



## ISSUE MEMORANDUM

<b>DATE</b>	February 16, 2024
<b>TO</b>	Board Members, California State Board of Optometry (CSBO)
<b>FROM</b>	Gregory Pruden, Executive Officer
<b>SUBJECT</b>	Agenda Item #9 – Discussion and Possible Action on CSBO Amended Strategic Plan Supplemental Regarding Diversity, Equity, Inclusion, and Belonging

At the **December 8, 2023 meeting**, the board underwent supplemental strategic planning pursuant to the Governor's Executive Order, N-16-22. Presented in Attachment A is the revised 2021-2025 CSBO Strategic Plan, which reflects the work the board conducted during the supplemental strategic planning session facilitated by the Department of Consumer Affairs. The item is presented for board discussion and possible action.

**Suggested Motion:** I move to adopt the CSBO Diversity, Equity, Inclusion, and Belonging 2021-2025 Supplemental Strategic Plan, as presented.

Attachment A: 2021-2025 California State Board of Optometry Amended Strategic Plan



# **California State Board of Optometry**

## 2021-2025 Amended Strategic Plan

Adopted: [approval date 2024]

**Prepared by:**

SOLID Planning Solutions

Department of Consumer Affairs

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For Approval

## Members of the Board

Lillian Wang, O.D., President

Jeffrey Garcia, O.D., Vice President

Eunie Linden, J.D., Secretary

Joseph Pruitt, O.D.

Stacy Bragg, O.D.

Sandra D. Sims, J.D.

Paul Hsu

Robert Klepa, J.D.

Alex Clemens

For Approval

Gavin Newsom, Governor

Tomiquia Moss, Secretary, Business, Consumer Services and Housing Agency

Kimberly Kirchmeyer, Director, Department of Consumer Affairs

Gregory Pruden, Executive Officer, California State Board of Optometry

## Message from the Board President

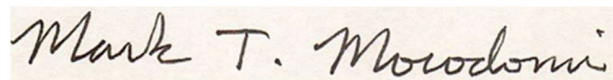
As I write this, it is 2020. Uncertainty and anxiety abound. The nation and the world are in the middle of the greatest pandemic of our lifetimes. Under stay-at-home orders, Californians have forgone primary medical care and procedures. Optometrist and optician offices have shut down for months and are slowly reopening. Some of these professionals lost their jobs in the process. Optometry students and optometrists who need continuing education credits are taking all of their classes online. And new graduates are traveling across the country to complete national board examinations, risking their lives to start their careers.

Amid all this, the California State Board of Optometry and its staff are crafting a strategic plan for the next four years when predicting what will happen next month is a challenge. But we can look to our past successes as a guide to the future. Because of the Board's inspiration and efforts, we started the year with a legislative win: the passage and signing into law of AB 458, authored by Assembly Member Adrin Nazarian, which permits optometrists to make house calls to homebound seniors who can only get to optometrists' offices with incredible difficulty.

When the pandemic hit and physical proximity became a concern, we pivoted quickly to recognize interactive, online classes to satisfy optometrists' in-person continuing education requirement. During a time of chaos and uncertainty, the Board has remained calm and stable. From their homes, the Board's staff continues to process licenses and conduct enforcement to protect California consumers.

We will continue to do the work we started before the surge of the COVID-19 virus, for which the pandemic has only accelerated the need: telehealth, children's comprehensive eye examinations (particularly with so many students in front of video monitors for online schooling), and the need to bring optometric services to patients who can't get to doctors' offices. The nationwide discussion about race also requires examining disparities in health care delivery and the diversity—or lack thereof—in the optometric profession.

In this year's ceaseless barrage of challenges, stress, and pessimism, we hope you share the California State Board of Optometry's optimism for a calmer, safer, and brighter future. And we encourage you to read this plan with, in a phrase, your "rose-colored glasses."



Mark T. Morodomi

I am delighted to present the California State Board of Optometry's amended 2021-2025 Strategic Plan—a comprehensive reflection of our unwavering dedication to consumer safety and enhanced access to quality eye care. Crafted collaboratively with Board Members, staff, and the public, this plan stands as a testament to our commitment to Diversity, Equity, Inclusion, and Belonging (DEIB), seamlessly integrated into every facet of our initiatives.

