



# California State Board of Optometry

## 2021–2025 STRATEGIC PLAN

Completed with the expertise of DCA SOLID Planning

Board adopted on November 20, 2020



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## Message from the Board President

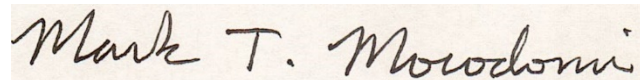
As I write this, it is 2020. Uncertainty and anxiety abound. The nation and the world are in the middle of the greatest pandemic of our lifetimes. Under stay-at-home orders, Californians have forgone primary medical care and procedures. Optometrist and optician offices have shut down for months and are 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

## 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.

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.

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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 5 Chapter 7, Division 2, Healing Arts 6 Chapter 164, Statutes of 1923.

<sup>4</sup> Chapter 7, Division 2, Healing Arts.

<sup>5</sup> Chapter 164, Statutes of 1923.

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 and public stakeholders:

#### *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*

Oversees the development and administration of legally defensible licensing examinations and consulting on improvements/enhancements to licensing and enforcement policies and procedures.

#### *Public Relations and Outreach*

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 workgroup:

### *Telemedicine Workgroup*

To meet the emerging trends of telemedicine within the practice of optometry, the Board created a telemedicine workgroup that began work in 2019. The Board enjoyed several presentations from experts on telemedicine 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 telemedicine policy that protects California consumers.

## **Significant Accomplishments**

### **Licensing**

Spectacle Lens Dispenser Occupational Analysis: An Occupational Analysis was completed in 2020 and the results presented to the DOC at the June 2020 meeting. The information will be used to help inform decisions made by the DOC and the Board.

Licensing renewal and application times were reduced in fiscal year 2019–2020.

The Board thoroughly discussed the roles of unlicensed individuals working as optometric assistants. Working with DCA and the Legislature, the Board obtained budgetary authority to conduct an occupational analysis of the optometric assistant profession.

### **Legislation and Regulations**

AB 458 (Nazarian)—Carried by the chair of the Assembly Aging and Long-Term Care Committee, this Board-sponsored bill requires an optometrist to obtain a home residence permit to engage in the practice of optometry at a residence of a homebound senior, as defined, except for a person engaging in the temporary practice of optometry. The bill was signed by Governor Gavin Newsom in October 2019.

AB 896 (Low)—Board staff worked closely with Assembly Member Evan Low and stakeholders on proposed legislation to combine the optician and optometry funds and to implement reporting and registration requirements for mobile optometric offices. The bill was signed by Governor Gavin Newsom in September 2020.

Implementation of Assembly Bill 2138 (Chiu, Chapter 995, Statutes of 2018)—The Board finalized regulations implementing AB 2138. The rulemaking package will be submitted to OAL for approval this fall.

AB 443 Implementation—The Board approved regulations implementing AB 443 (Salas), which allows optometrists to administer certain immunizations. The rulemaking package is currently being reviewed by DCA before a public comment period.

Adoption of Revised Continuing Education Regulations—Led by the Practice and Education Committee, the Board approved regulatory language to support the use of interactive, online learning tools for the completion of optometric continuing education. Revised language also clarifies the requirements for Board



approval of continuing education courses. The rulemaking package is currently being reviewed by DCA before a public comment period.

Optician Statutory Review—Board staff and committee members, throughout four public meetings, completed a comprehensive review of the Optician Program Statutes (Division 2, Chapters 5.4, 5.45, 5.5) for a potential legislative bill in 2021. These changes will improve consumer protection, improve enforcement processes, and clarify and strengthen existing processes. This proposal will be submitted to the Legislature for a potential bill in 2021 or 2022.

Optician Program Regulatory Updates—The Dispensing Optician Committee (DOC) reviewed and approved Board staff's updates to the Optician Program Regulations with Board approval to follow this fall. These changes will strengthen consumer protection, improve application requirements, and place current processes and procedures into law.

## **Enforcement**

Optometry Disciplinary Guidelines—Board staff finalized improvements to the Optometry Disciplinary Guidelines, which were approved by the Board in December. The proposed changes improve disciplinary processes and update terms and conditions of probation. The regulatory rulemaking package is currently being finalized with staff before submittal to DCA.

Optician Disciplinary Guidelines—Board staff and committees finalized the Optician Disciplinary Guidelines, which will be approved by the Board this fall. The proposed changes strengthen disciplinary processes and set out terms and conditions of probation for optician registrants.

Telemedicine—As telemedicine is an emerging delivery model for optometry, especially in light of the COVID-19 pandemic, the Board has been proactive in the discussion of these issues throughout several public and workgroup meetings. Board staff and subject matter experts presented research on telemedicine scenarios, technologies, and best practices within the optometric profession. The Board provided direction for further research and development of a comprehensive telemedicine policy in 2021–2022.

## **Outreach and Communication**

In response to the COVID-19 pandemic, the Board took decisive action to protect consumers and assist the profession. A series of notices and guidance, with updates from the governor and the federal Centers for Disease Control and Prevention, was posted.

The Board increased use of social media outlets and completed a series of frequently asked questions for opticians, optometrists, and Californians on our website and updated various pages to provide more timely and pertinent information.

Board staff prepared presentations for students at optometry and opticianry schools in California and presented them both in person and virtually.

With the expertise of the DCA Communications Unit, the Board produced educational video segments regarding cosmetic contact lens and comprehensive eye exams for young elementary school students.

## **Organizational Effectiveness**

Board staff continued updating procedure manuals and began implementing cross-training of staff.

Board staff moved twice to facilitate the remodel of the Board's office. The remodel reduced the total square footage of the office, allowing for a reduction in the Board's rent.

Board staff completed a wide variety of training sessions including implicit bias, supervisory, and HR liaison training.

## 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*

We make effective and informed decisions in the best interest and for the safety of Californians.

#### *Integrity*

We are committed to honesty, ethical conduct, and responsibility.

#### *Transparency*

We hold ourselves accountable to the people of California. We operate openly so that stakeholders can trust that we are fair and honest.

#### *Professionalism*

We ensure qualified, proficient, and skilled staff provides excellent service to the State of California.

#### *Excellence*

We have a passion for quality and strive for continuous improvement of our programs, services, and processes through employee empowerment and professional development.

## Goal 1: Licensing and Registration

*The Board provides applicants and licensees a method 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 and high application standards throughout licensure.
- 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.

This goal will be led and monitored by the Practice and Education and the Dispensing Optician Committees.

## 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.

This goal will be led and monitored by the Practice and Education and the Dispensing Optician Committees.

## 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 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.

This goal will be led and monitored by the Dispensing Optician and the Legislation and Regulation Committees.

## 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.

This goal will be led and monitored by the Consumer Protection and the Public Relations and Outreach Committees.

## 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** Evaluate outside resources available to expand outreach.
- 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 "ptician" 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, and inclusion.

This goal will be lead and monitored by the Consumer Protection and the Public Relations and Outreach Committees.



## 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 various optometric and optical professionals to increase staff understanding of practice and applications of law.

This goal will be led and monitored by the Executive Officers of the Board.

## 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.