

QUARTERLY ENFORCEMENT BULLETIN

ESSENTIAL COMPLAINT PROCESS INFORMATION AND RECENT ENFORCEMENT ACTIONS



Welcome to our first edition!

What Is the Purpose of Enforcement?

Many in the industry whisper that the Board works to inconvenience or punish licensees.

In fact, the Board ensures optometrists and opticians are prepared to practice and stay aware of best practices and confirmed health science. We ensure that a few bad actors won't spoil the bunch.

In 2020, of the more than 17,890 optometrists and opticians—less than 1.5% of Board licensees—received a consumer complaint (273). Suppose we can enable communication and help find resolution between an aggrieved patient and an optometrist rather than issue a citation or submit a case to the Office of the Attorney General?

We do just that. The Board resolves complaints with the lowest level of enforcement action. And in 2020, less than .5% of licensees were issued a citation, fine, or action against their license (86).

The Board protects the health and safety of California consumers and supports the work of well-meaning professionals. So, if you hear from an enforcement analyst:

Don't panic!
Complaints are **not** public information.

Be cooperative with the Board!

Do your best to show compliance!

Be truthful and accurate!

HOW DO I PREVENT BOARD ENFORCEMENT REVIEW?

Do refer patients to ophthalmologists when appropriate—a failure to refer can be unprofessional conduct or incompetence.

Do not see patients if your license is expired, invalid, or waiting to be renewed.

Do not allow new graduates to see patients before they appear on the DCA License Search (<https://search.dca.ca.gov>).

Do not violate drunk or intoxicated driving laws. Indifference to public safety can be grounds for disciplinary action.

HOW DOES THE BOARD HANDLE COMPLAINTS?

Enforcement analysts investigate complaints and work to identify and substantiate alleged violations. The average investigation takes 186 days and may include reports from

other optometrists and sworn-law enforcement officers. If substantiation is not possible, the case is closed without action.

Analysts recommend substantiated cases for administrative or formal disciplinary action. Possible outcomes include:

- License/registration denial.
- Public reproof and flag within the National Practitioner Database.
- Administrative fine.
- Immediate suspension of practice (PC23, Order to Temporarily Suspend).
- Completion of probation terms.
 - Board members (fellow professionals and members of the public, not state employees) set the length and terms of probation according to the education and time needed to address and correct potential sources of consumer harm. Probation is not a punishment but an opportunity to remember and reintegrate professional standards related to the substantiated facts of the case.

Need Answers? Check Out Some Frequently Asked Questions

Q. I GOT AN ENFORCEMENT LETTER! WHAT DO I DO?

- A.** (1) Carefully read the letter, identify the “respond by” date, and respond in a timely manner.
- (2) Check your BreEZe account for license/registration expiration.
- (3) Contact the Board to discuss the issue: (916) 575-7170 Monday through Friday, 8 a.m. to 5 p.m.

Q. HOW LONG DOES IT TAKE TO INVESTIGATE A COMPLAINT?

- A.** Case investigation can vary depending on several factors. The average investigation takes 186 days and may include reports from other optometrists and sworn-law enforcement officers. Another factor can be the release of records from individuals, health care providers, insurance companies, and other governmental agencies.

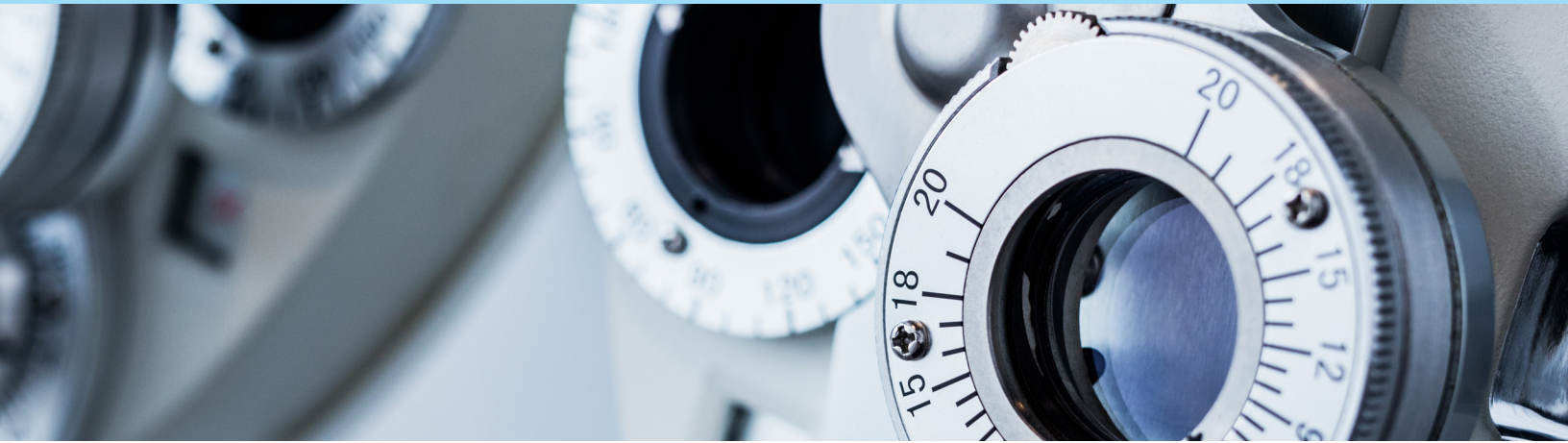
Q. HOW OFTEN ARE FICTITIOUS NAME PERMITS (FNP) RENEWED?