Our strategic vision firmly commits to addressing a spectrum of diverse issues crucial to consumer protection. This transformative period centers on key initiatives, including organizational realignment, correcting structural financial imbalance for a more equitable and sustainable fund, ensuring widespread access to quality eye care, embracing technological advancements, and promoting professional excellence.

The emphasis on organizational realignment signifies our dedication to optimizing internal structures for enhanced effectiveness. By addressing imbalances in the fund, we aim to establish a solid foundation that ensures equitable funding, fostering sustainability and efficiency in our mission to protect consumers. Ensuring access to quality eye care remains a paramount goal, with a particular focus on addressing disparities and expanding services, especially in underserved areas. A significant initiative is the regulation of mobile optometric clinics, enhancing access to eye care where it is needed most. Simultaneously, we are actively streamlining licensing processes, reducing barriers, and increasing opportunities for Californians to access efficient eye care services. Promoting professional excellence remains a cornerstone of our strategic vision, recognizing the importance of maintaining high standards within the field of optometry. This commitment extends to supporting ongoing education, training, and the adoption of best practices to ensure the highest level of care for consumers.

Our overarching commitment remains unwavering—to advocate for public protection through unified and effective public policy. We appreciate your interest in our Strategic Plan and anticipate continued collaboration and progress in safeguarding the health and safety of California consumers.

Lillian Wang, O.D.

President, California State Board of Optometry

A handwritten signature in black ink, appearing to read 'Lillian Wang', with a stylized, flowing script.

## About the Board

Since its inception more than 100 years ago, the California State Board of Optometry (Board) has supported and helped consumers by advocating consumer interests before lawmakers, regulating to protect consumers from unlicensed practitioners and guarding our licensees against unfair competition, enforcing laws to protect the consumer, and resolving disputes between business and a customer or a consumer and a licensee.

Our authority to protect the health and safety of California patients receiving optometric care through licensing, education, and regulation of the practice of optometry was expanded on January 1, 2016, when Governor Jerry Brown signed Assembly Bill 684, transferring the regulation of opticianry from the Medical Board of California (MBC) to the Board. Overnight, the Board's regulatory population grew by 50% - expanding its regulatory oversight from 8,000 licensees to roughly 12,000 licensees and registrants.

Today, the Board regulates the largest population of optometrists and dispensers in the United States with over 17,400 licenses, registrations, and permits. The Board is also responsible for issuing opticianry certifications for nonresident contact lens sellers and businesses that employ dispensing opticians.

With this significant change in population comes new, emerging responsibilities. Our Board stands ready and has the capabilities and resources to maintain the same level of accountability, efficiency, effectiveness, integrity, and customer service it has delivered since the last Strategic Plan. Further, it is in the best interest of California consumers to continue protecting their eye care health and safety through the Board in its current constituted state: as an independent Board that relies on the Department of Consumer Affairs (DCA) for administrative support.

As we continue our evolution—from a Board with severe challenges in 2002 to a well-functioning Board today—we are poised to meet the regulatory changes, adjust through internal improvements to our organizational structure, and set a new path forward through a revised Strategic Plan that better aligns with our evolving consumer protection mandate.

## Achieving Our Mission and Positioned to Move Forward

The Board's mission is to protect the health and safety of California consumers through licensing, education, and regulation of optometry and opticianry. The Board accomplishes its mission through the following responsibilities:

- Promulgating regulations governing Board procedures, examination for an optometric licensure, minimum standards of optometric and dispensing services offered and performed, statements of licensure and fictitious name permits, and the equipment in all registered locations.
- Investigating consumer complaints and criminal convictions including but not limited to substance abuse, unprofessional conduct, incompetence, fraudulent action, and unlawful activity.
- Taking disciplinary action for violations of laws and regulations governing optometry and opticianry when warranted.
- Accrediting schools and colleges of optometry<sup>1</sup>.
- Establishing educational and examination requirements to ensure the competence of candidates for licensure/registration.
- Setting and enforcing standards for continued competency of existing licensees.
- Communicating with licensees, registrants, and Californians to aid in the understanding of laws and regulations related to delivery of high-quality vision care in the state.

