professor at Western University of Health Sciences College of Optometry, welcomed everyone in attendance and expressed the university’s pleasure in hosting the Board of Optometry.

Ms. Burke announced that the administrative hearings will begin at 1:30 p.m.

2. Welcome – President’s Report

(Dr. Arredondo arrived at 9:55 a.m.)

Dr. Arredondo welcomed everyone in attendance. He thanked former public member, Bruce Givner for his participation with the Board, and welcomed newly appointed public member Rachel Michelin.

On October 7, 2014, Dr. Arredondo and Mona Maggio participated in the Department of Consumer Affairs' Director's Meeting. The purpose of this meeting is to update Executive Officers and Board Presidents on the Department's activities and priorities. Reports were provided from the Office of Administrative Services; Office of Information Services (OIS); Division of Investigation & Enforcement Programs (DOI); Legislative & Regulatory Review Division; Legal Affairs Division; Communications Division and Board & Bureau Relations.

Dr. Arredondo acknowledged his participation on a phone conversation on November 20, 2014 pertaining to the BreZE project, including the impact to the Board, lessons learned from Release 1 boards and next steps. Dr. Arredondo thanked Director Kidane for the update and keeping the Board informed.

3. **Public Comment for Items Not on the Agenda**

Note: The Board 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 Sections 11125, 1125.7(a)]

Ms. Burke opened the floor to public comment.

Public Member, Cyd Brandvein requested that a review and possible amendment of the Board Member Handbook/Board's Administrative Manual (Manual) be placed on the agenda of an upcoming meeting. Ms. Brandvein brought forth the item of Board Meeting Agenda Development, with the recommendation that the Manual, which addresses the issue, be reviewed and updated to provided that Board Members may request items to be placed on the agenda. She added that it should clarify that if the majority of the Board wishes an item addressed, that it can be voted on for placement on a future agenda.

Ms. Brandvein explained that as representatives of the consumer with whom the Board is empowered through appointments to represent, that an issue, or item, should be added to an agenda in a timely manner. She cited a few examples of concerns not yet addressed. Consistent with her concern, Ms. Brandvein asked that "an agenda item regarding the Manual be added so that a discussion may be held regarding the need for amending the Manual to modify the text that places the agenda at the sole discretion of the Executive Officer, to one that includes Department of Consumer Affairs (DCA) Legal Unit, the Board President, and the Board Secretary."

Ms. Brandvein clarified that a timeline process should be agreed upon and it should be understood that the timeline may be influenced by regulatory environment and legislative priorities, as a delay may be appropriate in some instances. Irrespective, items would be addressed and the Secretary would be tasked with reading prior meeting minutes, including requests for future agenda items, as well as current month requests for agenda topics prior to any public agenda noticing, assuring all agenda items, requested by any Board Member, are accounted for. Ms. Brandvein stated that "anything short of this is non-transparent and contradictory to the core values the Board adopted last December".

Professional Member, Kenneth Lawenda expressed his strong support of Ms. Brandvein's motion. He contended that this is extremely necessary and in order, as when it comes to agenda items, even the *Supreme Court needs to keep it open and transparent. Additionally, it is necessary for clarification and understanding of issues/concerns affecting consumers.* We should not be looking to outside sources to decide upon issues the Board will discuss.

Executive Officer, Mona Maggio reported that the Board Member Administrative Manual topic is already scheduled for discussion at the January Board meeting. She will be working with Ms. Brandvein on this agenda item.

Cyd Brandvein moved that a possible amendment of the Board Member Handbook/Board's Administrative Manual be included as an item to be placed on the next Board agenda. Kenneth Lawenda seconded. The Board voted unanimously (8-0) to pass the motion.

Member	Aye	No	Abstain	Absent	Recusal
Dr. Arredondo				X	
Ms. Brandvein	X				
Ms. Burke	X				
Dr. Chawla				X	
Dr. Giardini	X				
Ms. Michelin	X				
Dr. Kawaguchi	X				
Mr. Kim				X	
Mr. Kysella	X				
Dr. Lawenda	X				
Dr. Turetsky	X				

Note: Dr. Arredondo had not arrived at the time of this vote.

Dr. Pam Miller, O.D. introduced herself to the Board. She “has a private practice in Southern California and had the pleasure of serving on this Board for nine years. Dr. Miller is a cope approved provider of continuing education (CE).” She stated that the matter she requests be placed on a future agenda item in one which she brought before the Board two years ago. This matter is the “expansion of CE to include continuing medical education (CME) level one under the Medical Association and under the Osteopathic Association 1A.” She explained that under the Affordable Care Act the scope of practice for optometrists has been expanded. Therefore “it is imperative that our doctors have understanding and knowledge of how to treat patients, and that includes education outside of the profession of optometry.”

Ms. Maggio explained to the Members that this matter was discussed and was referred to the Education Committee. Due to lack of staffing the Committee has not yet met. Ms. Maggio assured that once appropriate staffing is in place this issue will be discussed. Additionally, “the Board, at that time, thought it best to wait and see if the scope bill passed.” Ms. Maggio further explained that this issue will require both legislative and regulation changes. When the scope bill comes forward again in January, should the bill obtain a sponsor, then the legislative changes will take at least a year to go through. Afterwards the Board will need to make changes in its rulemaking which is about a 24 month process.

Professional Member, Frank Giardina stated his agreement with Dr. Miller regarding CE course expansion.

Dr. Reem Edlbi stated she is a foreign graduate who was granted sponsorship by the Board to take the National Board of Examiners in Optometry (NBEO) exam and the California Laws and Regulations Exam (CLRE). Though she passed both exams, she cannot obtain an optometry license in California as she does not meet the criteria in law, as she not graduate from an accredited school or college of optometry as specified in Business and Professions Code section 3057.5. Dr. Edlbi stated that staff has made her aware that the Board is seeking a legislative remedy by creating a means for licensure but it will take a minimum one year through the legislative process. Dr. Edlbi requested the Board make an exception and allow her to be licensed now as she is the only one with means to support her family.

4. **Approval of Board Meeting Minutes**
 - A. **November 1, 2013**
 - B. **June 23, 2014**
 - C. **August 8, 2014**

Ms. Maggio reported that the posting on the agenda is incorrect. Minutes for the August 16, 2013 and the November 1, 2013 meetings were approved at the August 8, 2014 Meeting.