- A.** FNPs are renewed every year on January 31. As a reminder, any name other than your legal name requires an FNP.

Q. I DID NOT RECEIVE A RENEWAL NOTICE FOR MY LICENSE. WHY NOT?

- A.** It is the responsibility of the licensee to maintain their license, including the correct and current address. Always ensure the Board has your correct address of record (AOR) on file. As a reminder, your AOR should not be your home address.

SEE A **HELPFUL SLIDE SHOW** ON THE BOARD’S WEBSITE ABOUT THE DISCIPLINARY PROCESS.



Recent Disciplinary Actions Taken by the Board

For the **most current list** of citations issued and disciplinary actions, please visit the Board’s website: Go to www.optometry.ca.gov, click on the “Consumer” tab, then scroll to “Citations and Disciplinary Actions.”

The California State Board of Optometry provides information* regarding administrative disciplinary actions for immediate access and the convenience of interested persons.

You can also access the online license verification at <https://search.dca.ca.gov> to verify if a licensed optometrist has had any disciplinary action taken against their license or to verify the current status of a license.

OPTOMETRY PROGRAM CITATIONS

Huang, Andy Chien Hsun (OPT 11308) Marina Del Rey
Effective December 16, 2021, a \$2,500 citation was issued to Andy Chien Hsun Huang (OPT 11308) for operating business under a fictitious name permit that is expired and practicing optometry under false or assumed names without first obtaining a written permit from the Board. (BPC §§3078 and 3110(a)).

Nabhan, Sara (OPT 33790) Granite Bay
Effective December 16, 2021, a \$1,000 citation was issued to Sara Nabhan (OPT 33790) for actions leading to the unlicensed practice of optometry (BPC § 3110(a)).

OPTICIAN PROGRAM CITATIONS

Alpha Viana Inc. (RDO 71017) El Monte
Effective December 2, 2021, a \$2,500 citation was issued to Alpha Viana Inc., (RDO 71017) for engaging in the practice of optometry without a license (BPC § 3040).

Stanton Optical #31 (RDO 70824) Bakersfield

Effective September 23, 2021, a \$4,500 modified citation was issued to Stanton Optical (RDO 70824) with an address of record in Bakersfield for disseminating misleading and deceptive advertisements, failure to obtain an RDO registration prior to opening for business, advertising optometry services, and for unprofessional conduct: advertising the furnishing of services of an optometrist (BPC §§651, 2551, 2556(a), and CCR §1399.251).

Stanton Optical #76 (RDO 70946) Chula Vista

Effective September 23, 2021 a \$2,500 modified citation was issued to Stanton Optical (RDO 70946) with an address of record in Chula Vista for failure to obtain an RDO registration prior to opening for business (BPC §2551).

Stanton Optical #108 (RDO 70952) East Fresno

Effective September 23, 2021, a \$2,500 modified citation was issued to Stanton Optical (RDO 70952) with an address of record in East Fresno for failing to obtain an RDO registration prior to opening for business (BPC §2551).

* While the Board believes the information to be reliable, human or technical error remains a possibility, as does possible delay in posting or updating information.