California became the third state to regulate the optometry profession<sup>2</sup> in 1903, and a new Optometry Practice Act<sup>3</sup>, enacted in 1913, created the Board, defined its duties and powers, and prescribed a penalty for violations of the Act. The Act was later incorporated in the Business and Professions Code (BPC)<sup>4</sup>. Empowered with rulemaking authority (BPC Sections 3025 and 3025.5), the Board promulgated the first rule for the practice of optometry in 1923. In the same year, the Legislature passed a law<sup>5</sup> requiring all applicants for licensure to meet specific educational requirements (i.e., graduate from an accredited school or college of optometry) and charged the Board with the responsibility of accrediting these schools. Prior to this time, individuals desiring to practice were not required to have any specific formal education.

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<sup>1</sup> The Board accepts schools and colleges of optometry that have received accreditation through the Accreditation Council on Optometric Education (ACOE).

<sup>2</sup> Optometry Act of 1903 (California Statutes of 1903, Chapter CCXXXIV) later repealed by Statutes of 1913, Chapter 598.

<sup>3</sup> Statutes of 1913, Chapter 598, derived from the 1903 Act as amended by enactments of 1907 and 1908

<sup>4</sup> Chapter 7, Division 2, Healing Arts 6 Chapter 164, Statutes of 1923.

<sup>5</sup> Chapter 7, Division 2, Healing Arts.

<sup>6</sup> Chapter 164, Statutes of 1923.



On January 1, 2016, Assembly Bill 684 moved the Registered Dispensing Optician Program under the Board's jurisdiction and created a Dispensing Optician Committee. Assembly Bill 684 also replaced one of the Board's professional members with a registered optician.

During the creation of this Strategic Plan, seven members comprised the Board: five licensed optometrists and two public members. All are appointees of the Governor's Office.

Per statute, full Board membership constitutes a quorum of 11 members. Four seats remain vacant (one public member appointed by the Senate president pro tempore, one public member appointed by the speaker of the Assembly, one public member appointed by the governor, and one professional licensed within opticianry and appointed by the governor).

## **Committees**

### **Dispensing Optician Committee (Statutorily mandated)**

Tasked by the Legislature to recommend registration standards and criteria for the registration of opticians, the Dispensing Optician Committee is composed of two public members, two California-licensed opticians, and one Board member. For the first time, the Board actively involved this committee in the strategic planning process.

### **Policy Committees**

Under the Board Member Handbook, the Board president appoints members to each policy committee, utilizing individual strengths and experiences to meet the overarching purpose of each committee. The policy committees assist the Board staff in development of strategic objectives and work products. In the 2021–2025 strategic planning process, each committee thoroughly reviewed the objectives fitting within their areas of responsibility. Currently, the Board has the following committees composed of Board members:

#### *Legislation and Regulation*

Responsible for recommending legislative and regulatory priorities to the Board and assisting staff with drafting language for Board-sponsored legislation and recommending official positions on current legislation. The committee also recommends regulatory additions and amendments.

#### *Practice and Education*

Advises Board staff on matters relating to optometric practice, including standards of practice and scope of practice issues. Reviews staff responses to proposed regulatory changes that may affect optometric

practice. Also reviews requests for approval of continuing education courses and offers guidance to Board staff regarding continuing education issues.

#### *Consumer Protection, Public Relations, and Outreach*

Oversees the development and administration of legally defensible licensing examinations and consulting on improvements/enhancements to licensing and enforcement policies and procedures. Assists with the development of outreach and the development of educational materials for the Board's stakeholders.

In addition to committees formed by statute and the sitting Board president, the Board periodically creates workgroups to focus on specific areas requiring targeted attention. Currently, the Board has the following workgroups:

#### *Children's Vision Workgroup*

The workgroup was originally created in 2015-2016 to work with stakeholders on the issue of pupil health and vision examinations.

#### *NBEO/ARBO Workgroup*

The workgroup was established to improve communications between NBEO/ARBO and the state board. The workgroup has explored with NBEO and ARBO alternative ways to administer national exams.

#### *Optometry/Opticianry Workgroup*

The workgroup was established to harmonize the Optometry and Opticianry Practice Acts and discuss emerging issues.

#### *Telehealth Workgroup*

To meet the emerging trends of telehealth within the practice of optometry, the Board created a telehealth workgroup that began work in 2019. The Board enjoyed several presentations from experts on telehealth in the fall of 2019, and the staff completed thorough research on the topic. The Board discussed the issue at the May 2020 public meeting, and the staff was given additional areas of research to complete. The workgroup will continue its work in developing a comprehensive telehealth policy that protects California consumers.