The minutes listed as January 24, 2014 should have been June 23, 2014, Special Meeting. The Board requested additional comments that need to be researched and added.

Due to a change in staff duties, staff responsible for drafting the minutes is becoming familiar with this process and reviewing notes, recordings and webcasts. The minutes will be current and available at the next meeting.

Department of Consumer Affairs Report

Awet Kidane, Director of the Department of Consumer Affairs and Christine Lally, Deputy of Board/Bureau Relations

Director of the Department of Consumer Affairs (DCA), Awet Kidane provided a report and an update on the BreEZE database. BreEZe came about in 2009 and its design occurred in 2011. The first roll-out (Phase I) took place in October 2013.

Mr. Kidane acknowledged that he had the pleasure of speaking to this Board a year ago in the midst of the BreEZe pre-roll out, where he provided an update on the progress and spoke about lessons learned. For the benefit of the new Members, Mr. Kidane explained that BreEZe is an enterprise wide information technology system and its purpose is to replace a 30 year old legacy system that DCA has for some boards. Other boards have their own legacy systems. The objective is to bring all DCA entities under one database, as it is very costly to maintain multiple systems. Additionally, integrity of information is lost when using multiple systems.

One of the most significant lessons learned was during the design phase for Release 1 boards and bureaus which was largely problematic. DCA has close to 40 different boards/bureaus and each board and bureau licensing and enforcement units do not function exactly the same way.

Mr. Kidane stated that the contract was very frustrating for him because it did not allow him to hold the vendor accountable for specific changes needed to meet specific needs for each board and bureau. Additionally the contract did not allow him the mechanism to contain costs. Any request for change after the acceptance of design requires the shelling out of more money. The Executive Office decided to cut off DCA's design relationship with the vendor after Release 2. Mr. Kidane assured that the focus will be on making Release 2 right for all users and completely re-planning Release 3 focusing on quality and applying lessons learned. This elongates the schedule to a projected Release 2 at the end of 2015.

Mr. Kidane opened the floor to questions.

Dr. Lawenda inquired and Mr. Kidane assured that the BreEZe system has multiple firewalls in place to protect against hackers.

Ms. Brandvein asked and Mr. Kidane responded that with regards to the elongated schedules influence on day to day operations, it is going to be a "sprint to the finish." Ms. Maggio and staff member, Jessica Siefertman will have to design the scripts needed to test the system. If/when needed DCA will still provide staff to augment the Board during times of heavy workload.

Dr. David Turetsky stated that Ms. Maggio is in need of additional staff and asked what she can do or needs to do to be able to hire staff. Mr. Kidane replied that focusing on workload and continuing to make a strong case as well as leveraging DCA's resources for staff training will go a long way with the Department of Finance.

William Kysella contended that he believes Mr. Kidane has personally witnessed the Board's need for additional staffing by Mr. Kidane's own report of certain staff members pushing themselves to go above and beyond in serving the needs of the Board (i.e. Ms. Siefertman and Ms. Maggio with the BreEZE project). Additionally, he believes Mr. Kidane has personally witnessed how long it takes for topic requests to get on agendas due to insufficient staffing.

6. Overview of the Bagley-Keene Open Meeting Act Training

Ms. Brandvein provided an overview of the Bagley-Keene Open Meeting Act Training. She reported that on November 5, 2014 she, Ms. Maggio, and Ms. Siefertman attended the DCA SOLID Solutions training on the Bagley-Keene Open Meeting Act. Senior Legal Counsel Michael Santiago was also in attendance.

The purpose of the Open Meeting Act is to promote and open consensus building model of decision, and to ensure that the public always has a seat at the table. There are 13 sections to the act. Some of the highlights that Ms. Brandvein found especially enlightening are as follows:

What is a State Body?

There are five types of bodies. Those created by statute, bodies created by Governors' executive order, delegated bodies created by a board/commission consisting of two or more members, advisory bodies consisting of three or more members, and public or private bodies funded by a state body represented by a state member. Each of these types must be noticed correctly.

Serial Meetings

Whenever two or more members engage in communication regarding state board matters, deliberation or taking action, it is considered a meeting, regardless of the form of communication (i.e. face to face, by email, by texting, etc.). This is considered a serial meeting when something a member says is repeated to another in the communication. Ms. Brandvein pointed out the need to be extremely careful because when one member is delegated to speak to another outside of a board meeting it is a violation of the Open Meeting Act. Violations of the Act come with criminal and civil penalties.

Closed session

During the training there were discussions about what can and cannot be discussed during a closed session. It is a requirement that every closed session must be noticed. Confidentiality must be strictly observed. What occurs in closed session must not be discussed outside. There are many other details regarding the handling of closed sessions, and Ms. Brandvein stressed that every member needs to read about closed sessions in the Open Meeting Act.

Dr. Arredondo opened the floor to questions or comments.

Mr. Santiago clarified for Drs. Turetsky and Lawenda that a general question about optometry from a public member would probably not be considered a meeting. Rather it is when a conversation occurs about something the Board is discussing or has discussed in the past (i.e. bills).

Dr. Lawenda believes it would be beneficial for new members to receive some historical reference of past issues before the Board and decisions made, as well as what the Board is currently discussing/implementing. Ms. Maggio explained that typically when a new member is appointed, the member is invited to the Board's office. At that meeting staff provides the new member with an overview of the daily processes (i.e. licensing, enforcement etc.), and then informs the new member of issues the Board is currently working on and topics discussed in the past.

Mr. Kysella requested clarification and it was discussed and confirmed with Mr. Santiago that three persons is the actual "law" regarding serial meetings, nevertheless two is recommended for safety purposes.

Deputy Director, Legal Affairs Division, Doreathea Johnson, provided further clarification. She explained that “the rule of two” is statutory insofar as it being a state body. The question is “when is a state body in existence?” It’s the delegation of power/authority that brings “the rule of two” in place.

Mr. Santiago pointed out that when it comes to violating the law, perception is more important than reality itself.

