

The mission of the California State Board of Optometry is to protect the health and safety of California consumers through licensing, registration, education, and regulation of the practice of Optometry and Opticianry.

MEMBERS OF THE BOARD

Mark Morodomi, JD, President
 Glenn Kawaguchi, OD, Vice President
 Debra McIntyre, OD, Secretary
 Cyd Brandvein
 Jeffrey Garcia, OD
 David Turetsky, OD
 Lillian Wang, OD
 Vacant, Public Member
 Vacant, Public Member
 Vacant, Public Member
 Vacant, Optician Licensed Member



APPROVED BOARD MEETING MINUTES
Friday, November 20, 2020

This public meeting was held via WebEx Events.

Members Present	Staff Present
Mark Morodomi, President	Shara Murphy, Executive Officer
Glenn Kawaguchi, Vice President	Cheree Kimball, Assistant Executive Officer
Debra McIntyre, Secretary	Marc Johnson, Policy Analyst
Cyd Brandvein	Natalia Leeper, Licensing Coordinator
Jeffrey Garcia, OD	Rebecca Bon, Legal Counsel
David Turetsky, OD	Matt McKinney, Enforcement Analyst
Lillian Wang, OD	

Link for the audio of discussion: <https://youtu.be/FiBNsfUJHcq>

OPEN SESSION

1. Call to Order / Roll Call and Establishment of a Quorum

Audio of Discussion: [0:10 / 1:47:48](#)

President Morodomi called the meeting to order at 10:32 a.m. All members were present, and a 7-0 quorum was established.

2. Public Comment for Items Not on the Agenda

Audio of Discussion: [1:38 / 1:47:48](#)

There was no public comment.

3. President's Report

A. Recognition of Past Board and Committee Members

Audio of Discussion: [5:01 / 1:47:48](#)

President Morodomi recognized the former board and committee members whose terms expired this last year. He demonstrated appreciation for their service by providing them with certificates. The former board and committee members are Madhu Chawla, O.D., Rachel Michelin, Maria Salazar-Sperber and Martha “Ruby” Garcia, SLD, CLD. The former committee member is Kanchan Mattoo.

President Morodomi noted that Dr. Chawla had a significant impact on the Board and the profession. She was appointed in 2012 which may make her the longest-serving president in Board of Optometry history. He commented that Dr. Chawla reformed the processes of the Practice and Education Committee; shepherded numerous amendments to continuing education; and tracked the changes in technology; how they affect the profession and how the Board needs to adapt its laws and regulations.

President Morodomi recognized Ms. Garcia. He commented that she has served on the Board since 2016 and is a founding member of the Dispensing Optician Committee. She tirelessly championed professional education and oversaw the Board’s passage of the (first in history) disciplinary guidelines for optician professionals. He noted that Ms. Garcia was more than a founding member; she was a pioneer. He commented that Ms. Garcia helped mold the regulation and licensing of opticians.

President Morodomi recognized Ms. Michelin. He commented that Ms. Michelin served as Secretary for several years and was appointed by Jerry Brown in 2016. He commented that Ms. Michelin championed the Board’s efforts to expand comprehensive eye exams for California children.

President Morodomi recognized Ms. Sperber. He commented that Ms. Sperber served as the other attorney on the Board. She came to the Board with a long history of advancing health care in her day job. Additionally, she was a wise source of counsel regarding the ways of Sacramento and the Legislature. She was chair of the Public Outreach Committee.

President Morodomi recognized Kanchan Mattoo who was appointed by this Board to the Dispensing Optician Committee (DOC). He noted that Mr. Mattoo was also a founding member of that Committee helping with historic work and creating the new regulations regulating the practice of opticianry.

Dr. Kawaguchi commented that Ms. Garcia is such a visionary and forward thinker. He knows that she will continue to have an impact on our industry and our paths will cross in the future. Dr. McIntyre thanked Dr. Chawla for her guidance and thanked Ms. Michelin for her input at the meetings and her insight into legislation, which will be hard to replace. Dr. Turetsky commented that in his professional career, this has been one of the most enjoyable times he has ever had learning, arguing and gaining perspectives from the other Members. Ms. Brandvien expressed gratitude to everyone for the groundbreaking work in leveling up the education program, posture on the Legislative floor, and regulatory work accomplished.