#### *Sunset Review Workgroup*

The sunset review workgroup is periodically established for purposes of assisting the Board prepare its Sunset Review Report for the Legislature, generally required every four years.

## **Mission, Vision, and Values**

### **Our Mission**

To protect the health and safety of California consumers through licensing, registration, education, and regulation of Optometry and Opticianry.

### **Our Vision**

The highest quality optometric and optical care for the people of California

### **Our Values**

Consumer Protection

Integrity

Transparency

Professionalism

Excellence

Diversity, Equity, Inclusion, and Belonging<sup>6</sup>

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<sup>6</sup> During the DEI Supplement planning session, the Board added “Diversity, Equity, Inclusion, and Belonging”. Revisions completed during this session are noted in footnotes throughout the plan.

## Goal 1: Licensing and Registration

**The Board provides applicants and licensees methods<sup>7</sup> for obtaining and maintaining licensing and registration, business licenses, and certifications for optometry and opticianry in California.**

- 1.1 Review licensing processes to improve staff efficiency as well as licensee and registration compliance.
- 1.2 Explore the possibility of requiring continuing education for both spectacle and contact lens dispenser registrations to protect consumers<sup>8</sup>.
- 1.3 Continue exploring opportunities to enhance BreEZe utilization to increase staff productivity and promote licensee compliance with continuing education requirements.
- 1.4 Deliver service excellence that exceeds applicant, licensee, and registrant expectations to improve application turnaround time and safely expedite market entry.
- 1.5 Secure adequate funding to allow for regular occupational analysis and linkage studies of pre- licensure examinations to provide a fair and consistent process for applicants and ensure consumers receive the highest quality of care.
- 1.6 Research options to streamline the licensure by reciprocity process.<sup>9</sup>

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<sup>7</sup> Changed "a method" to "methods".

<sup>8</sup> Omitted "and high application standards throughout licensure".

<sup>9</sup> New objective added.

## Goal 2: Examination

**The Board works to promote a fair, valid, and legally defensible exam process and licensing exam (California Law and Regulation Examination) to ensure that only qualified and competent individuals are licensed or registered to provide optometric or opticianry services in California.**

- 2.1 Consider the feasibility of developing a state law exam for opticians to verify their familiarity with California laws.
- 2.2 Reimagine the examination processes to reflect the state's high-quality eye care standards and the evolution of test-taking at eye care, health, and educational institutions.
- 2.3 Continue evaluating the examinations used in the licensure process to prevent barriers to licensure.
- 2.4 Research the possibility of alternative competency verification of applicants during states of emergency.

## Goal 3: Law and Regulation

**The Board works to establish and maintain fair and just laws and regulations that provide for the protection of consumer health and safety and reflect current and emerging, efficient, and cost-effective practices.**

- 3.1 Advocate for the adoption of new opticianry statutes and regulations (using data from occupational analyses) that seek to clarify the principles of the profession and provide better consumer protection for those who are seeking opticianry services.
- 3.2 Promulgate rulemakings to effectively regulate practice within mobile clinics and home settings to provide better consumer protection for those who are seeking optometric services.
- 3.3 Explore current and emerging methods, opportunities, and technology to increase access and equity<sup>10</sup> to care while maintaining a world-class standard of vision care (e.g., scope of practice, delegation of authority, and telemedicine).
- 3.4 Pursue Sunset Review legislation that modernizes language and concepts in light of current and future practice, that synchronizes the expiration dates of fictitious name permits to align with renewals of general licensure and statements of licensure, and that implements a license verification fee to support unfunded staff work.
- 3.5 Monitor changes in federal law to identify methods that will strengthen existing California legislation regarding the sale of contact lenses and eyeglasses to improve enforcement and enhance consumer protection.

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<sup>10</sup> Added "and equity".

## Goal 4: Enforcement

**The Board protects the health and safety of consumers through the active enforcement of laws and regulations governing the safe practice of optometry and opticianry in California.**

- 4.1 Review the communication process and standard practices used in enforcement actions that could result in probation or revocation of a license. Ensure that procedures and processes focus on consumer protection and probationer rehabilitation, not punishment.
- 4.2 Develop a member-driven training resource that will enable new Board members to understand the enforcement process and the important role of the Board in determining discipline.
- 4.3 Review disciplinary guidelines and update as necessary to clarify reasonable expectations during the enforcement process.<sup>11</sup>

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<sup>11</sup> New objective added.