7. Discussion and Possible Action on Requiring Posting of a Consumer Notice Defining the Designations on an Optometrist License

Ms. Maggio reported that the Board currently has a *Consumer Notice* that provides information to consumers about how they can contact the Board if they have any complaints or concerns. Every optometrist is required to have this noticed posted, and clearly visible, in their place of practice. Ms. Maggio explained that having the certification designations added to the *Consumer Notice* will educate consumers about what procedures their optometrist can perform. Therefore the potential options proposed are as follows:

- 1) To amend the CCR §1566.1 to require that the Consumer Notice include the definition of the five designations. This amendment would allow the patient visibility at the time of the visit.
- 2) Include a separate regulation to mandate the designation definitions are posted in the same conspicuous place as the *Consumer Notice*. This allows for the regulation to be enforced separately and would hold the optometrist accountable for posting this additional consumer information.

Ms. Maggio invited Dr. Turetsky to add additional comments/information. Dr. Turetsky reported that aside from the five certification designations, there exists between 75 – 150 optometrists who are without any certifications whatsoever. These doctors cannot dilate or use any type of anesthetic. Dr. Turetsky provided an example of a diabetic patient visiting one of these optometrists with no certifications. The optometrist would be unable to dilate the patients’ eyes and check for diabetic retinopathy. He considers it to be extremely important for consumer to know what their optometrist can and cannot do for them, so that they can make an informed choice.

Dr. Giardina commented that he supports Dr. Turetsky’s opinion but he believes the designations and terms such as dilation, lacrimal irrigation, and glaucoma may be asking a lot for a layperson to understand. Dr. Giardina suggested and prefers that optometrists with the highest level of certification should be allowed to call themselves “optometric physicians” and those who do not possess the highest level should be simply “optometrists.” He stated that this would not only make a distinction to the public that they will understand but may also motivate other optometrists to obtain the highest level of certification.

Dr. Lawenda commented that consumers using the Yellow Pages, for example, to look for an optometrist in their area, could pick one who is not certified to perform everything he or she needs and will not discover that fact until arriving at the office. He asked the question “so how else can we inform the public?” “Are we going to regulate how optometrists appear in their advertisements?”

Ms. Burke stated, from a consumer perspective, the more information the Board can provide the better. Any baby steps the Board can take to help inform and educate the public the Board should do so. Ms. Burk supports this proposal and moves to adopt amendment recommendation option one, so that the Board is not dependent upon the physician posting the additional information as it will be already noticed.

Ms. Michelin stated that if this information will be posted in doctors’ offices, she believes it should be stated in laymen’s terms that a mom or elderly person, for example, can easily digest and understand.

Mr. Kysella acknowledged that having the information in laymen’s terms is a valid point. Additionally he acknowledged that there’s no harm in initiating “baby steps.” Mr. Kysella also pointed out that as you peel away at layer upon layer of something it naturally becomes more convoluted and he supports baby steps.

Dr. Arredondo interjected in the comments to ask for a current percentage of optometrists with each of the certification designations. Ms. Siefertman responded that she will have that information for the Board at the next meeting.

Dr. Kawaguchi announced his support for either of the two options. He believes any step forward in providing information and promoting understanding is beneficial to the consumer.

Donna Burke moved to allow staff to clarify the designation language and bring it back to the Board for possible action on this proposal. Cyd Brandvein seconded. The Board voted 8-Aye; 1-No; 0-abstain to pass the motion.

Member	Aye	No	Abstain	Absent	Recusal
Dr. Arredondo	X				
Ms. Brandvein	X				
Ms. Burke	X				
Dr. Chawla				X	
Dr. Giardini		X			
Ms. Michelin	X				
Dr. Kawaguchi	X				
Mr. Kim				X	
Mr. Kysella	X				
Dr. Lawenda	X				
Dr. Turetsky	X				

8. Discussion and Possible Action to Amend Business and Professions Code §3057, Requirements for Licenses; Exceptions, Expiration; “In Good Standing.”

Ms. Maggio stated that Business and Professions Code (BPC) §3057 defines the requirements for licensure as an optometrist in California for an application from an out-of-state licensee. As part of the application process, section (a)(4) requires the applicant to submit proof that he or she has been in active practice in a state in which he or she is licensed for a total of at least 5,000 hours in five of the seven consecutive years immediately preceding the date of his or her application under this section.

This law was added in 2006. At that time the Board wanted to ensure that out-of-state practicing optometrists were proficient in treating patients with therapeutic pharmaceutical agents (TPAs) and that the 5,000 practice hours of experience would be sufficient. However, this requirement is now obsolete, inconsistent with the licensing requirements for new graduates and impacts access to care and has economic impact for the State.

A recent graduate from any U.S. school/college can apply for and obtain licensure in California; however, if the graduate decides to become licensed in another state after graduation, then decides to apply for licensure in California, a month, year, two years later, the application would be denied because the applicant has not met the 5,000 practice hours requirement.

The current application process for out-of-state licensees requires the applicant to indicate on the application whether or not he/she has met the practice hours requirement set forth in BPC §3057, and submit a completed “Certification of 5,000 Practice Hours” form with the application. The Certification asks for information pertaining to each worksite where hours were earned (e.g. worksite addresses, dates and number of hours worked at each location). The applicant signs this certification under penalty of

perjury that the information is true and correct. However, no supporting information is required to substantiate that the information provided is true.

All of the states require that application pass the National Board of Examiners in Optometry (NBEO) exam to obtain licensure. In addition to the NBEO, California requires that they pass the Treatment and Management of Ocular Disease (TMOD) portion of the exam, which ensures they are qualified to obtain TPA certification.

Staff proposes that the 5,000 hours portion of the requirements be removed, and that out-of-state optometrists desiring a California license meet all of the other requirements as set forth in law.

Dr. Lawenda emphatically expressed his support for this proposal. He stated that the 5,000 hours is now an unnecessary impediment to optometrists who want to obtain a California license, when all of the other requirements are sufficient.

Dr. Kawaguchi stated his agreement. Additionally Dr. Kawaguchi questioned a subdivision of Business and Professions Code §3057 that authorizes the Board to reduce or waive the fees of a displaced applicant due to a federally declared emergency. Mr. Santiago clarified that this subdivision does not require the Board to reduce or waive the fees, but rather allows the Board to do so in circumstances where the Board deems it appropriate. This provision simply allows the Board flexibility.

Mr. Kysella referred to a proposed part of the language that suggests changing “has not been found mentally incompetent by a physician” to “have not been found mentally incompetent by a qualified healthcare professional.” He questioned the reason and contended that this does not need to be and should not be changed. Ms. Maggio explained the idea was to broaden the term because not every mental health care provider is a medical doctor (i.e. psychologist etc.).