Stanton Optical #15 (RDO 7597) Fair Oaks

Effective September 23, 2021, a \$2,400 modified citation was issued to Stanton Optical (RDO 7597) with an address of record in Fair Oaks for disseminating misleading and deceptive advertisements, advertising optometry services, failure to submit an RDO renewal application prior to the expiration date of the RDO registration, and unprofessional conduct: advertising the furnishing of services of an optometrist (BPC §§651, 2556(a), CCR §§1399.222, and 1399.251).

Stanton Optical #18 (RDO 70534) Fresno

Effective September 23, 2021 a \$3,500 modified citation was issued to Stanton Optical (RDO 70534) with an address of record in Fresno for disseminating misleading and deceptive advertisements, advertising optometry services, failure to submit an RDO renewal application prior to the expiration of the RDO registration, and unprofessional conduct: advertising the furnishing of services of an optometrist (BPC §§651, 2556(a), CCR §§1399.222, and 1399.251).

Stanton Optical #67 (RDO 70827) La Mesa

Effective September 23, 2021, a \$4,500 modified citation was issued to Stanton Optical (RDO 70827) with an address of record in La Mesa for disseminating misleading and deceptive advertisements, failing to obtain an RDO registration prior to opening for business, advertising optometry services, and for unprofessional conduct: advertising the furnishing of services of an optometrist (BPC §§651, 2551, 2556(a), and CCR §1399.251).

Stanton Optical #111 (RDO 70985) Lodi

Effective September 23, 2021, a \$2,500 modified citation was issued to Stanton Optical (RDO 70985) with an address of record in Lodi for failure to obtain an RDO registration prior to opening for business (BPC §2551).

Stanton Optical #64 (RDO 70936) Merced

Effective September 23, 2021, a \$2,500 modified citation was issued to Stanton Optical (RDO 70936) with an address of record in Merced for failure to obtain an RDO registration prior to opening for business (BPC §2551).

Stanton Optical #05 (RDO 7570) Modesto

Effective September 23, 2021, a \$4,500 modified citation was issued to Stanton Optical (RDO 7570) with an address of record in Modesto for disseminating misleading and deceptive advertisements, advertising optometry services, failure to submit an RDO renewal application prior to the expiration date of the RDO registration, and for unprofessional conduct: advertising the furnishing of optometry services (BPC §§651, 2556(a), CCR §§1399.222, and 1399.251).

Stanton Optical #79 (RDO 70937) National City

Effective September 23, 2021, a \$2,500 modified citation was issued to Stanton Optical (RDO 70937) with an address of record in National City for failing to obtain an RDO registration prior to opening for business (BPC §2551).

Stanton Optical #89 (RDO 70909) Oceanside

Effective September 23, 2021, a \$2,500 modified citation was issued to Stanton Optical (RDO 70909) with an address of record in Oceanside for failure to obtain an RDO registration prior to opening for business (BPC §2551).

Stanton Optical #13 (RDO 7575) Roseville

Effective September 23, 2021, a \$4,500 modified citation was issued to Stanton Optical (RDO 7575) with an address of record in Roseville for disseminating misleading and deceptive advertisements, advertising optometry services, failure to submit an RDO renewal application prior to the expiration date of the RDO registration, and unprofessional conduct: advertising the furnishing of services of an optometrist (BPC §§651, 2556(a), CCR §§1399.222, and 1399.251).

Stanton Optical #14 (RDO 7572) Sacramento

Effective September 23, 2021, a \$2,200 modified citation was issued to Stanton Optical, (RDO 7572) with an address of record in Sacramento for disseminating misleading and deceptive advertisements, advertising optometry services, failing to obtain an RDO registration prior to opening for business, and unprofessional conduct: advertising the furnishing of the services of an optometrist (BPC §§651, 2556(a), CCR §§1399.222, and CCR §1399.251).

Stanton Optical #63 (RDO 70826) Salinas

Effective September 23, 2021, a \$4,500 modified citation was issued to Stanton Optical (RDO 70826) with an address of record in Salinas for disseminating misleading and deceptive advertisements, failing to obtain an RDO registration prior to opening for business, advertising optometry services, and for unprofessional conduct: advertising the furnishing of the services of an optometrist (BPC §§651, 2551, 2556, and CCR §1399.251).

Stanton Optical #113 (RDO 70958) San Diego

Effective September 23, 2021, a \$2,500 modified citation was issued to Stanton Optical (RDO 70958) with an address of record in San Diego (Stonecrest) for failing to obtain an RDO registration prior to opening for business (BPC §2551).