## Goal 5: Outreach

**The Board proactively educates, informs, and engages consumers, licensees, students, and other stakeholders about the practices of optometry and opticianry and the laws and regulations which govern them.**

- 5.1 Identify opportunities to expand outreach to diverse<sup>12</sup> communities.
- 5.2 Improve the utilization and measurement of social media and the Board website to communicate to consumers, licensees, and registrants; provide accurate information on key initiatives (e.g., children's vision, supervision authority, options for delivery of care, and delegation of duties).
- 5.3 Collaborate with continuing education providers and associations to disseminate updates to legislation and regulations regarding the current state of practice (i.e., training modules specific to Law/Regs, Board quarterly updates to precede trainings).
- 5.4 Create and enact an outreach plan with opticianry programs regarding California registration requirements for the use of the title "optician" to enhance compliance with California law and encourage registration.
- 5.5 Publish and disseminate enforcement actions to illustrate the consequences of infractions (DUI, malpractice, and unlicensed activity).
- 5.6 Develop the communication plan regarding the importance of children's vision health and wellness.
- 5.7 Evaluate and create better consumer outcomes such as access to care and addressing patient needs for marginalized populations by implementation of a multi-step action plan educating licensees about concepts of diversity, equity, inclusion, and belonging<sup>13</sup>.

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<sup>12</sup> Changed "outside" to "diverse".

<sup>13</sup> Added "and belonging".



## Goal 6: Organizational Effectiveness

**The Board works to develop and maintain an efficient and effective team of professional and public leaders and staff with sufficient resources to improve the Board's provision of programs and services.**

- 6.1 Restructure the licensing unit to increase cross-training and minimize disruptions in service and processing.
- 6.2 Work with DCA Organizational Improvement Office to quantify the Board's staffing shortfall and request spending authority to ensure sufficient personnel resources for the Board to meet its goals and objectives.
- 6.3 Provide resources and training for staff development to support the growth and retention of staff.
- 6.4 Arrange regular, ongoing in-service training by optometrists and opticians on eye conditions, state of practice, education, etc. to increase staff understanding of optometry and opticianry.
- 6.5 Arrange visits to diverse<sup>14</sup> optometric and optical professionals to increase staff understanding of practice and applications of law.

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<sup>14</sup> Changed "various" to "diverse".

## Strategic Planning Process

To understand the environment in which the Board operates and to identify factors that could impact the Board's success, the California Department of Consumer Affairs' SOLID Planning unit conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- Interviews were conducted with all Board members, committee members, and Board management from June through July 2020 to assess the challenges and opportunities the Board is currently facing or will face in the upcoming years.
- An online survey was sent to staff in June, closing on June 30, 2020. In the survey, employees provided anonymous input regarding the challenges and opportunities the Board is currently facing or will face in the upcoming years. A total of seven staff participated in the survey.
- An online survey was sent to Board stakeholders the first week in June and closed on June 30, 2020. The survey's purpose was to identify the strengths and weaknesses of the Board from an external perspective. A total of 563 stakeholders completed the survey.

The most significant themes and trends identified from the environmental scan were discussed by the Board members and executive team during a strategic planning session facilitated by SOLID Planning on August 13, 2020. This information guided the Board in the review of its mission, vision, and values while directing the strategic goals and objectives outlined in its new Strategic Plan.

## DEI Supplement Process

In September of 2022, Governor Gavin Newsom, through Executive Order N-16-22, strengthened the State's commitment to a "California For All" by directing state agencies and departments to take additional actions to embed equity analysis and considerations into its policies and practices, including but not limited to the strategic planning process.

SOLID conducted a new DEI focused scan and analysis during September and October of 2023. Feedback was solicited from external stakeholders, board members, and the Board's leadership and staff. This feedback was used to assist CSBO in considering a diversity, equity, and inclusion perspective to its current strategic plan.

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Amended plan adopted on [date TBD].

This strategic plan is based on stakeholder information and discussions facilitated by SOLID for the California State Board of Optometry on August 14, 2020, and on December 8th, 2023. Subsequent amendments may have been made after the adoption of this plan.



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