Ms. Michelin agreed with Mr. Kysella and adamantly stated her opposition. She stated that as a mother and a public member the term “qualified healthcare provider” completely scares her.

Dr. Lawenda supports the “qualified healthcare provider” explaining his belief that we need to move away from “grey areas.”

Dr. Turetsky reported that in the past he has witnessed licensees on probation who were represented by non-doctors/physicians. For example, person with an MSW (Master of Social Work) degree has represented some licensees and testified that they are stable, competent and have completed the necessary steps to recovery. The Board has accepted this testimony in the past. Dr. Turetsky made a point that “if the state considers these people competent, he does not believe the Board has the jurisdiction to not accept it.”

Mr. Kysella’s hope is that somewhere above section 3057 “qualified healthcare professional” is defined. Ms. Siefertman does not believe it is defined.

Ms. Michelin asked and Ms. Maggio confirmed that any changes made will have to go to the Legislature and be heard in a committee.

Department of Justice, Deputy Attorney General, Anahita Crawford shared her concern about not having clear and concise designation of a mental health doctor and/or physician. She reported that people who have had drug and alcohol issues have typically been treated by people who are Certified Drug and Alcohol Counselors. These are people who may not have as their priority a focus on whether or not the addict is mentally incompetent, and these are the individuals who predominately have contact with the drug and alcohol population. This causes a concern that things may be missed without having a physician who is focused on the mental health of a person making the determination.

The Board discussed this matter further and came to an agreement that research should be done to see how other Boards word have this issue worded in their law. Additionally the Board agreed that staff should conduct research to find out exactly who is qualified to make the determination of mentally incompetent.

William Kysella moved to adopt staff recommendations of change in the draft and move forward with the legislative process without the amendment to section e(2); And to direct staff to conduct research to determine what the appropriate term should be in section e(2). Donna Burke seconded. The Board voted unanimously (9-0) to pass the motion.

Member	Yes	No	Abstain	Absent	Recusal
Dr. Arredondo	X				
Ms. Brandvein	X				
Ms. Burke	X				
Dr. Chawla				X	
Dr. Giardina	X				
Ms. Michelin	X				
Dr. Kawaguchi	X				
Mr. Kim				X	
Mr. Kysella	X				
Dr. Lawenda	X				
Dr. Turetsky	X				

9. Discussion and Possible Action to Amend Business and Professions Code §3057.5 Eligibility of Graduates for Foreign Universities

Ms. Maggio reported that Business and Professions Code §3057.5 allows the Board of provide a Letter of Sponsorship (LOS) to a graduate of a foreign university, provided the applicant meets certain criteria. The current criteria are as follows:

- 1) Is over the age of 18 years
- 2) Is not subject to denial under Section 480
- 3) Has obtained a degree as a doctor of optometry issued by a university located outside the United States.

She explained that staff has found the current requirements to be insufficient for determining a foreign graduate’s eligibility for sponsorship due to the fact that:

- 1) Many countries do not issue a degree as a doctor of optometry, but do issue a baccalaureate degree in optometry.
- 2) The Board receives request for LOS from individual who are licensed ophthalmologists in foreign countries. Not all foreign licensed ophthalmologists can qualify for licensure through the Medical Board of California.
- 3) Not all countries have the profession of optometry.

Before staff issues a LOS to an applicant, staff must determine if the applicant’s education obtained through the foreign university is equivalent to the education earned in a U.S. school/college of optometry. This is done by requesting the applicant have his/her transcripts evaluated by an evaluation service. If the education is deemed equivalent, staff will issue the LOS. If the education does not meet the equivalency, staff provides the applicant with a list of the U.S. schools/colleges of optometry that provide accelerated program courses to obtain the education needed to qualify for the examination. When the applicant completes the education through a U.S. school/college of optometry, the applicant is issued a degree as a doctor of optometry and is considered a U.S. graduate, not a foreign graduate.

The proposed amendments are needed to provide foreign licensed optometrists and ophthalmologists who do not meet the current criteria in law a means to apply for and be considered for issuance of a LOS. In addition this will authorize the Board to request pertinent information in order to evaluate the applicant's educational history, etc. to determine if a LOS will be granted.

With the proposed changes §3057.5 would be stated as follows:

- (a) *Notwithstanding any other provision of this chapter, the board shall permit a graduate of a foreign university who is over the age of 18 years, is not subject to denial of a license under Section 480, and meets one of the following criteria to take the examination for licensure as an optometrist:*
- 1) *Has obtained a degree as a doctor of optometry issued by a university located outside of the United States.*
 - 2) *Has obtained a degree from a school of optometry program located outside of the United States having a minimum of a four years, or equivalent, curriculum leading to optometry licensure.*
 - 3) *Has obtained a degree from a school of medicine outside of the United States and completed the necessary requirements to practice in the field of ophthalmology in that country.*
- (b) *All foreign graduates must provide to the Board as applicable the following supporting documents:*
- 1) *Current curriculum vitae*
 - 2) *Official examination scores*
 - 3) *Certificate of optometric/medical education*
 - 4) *Official school transcripts*
 - 5) *Certified copy of optometric/medical diploma(s)*
 - 6) *Official English translation*
 - 7) *Certificate of completion of post graduate training*
 - 8) *Certificate of clinical training*

The Board may, at its discretion, request additional supporting documentation.

- (c) *The Board shall require the applicant to obtain an evaluation of the official transcripts from the college or university that issued the degree from an education evaluation service approved by the Board. The evaluation must be sent from the evaluation service directly to the Board.*
- (d) *Documents that are not in English must be translated by a certified U.S. translation service approved by the Board.*
- (e) *Foreign graduates not meeting the educational equivalency, as determined by the evaluation service, will be required to obtain the necessary education to meet the equivalency requirement.*
- (f) *The applicant must file an application for foreign graduate on a form prescribed by the Board, signed under penalty of perjury, that the information provided is true and correct.*
- (g) *The applicant must submit an application fee in an amount equal to the application fee prescribed pursuant to subdivision (a) of Section 3152.*
- (h) *The Board will issue a Letter of Sponsorship, or its equivalent, in order to satisfy any requirement of the National Board of Examiners in Optometry (NBEO) needed to allow the candidate to take all required examinations for licensure. The Letter for Sponsorship expires two years from the date of approval.*

Dr. Arredondo opened the floor to comments.