Stanton Optical #66 (RDO 70951) Santa Maria

Effective September 23, 2021, a \$2,500 modified citation was issued to Stanton Optical (RDO 70951) with an address of record in Santa Maria for failure to obtain an RDO registration prior to opening for business (BPC §2551).

Stanton Optical #62 (RDO 70828) Santee

Effective September 23, 2021, a \$4,500 modified citation was issued to Stanton Optical (RDO 70828) with an address of record in Santee for disseminating misleading and deceptive advertisements, failing to obtain an RDO registration prior to opening for business, advertising optometry services, and unprofessional conduct: for advertising the furnishings of services of an optometrist (BPC §§651, 2551, 2556(a), and CCR §1399.251).

Stanton Optical #32 (RDO 70825) Stockton

Effective September 23, 2021 a \$4,500 modified citation was issued to Stanton Optical (RDO 70825) with an address of record in Stockton for disseminating misleading and deceptive advertisements, failing to obtain an RDO registration prior to opening for business, advertising optometry services, and unprofessional conduct: for advertising the furnishing of services of an optometrist (BPC §§651, 2551, 2556(a), and CCR §1399.251).

Stanton Optical #19 (RDO 70535) Visalia

Effective September 23, 2021, a \$3,500 modified citation was issued to Stanton Optical (RDO 70535) with an address of record in Visalia for disseminating misleading and deceptive advertisements, advertising optometry services, and failure to submit an RDO renewal application prior to the expiration date of the RDO registration, and unprofessional conduct: for advertising the furnishings of services of an optometrist (BPC §§651, 2556(a), CCR §§1399.222, and 1399.251).

Stanton Optical #94 (RDO 70953) Vista

Effective September 23, 2021, a \$2,500 modified citation was issued to Stanton Optical (RDO 70953) with an address of record in Vista for failure to obtain an RDO registration prior to opening for business (BPC §2551).

Stanton Optical #57 (RDO 70945) Yuba City

Effective September 23rd, 2021, a \$2,500 modified citation was issued to Stanton Optical (RDO 70945) with an address of record in Yuba City for failing to obtain an RDO registration prior to opening for business (BPC §2551).

UNLICENSED PRACTICE CITATIONS

Sire's Crown, Luxury Eco Optical LLC dba Sire's Eyewear (Unlicensed) Baldwin Park

Effective October 27, 2021, a \$5,000 citation was issued to Sire's Crown, Luxury Eco Optical LLC dba Sire's Eyewear (Unlicensed), for failure to obtain an RDO registration before opening for business, failure to display each certificate in a conspicuous place at the certified place of business, and for engaging in the business of filling prescriptions of physician and surgeons or optometrists prior to obtaining a registration (BPC §§2551, 2553, and 2556.5).

PENDING ACCUSATIONS

Fausset, Thomas Mark (OPT 8223) Los Angeles

On August 17, 2021, a second amended accusation was filed against the license of Thomas Mark Fausset (OPT 8223), with an address of record in Los Angeles for failure to comply with order to compel mental examination, convictions of substantially related crimes, and dangerous use of alcohol (BPC §§490, 821, 3110(k), (l), and CCR title 16 §1517).

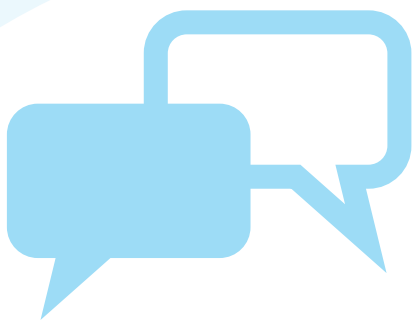
Haghverdian, Argina (OPT 33807) Northridge

On July 30, 2021, an accusation was filed against the license of Argina Haghverdian (OPT 33807), with an address of record in Northridge for unprofessional conduct and employing unlicensed optometrist (BPC §§ 3110 (a) and (t)).

Ask an Analyst Is Here!

Do you have a general question?

Submit your questions to optometry@dca.ca.gov and look for the answer in the next edition of the *Enforcement Bulletin*! Be sure to include *Enforcement Bulletin* in the subject line.



How Are We Doing?

The California State Board of Optometry strives to provide the best possible customer service. Please help us by taking a few minutes to complete our brief customer service satisfaction survey [here](#). Your participation is greatly appreciated.



California State Board of
Optometry

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