Dr. Lawenda questioned and Ms. Maggio assured that the NBEO covers the clinical aspect of an applicant's ability to perform procedure such as refraction.

Mr. Kysella requested clarification between agenda item 9 and agenda item 10. Ms. Maggio confirmed that the language of agenda item 10 will provide a pathway for foreign graduates such as Dr. Edlbi who presented her case earlier this morning.

Dr. Kawaguchi asked and Ms. Maggio assured that one year of LOS is enough time to allow an applicant who qualifies to take the Parts I, II, and III of the NBEO.

Ms. Burke asked if finances might play a role in this. Ms. Maggio explained that if the foreign graduate applicant does not pass or complete the exam, the applicant would have to recertify with the Board and pay the fees again. This is the same for U.S. graduates.

Dr. Kawaguchi asked Dr. Edlbi how long she believes the LOS needs to good for before expiring and having to recertify. Dr. Edlbi replied that it should be at least two years because it takes a long time to complete each part of the NBEO, the applicant has to wait longer than six weeks for the results of each part, and then wait again to take the next part.

Ms. Maggio announced that, out of all 50 states, there are two that provide sponsorship to foreign graduates. Those two states are California and New York.

Dr. Giardina, Mr. Kysella, Ms. Michein and Ms. Maggio debated about the wording “a minimum of a four year, or equivalent, curriculum.” Should the word minimum be removed? Is it necessary to define in this text what the U.S. curriculum is?

Ms. Michelin asserted that it is insufficient for an LOS to be good for only one year. She requested that the text be changed to two years to allow the applicant to get everything completed.

Dr. Arredondo opened the floor to public comment.

Cyd Brandvein moved to accept the edits of §3057.5 as presented with the friendly amendment of two years sponsorship. Donna Burke seconded. The Board voted unanimously (9-0) to pass the motion.

Member	Yes	No	Abstain	Absent	Recusal
Dr. Arredondo	X				
Ms. Brandvein	X				
Ms. Burke	X				
Dr. Chawla				X	
Dr. Giardina	X				
Ms. Michelin	X				
Dr. Kawaguchi	X				
Mr. Kim				X	
Mr. Kysella	X				
Dr. Lawenda	X				
Dr. Turetsky	X				

10. Discussion and Possible Action to Add Business and Professions Code §3058 Requirements for Licensure: Qualifications of Foreign Graduates

Ms. Maggio reported that Business and Professions Code §3057.5 was added in 1987 to allow the Board to provide an LOS for a graduate of a foreign university to take the NBEO. However, there is not a pathway for licensure once the foreign graduate passes the NBEO.

The draft language clearly defines the requirements for licensure and is similar to the licensure requirements for new U.S. graduates and out-of-state graduates.

The proposed language of Section 3058 Requirements for Licensure; Qualifications of Foreign Graduates is as follows:

(a) *The Board may issue a license to practice optometry to a person who meets all of the following requirements:*

(1) *Has meet the provisions of Section 3057.5*

- (2) *Has successfully passed all the required examinations*
- (3) *Is not subject to denial of an application for licensure based on any of the ground listed in Section 480.*
- (4) *Has met the certification requirements of Section 3041.3.*
- (5) *Has submitted any other information as specified by the board to the extent it is required for licensure under this chapter.*
- (6) *Has filed an application on a form prescribed by the board under penalty of perjury that the information provided is true and correct.*
 - (A) *Pays an application fee I an amount equal to the application fee prescribed pursuant to Subdivision (a) of Section 3152.*
 - (B) *Any license issued pursuant to this section shall expire as provided in Section 3146, and may be renewed as provided in this chapter, subject to the same conditions as other licenses issued under this chapter.*
- (7) *Has no physical or mental impairment related to drugs or alcohol, and has not been found mentally incompetent by a qualified professional so that the person is unable to undertake the practice of optometry in a manner consistent with the safety of a patient or the public.*

William Kysella moved to accept staff’s recommendation to pursue Section 3058 as spelled out with the exception of brackets around “qualified professional,” and to direct staff to research what constitutes “qualified professional” which will be brought back before the Board of discussion. Frank Giardina seconded. The Board voted unanimously (9-0) to pass the motion.

Member	Yes	No	Abstain	Absent	Recusal
Dr. Arredondo	X				
Ms. Brandvein	X				
Ms. Burke	X				
Dr. Chawla				X	
Dr. Giardina	X				
Ms. Michelin	X				
Dr. Kawaguchi	X				
Mr. Kim				X	
Mr. Kysella	X				
Dr. Lawenda	X				
Dr. Turetsky	X				

11. Discussion and Possible Action to Amend Business and Professions Code §3151.1 Issuance of License with Retired Volunteer Service Designation; Duties of Applicant, Holder of Retired License

Dr. Arredondo noted that Drs. Lawenda and Giardina are not present at the moment.

Ms. Maggio reported that Section 3151.7 defines how the Board can issue a license with “Retired Volunteer” status. Staff requests the Board review and discuss the proposed language to amend Business and Professions Code (BPC) §3151.1. The edits are necessary to define the timeframe that the holder of a retired license can convert the retired license to a license with retired volunteer service designation. They will also set the expiration date of the license. If the proposed amendments are approved, the Board will need to direct staff to move forward with the legislative process.

Ms. Maggio explained that when this law was created, the Board did not create a pathway for an optometrist who is retired but decides later that he/she wants to provide volunteer services but remain retired. The edits to this section will allow an optometrist who is retired for less than three years to convert his/her license to “retired with volunteer service designation.” If an optometrist is retired for longer than three years he/she will have to meet the provisions of an optometrist who is in delinquent status.

Dr. Arredondo announced that Drs. Lawenda and Giardina are now in session.

William Kysella moved to direct staff to pursue the recommended amendments to Section 3015.1. Donna Burke seconded. The Board voted unanimously (9-0) to pass the motion.

Member	Yes	No	Abstain	Absent	Recusal
Dr. Arredondo	X				
Ms. Brandvein	X				
Ms. Burke	X				
Dr. Chawla				X	
Dr. Giardina	X				
Ms. Michelin	X				
Dr. Kawaguchi	X				
Mr. Kim				X	
Mr. Kysella	X				
Dr. Lawenda	X				
Dr. Turetsky	X				

12. Discussion and Possible Action to Amend Business and Professions Code §3041.3 Certificate Requirements – Therapeutic Pharmaceutical Agents

Ms. Maggio reported that BPC §3041.3 was added in 1996 to define the criteria for both California licensed optometrist and out-of-state licensees seeking licensure in California on the requirements to obtain certification to administer and prescribe Therapeutic Pharmaceutical Agents (TPAs).

Staff has discovered the classroom didactic course is no longer offered by the schools/colleges of optometry. Since the didactic course is no longer offered, this statute is inadvertently prohibiting those licensees from becoming TPA certified. In addition, staff believes a preceptor should be either a TPA certified optometrist or ophthalmologist, much like a preceptor for glaucoma can be either a glaucoma certified optometrist or ophthalmologist.

Ms. Maggio explained that one way to motivate all optometrists to become TPA certified is to set a future date and announce that all California optometrist must be TPA certified by that date, allowing enough time for optometrist to achieve certification. Once that date is reached, any non-TPA certified optometrist would either have to retire or they would be unable to renew their California license without becoming TPA certified.

Board Members and Ms. Maggio briefly discussed that optometrists without TPA certification are the population that are getting ready to retire and they do not want to take the additional steps anymore.

Donna Burke moved approve the language with the addition of January 1, 2020 as the deadline for TPA certification. David Turetsky seconded. The Board voted 8-Aye; 1-No; 0-Abstention to pass the motion.

Member	Yes	No	Abstain	Absent	Recusal
Dr. Arredondo		X			
Ms. Brandvein	X				
Ms. Burke	X				
Dr. Chawla				X	
Dr. Giardina	X				
Ms. Michelin	X				
Dr. Kawaguchi	X				
Mr. Kim				X	

Mr. Kysella	X				
Dr. Lawenda	X				
Dr. Turetsky	X				

13. Discussion and Possible Action to Amend Business and Professions Code §3152, Fee Schedule

Ms. Maggio reported that the proposed amendments to B&P Code §3152 (a), (b), (c), (h), (u) and (v) are for clarification only. Amendment (c) is to add an initial license fee; (g) increases the renewal fee for retired licenses with volunteer designation. This is to cover the \$16 that is sent to UC Berkeley and the Controlled Substances Utilization Review (CURES) fee. Staff is working with the DCA to determine the actual amount that will be charged at renewal. Staff will report the outcome to the Board; In addition, the Board currently charges a \$25 fee for written license verification, and the fee is appropriated to a miscellaneous fee account; amendment (x) allows the funds to be appropriately identified.

Ms. Maggio broke down the §3152 fee schedule language in precise detail for the Board Members clarification.

Members and Ms. Maggio discussed the \$16 research fee that is sent to UC Berkeley regulated by B&P Code §3048 (i.e. what it is, why it is, when it became law, whether it should be removed, etc.).

Dr. Lawenda asked if a representative from UC Berkeley might attend the next Board Meeting to explain and discuss this research fee. Possibly this fee could be extended to the other schools as well. Ms. Michelin agreed with this idea and stated she would like to know where the money is going.

Board Members and Ms. Maggio discussed the amount of the retired status fees and what the cap should be on those fees.

Mr. Kidane congratulated the Board for the dialogue regarding the breakdown of fees, stating that this type of healthy dialogue should be occurring. He encouraged the Board to find out exactly where the \$16 UC Berkeley research fee is going. It may be determined that how this money is being handled fee is no longer relevant and should be shifted to something else. With this information the Board can “make a sound data driven policy.”

Ms. Maggio will request this information from UC Berkeley, and §3048 will be held until this information is obtained.

14. New Legislation Affecting the Practice of Optometry

Ms. Maggio provided an update on new legislation affecting optometry as follows:

A. Assembly Bill 809 (Logue) Telehealth Patient Consent

Status: Chaptered by Secretary of State, Chapter 404, Statutes of 2014

Summary: This legislation deletes a requirement that informed consent for telehealth must be made by provider at the originating site where the patient is located, allows written consent to be provided, rather than requiring consent to be verbal, and clarifies that current telehealth law does not preclude a patient from receiving in-person health care delivery services after agreeing to receive services via telehealth.

B. Assembly Bill 2102 (Ting) Licensees: Demographic Data Collection

Status: Chaptered by Secretary of State, Chapter 420, Statutes of 2014.

Summary: Requires the Board of Registered Nursing, the Physician Assistant Board, the Respiratory Care Board, and the Board of Vocational Nursing and Psychiatric Technicians to annually collect and report licensee demographic data to the Office of Statewide Health Planning and Development.

- C. *Senate Bill 1256 (Mitchell) Medical Services: Credit*
 Status: Chaptered by Secretary of State, Chapter 256 Statutes of 2014.
Summary: Prohibits medical providers from arranging for a line of credit on behalf of a patient unless the patient signs a release acknowledging they are aware of their rights concerning loans that are offered by third party providers. In addition, the bill would require the healthcare practitioner to provide the patient with a treatment plan prior to arranging for the line of credit, prohibit charges to the credit account before the procedure has been rendered, and prohibit a licensee from arranging for credit for a patient who is under the influence of anesthesia.
- D. *Senate Bill 1466 (B, P & ED Committee) health Omnibus*
 Status: Chaptered by Secretary of State, Chapter 316, Statutes of 2014.
Summary: Makes several non-controversial, minor, non-substantive or technical changes to various provisions within Ms. Maggio, EO) relating to the DCA regulatory boards.
- E. *Assembly Bill 1702 (Patterson) Delay or Denial of Licensure Due to Incarceration*
 Status: Chaptered by Secretary of State, Chapter 410, Statutes of 2014.
Summary: Specifies that an individual who has satisfied the requirements for licensure while incarcerated and who applies for licensure after being released from incarceration shall not have his/her application delayed or denied solely on the basis that some or all of the requirements were completed while the individual was incarcerated; and exempts the Board of Chiropractic Examiners (BCE) from these requirements.
- F. *Assembly Bill 1711 (Cooley) Economic Impact Assessment*
 Status: Chaptered by Secretary of State, Chapter 779, Statutes of 2014
 Summary: This bill requires an economic impact assessment to be included in the initial statement of reasons that a state agency submits to the Office of Administrative Law when adopting, amending, or repealing a non-major regulation.
- G. *Assembly Bill 2396 (Bonta) Denial of Licensure for Prior Convictions*
 Status: Chaptered by Secretary of State, chapter 737, Statutes of 2014
 Summary: This legislation prohibits boards within DCA from denying a professional license based solely on a criminal conviction that has been withdrawn, set aside or dismissed by the court.

Ms. Maggio clarified for the Board that applicants will still have to disclose the conviction history on their application for licensure. If the Board deems the conviction was substantially related to the profession of optometry, the Board will have to take action based upon the act rather than simply because a conviction exists. Ms. Maggio added that the Board of Optometry already proceeds in this manner.

- H. *Assembly Bill 2720 (Ting) Requires State Agencies to Record Votes in Meeting Minutes*
 Status: Chaptered by Secretary of State, Chapter 510, Statutes of 2014.
 Summary: This legislation would require a state body to publicly report any action taken and the vote or abstention of that action of each member present for the action.

This means that the Board will be required to conduct roll call votes which are being implemented currently.

- I. *Senate Bill 1159 (Lara) Professions and Vocations: License Applicants: Federal Tax Identification Number*
 Status: Chaptered by Secretary of State, Chapter 752, Statutes of 2014
 Summary: This legislation prohibits licensing boards under the DCA from denying licensure to an applicant based on his or her citizenship or immigration status, and requires a licensing board and the State Bar to require, by January 1, 2016, that an applicant for licensure provide his or her individual

taxpayer identification number (TIN) or a social security number (SSN) for an initial or renewal license.

Ms. Maggio explained that the Optometry Board currently asks for the SSN; however the forms will be amended to provide the option of presenting a TIN instead.

J. Senate Bill 1240 (Anderson) Changes to State Employment Applications

Status: Chaptered by Secretary of State, chapter 240, Statutes of 2014.

Summary: Requires state employment application forms to require an applicant to disclose whether the applicant has ever entered into an agreement with a state department prohibiting the applicant from seeking or accepting subsequent employment with the state.

K. Senate Bill 1243 (Lieu) Professions and Vocations

Status: Chaptered by Secretary of State, Chapter 395, Statutes of 2014

Summary: This legislation increases the transparency of information distributed by the DCA; requires the Office of Administrative Hearings (OAH) to submit specified reports to the Legislature annually; enhances unlicensed advertising enforcement; extends until January 1, 2017, the provisions establishing the Veterinary Medical Board (VMB) and the term of the executive officer (EO); sets the operative date of the veterinary assistant controlled substances SB 1243 program for July 1, 2015; and extends the Certified Common Interest Development (CID) Manager program and the Tax Preparer program until January 1, 2019.

L. Assembly Bill 1840 (Campos) Pupil health: vision appraisal

Status: Chaptered by Secretary of State, Chapter 803, Statutes of 2014

Summary: This legislation authorizes a child's vision to be appraised by using an eye chart or any scientifically validated photo screening test and requires photo screening tests to be performed, under an agreement with, or the supervision of an optometrist or ophthalmologist, by the school nurse or by a trained individual who meets specified requirements as determined by the California Department of Education (CDE).

Ms. Michelin inquired and Dr. Giardina explained that a photo screening test uses an instrument (ophthalmoscope or retinoscope) that takes a quick flash of the red reflex of the reflection of light from the eye's retina. He stated that this test provides a rather crude minimum that one cannot prescribe off of. The test can, however, detect which children may be at risk for amblyopia (lazy eye).

Ms. Michelin asked and Dr. Giardina clarified that this screening cannot tell us the vision status of the child, rather it just provides a rough estimate of refractive error. It's a pass/fail test, and if a child fails they are referred to an optometrist.

Dr. Kawaguchi reported that "these vision screenings can miss critical visual function issues that can affect a child's school performance." His opinion, as with other optometrists, is that "this and similar legislation should be more specific and require comprehensive exams, as opposed to just a vision screening. Or, at least add extra testing that is allowed to be included in the vision screening. This was this Board's proposal. The Board had stated it would support the bill if amended. The proposal was rejected due to fiscal insufficiency."

Dr. Arredondo affirmed agreement with Dr. Kawaguchi. Dr. Arredondo's community "many eye exams are performed by who knows who. Giving out classes to kids, by who knows who examined them." In Dr. Arredondo's opinion, it is very questionable whether these exams are thorough and accurate.

Board members discussed the issue and agreed to have Ms. Michelin and Dr. Kawaguchi draft language supporting comprehensive eye exams for school children and evaluate further legislation.

Ms. Maggio explained that upon her request, Dr. Kawaguchi, who feels particularly passionate about this issue, helped draft the Board's inclusions into several bills dealing with children's vision health. All were denied due to unfunded mandate.

Dr. Kawaguchi stated that "several large states have passed legislation. And, with the Affordable Health Care Act, and children being covered for vision, he believes it is timely for the Board to consider supporting a new author and revisiting this issue."

Ms. Michelin offered to assist Dr. Kawaguchi in this endeavor. She and Dr. Arredondo cited some examples of children they have witnessed who suffered from not be diagnosed with their vision problems early on.

Mr. Kysella asked if there is a mandate that school children get visually tested because the language in AB 1840 only states that "it authorizes a child vision to be appraised."

Mr. Santiago reminded Ms. Maggio that the education code contains the requirement that children receive a vision screening. But this is only a screening. Not a fully comprehensive eye examination.

Board members discussed and agreed that this Board should draft its own language, as a policy statement. Doing so would make it clearly and publically known that the Board of Optometry supports comprehensive vision screenings for school children. Also, it will be a launching point for further legislation.

15. Executive Officer's Report

Ms. Maggio provided the Executive Officer's Report

A. BreEZe

Board staff continues to devote large portions of time to the BreEZe project and has met the second phase of design. Ms. Maggio thanked Ms. Siefertman for taking charge of the project.

Board staff has discussed numerous benefits Release 1 boards are currently experiencing with BreEZe. Some of the benefits R1 boards have mentioned include the following:

- **Easier to navigate:** Having all data in one system, rather than two, helps streamline current business processes.
- **Electronic application tracking:** Currently, staff manually tracks all applications. BreEZe will be able to electronically track and report application statistics.
- **Improved efficiency:** The additions of online transactions to business processes will reduce the workload associated with application processing (including miscellaneous applications), renewals, complaint intake, etc. Pending transaction information is easily obtained when needed (e.g. renewal deficiencies and associated correspondence).
- **Improved data integrity:** Consumer Affairs Systems (CAS) and Applicant Tracking System (ATS) were extremely susceptible to improper data entry due to its lack of rules. BreEZe has a myriad of embedded governing rules, business rules, action steps, restricted lists of values, etc.; all of which will dramatically improve the accuracy of licensing and enforcement data.
- **Improved data reporting:** Improved integrity = more accurate reports. In addition to the extensive list of standard reports that will be available via BreEZe Business Objects, the data export feature allows staff to extract raw data as specified and manipulate via external programs (e.g. Excel).
- **Workflows and transaction assignment:** Staff has the option of dictating the workflow "cycle" of various processes. This is made possible by the simple fact that transactions can be assigned (either manually or automatically). These features also allow for evaluation of staff workload.

- **Queues:** Queues provide quick access to specific outstanding activities such as incomplete applications or renewals, pending action steps, etc. They show all activities that meet specific criteria as defined within the board's configuration. Once an activity no longer meets those criteria, it either disappears from the queue or moves to a different queue.
- **Letters and certificates:** All standard letters and certs are housed within the system and can be generated at any time with a few clicks, although more often than not, they will be automatically generated via transaction approval (e.g. replacement certs as a result of an address change).
- **Online updates:** Changes made in back office (VR) are immediately reflected in the online system (if configured to show online). Licensees appreciate being able to confirm license updates online while on the phone with staff.

Ms. Siefertman expressed her excitement about the launching of BreEZe. She stated that having to put every process under a microscope has enlightened the team about many ways to improve processes.

B. Budget

Ms. Maggio provided the Members with an Expenditures and Fund Condition Report. The Board's million dollar loan is still outstanding. This loan must be repaid before the Board can raise any of its fees. Ms. Maggio has been informed that the Department's Budget Office does periodically seek repayment for all of the boards who gave loans.

C. Personnel

The vacant Policy Analyst position was successfully reclassified to a Staff Services Manager (SSM) I classification. This position will serve as the Assistant Executive Officer. Interviews are scheduled with anticipation to have the SSM I in place by the end of November.

Robert Stephanopoulos has returned to the Enforcement Program. Rob applied for the vacant Associate Governmental Analyst position and expressed his interest in returning to enforcement.

Nancy Day, Management Services Technician in the Licensing Program began working full time September 1, 2014. Ms. Day issues the Fictitious Name Permits (FNPs) and Branch Office Licenses (BOLs).

Carolyn Wilson, Retired Annuitant joined the Board at the beginning of November. Ms. Wilson is currently training on the evaluation processes for issuing licenses and certification in order to provide continued service to applicants and licensees while staff participates in BreEZe testing and script writing. Ms. Wilson is also working on a newsletter draft for early 2015.

Mr. Kidane express to Ms. Maggio that she has his full support for assistance with the Human Resource process. Cyd speaking on behalf of the Board conveyed the Board's support as well.

D. Examination and Licensing Programs

The Board is ramping up recruitment efforts to secure more licensees to serve as subject matter experts in the development of the California Laws and Regulations Examination. The focus on the recruitment will be optometrists who are licensed between 2 - 10 years.

E. Enforcement Program

The Board's Enforcement Program has been operating with a vacancy for several months. With the vacancy now filled, staff should be closer to meeting its enforcement targets. In addition, enforcement and licensing staff have been working closely together to educate licensees who are operating without a valid fictitious name permit. This collaboration and outreach as led to an increase in FNP applications and enforcement workload. In the near future, Enforcement staff will also be reaching out

to those licensees who fail to update their address of record with the Board in order to educate and obtain compliance with the Optometry Practice Act.

F. Board Meeting Dates 2015

Ms. Maggio announced that the next Meeting is scheduled for January 23, 2015 but a location has not been set. She asked that the Board decide if this day is still good for a quorum and to agree upon a location.

Ms. Maggio explained that from January through March, Board staff in the office will be a skeleton crew, as staff will be called out to the testing for BreEZe and the data verification for BreEZe. Therefore, the information coming to the January 23rd Board Meeting will be what Ms. Maggio needs for operational needs. There will not be staff available to do research at that time.

The Board agreed upon the Southern California College of Optometry (SCCO) for the January date and the Junipero Serra building as a backup.

The Board Meeting dates agreed upon are as follows:

- January 23, 2015 (SCCO or Junipero Serra)
- April 24, 2015
- August 28, 2015
- November 20, 2015

Ms. Maggio opened the floor to comment regarding future meetings.

Dr. Lawenda suggested the Board look at and possibly discuss a case the Supreme Court is hearing regarding the Dental Board in North Carolina. Dr. Lawenda advised that this case could possibly affect the way regulatory boards are constructed in the US entirely.

Dr. Giardina requested a discussion about the term optometric physician. Seven states are now using this term instead of optometrist.

16. Petitions for Reduction of Penalty or Early Termination of Probation

Administrative Law Judge (ALJ), Glenda B. Gomez presided over the hearings. The Board heard the following petitions:

- A. Jolyn Wei, O.D., OPT 13614**
- B. Salimah Pirmohamed, O.D., OPT 13918**
- C. Brittany Pham, O.D., OPT 10398**

FULL BOARD CLOSED SESSION

17. Pursuant to Government Code Section 11126(c)(3), the Board will Meet in Closed Session for Discussion and Possible Action on Disciplinary Matters

The Board convened to close session to deliberate on the following disciplinary matters:

- A. Jolyn Wei, O.D., OPT 13614**
- B. Salimah Pirmohamed, O.D., OPT 13918**
- C. Brittany Pham, O.D., OPT 10398**

The board reconvened into open session at 3:15 p.m.

FULL BOARD OPEN SESSION

18. Adjournment

Rachel Michelin moved to adjourn the meeting. Frank Giardina seconded. The Board voted unanimously (9-0) to pass the motion.

Member	Yes	No	Abstain	Absent	Recusal
Dr. Arredondo	X				
Ms. Brandvein	X				
Ms. Burke	X				
Dr. Chawla				X	
Dr. Giardina	X				
Ms. Michelin	X				
Dr. Kawaguchi	X				
Mr. Kim				X	
Mr. Kysella	X				
Dr. Lawenda	X				
Dr. Turetsky	X				