Ms. Garcia stated that it was an honor to serve on the Board with all these gifted individuals. Ms. Sperber thanked the members and wished everyone the best. Dr. Chawla thanked everyone for the kind words and commented that it was a privilege to work with everyone and serve on the Board. Mr. Mattoo also expressed gratitude to Ms. Garcia for leading the charge.

There was no public comment.

4. Update, Discussion, and Possible Action on 2021 – 20XX Optometry Board Strategic Plan

Audio of Discussion: [22:23 / 1:47:48](#)

Dr. Turetsky noted that the Board attempted to ensure that the Board's input and stakeholder's input was incorporated into the Strategic Plan. Overall, he believes the Board obtained a good consensus and the best manner of presenting the plan to the Legislature and DCA. Dr. Kawaguchi thanked the Board and stated that they made the job easier to refine, execute, and measure success for the consumers.

President Morodomi commented that when the Board first embarked on this process, he was concerned that members may have overextended themselves. He is satisfied that this is not the case. He reminded members that in four years when the Sunset Review comes up, the Board will be evaluated on the accomplishments of its strategic plan. He noted that Drs. Turetsky and Kawaguchi added some language regarding diversity which members should review. President Morodomi asked Ms. Murphy to assign a committee to each of the Strategic Plan goals to become the leaders of the tasks. Dr. Turetsky suggested edit changes about AB 458 (Nazarian) which permits ODs to make house calls to homebound seniors. Dr. Turetsky suggested changing the text from "homebound seniors" to "homebound individuals".

Dr. Kawaguchi asked President Morodomi to look at the workgroup's added suggestion for Goal 1.6. which states *"create better consumer outcomes for marginalized populations by the implementation of a multi-step action plan educating licensees about concepts of diversity, equity, and inclusion. Go beyond outreach to consider regulation, budget change proposals and content development"*. President Morodomi believes this topic needs to be explored further before enacting anything or setting an action plan. He suggested editing the text from "Create better consumer outcomes..." to "Explore and, if necessary, create better consumer outcomes...". Dr. Kawaguchi agreed that continued exploration is needed.

Ms. Brandvein requested a bit more content around the last sentence "Go beyond outreach to consider regulation, budget change proposals and content development". She would like to see clarification of what budget change proposals and content development mean. Dr. Kawaguchi replied that "we do not yet know". This is an area that the Board would like to explore. Ms. Brandvein suggested striking that part and leaving it at "explore" for now. Dr. Turetsky noted that public comments have suggested that since this Board is a consumer protection board, dealing with issues of this nature may be outside of its mandate. He argued that he disagrees with this because part of being a consumer protection board is ensuring that we relate to the patients we are serving regarding cultural diversity and cultural competency.

Dr. Turetsky suggested that perhaps in the future the Board might consider adding two continuing education (CE) credits on cultural competency and diversity to the CE requirements. Dr. Wang replied that the request for cultural CE might need to come under “miscellaneous” to be accepted. She is not aware of any CE lectures on cultural diversity so mandating this might make it difficult for many optometrists. Therefore, it may be best for this to be a course that the Board would accept under the “miscellaneous” category.

President Morodomi asked if Members would like to place this under a different goal? Dr. Wang commented that perhaps it would apply best under outreach. Dr. Kawaguchi noted that it could apply under any of the categories. President Morodomi suggested placing it under outreach since the Board would want more input from the public before taking any formalized action. Dr. McIntyre argued that the wording is too vague and suggested adding additional wording such as “creating greater access to care”. Members discussed various ideas for the wording of Goal 1.6. Members reached a consensus on “*Evaluate and create better consumer outcomes such as access to care and addressing patient needs for marginalized populations by the implementation of a multi-step action plan educating licensees about concepts of diversity, equity, and inclusion*”. Members arrived at a consensus to move Goal 1.6 to outreach.

There was no public comment.

Lillian Wang moved to adopt the Board’s 2021-2025 Strategic Plan as amended during today’s discussion which is moving the diversity language from licensing and registration to Goal: 5 – Outreach, along with the language changes that were discussed today. Cyd Brandvein seconded. The Board voted (6-Aye, 1-No) and the motion carried.

Member	Aye	No	Abstain	Absent	Recusal
Mr. Morodomi	X				
Dr. Kawaguchi	X				
Dr. McIntyre	X				
Ms. Brandvein	X				
Dr. Garcia	X				
Dr. Turetsky		X			
Dr. Wang	X				

CLOSED SESSION

The Board went into closed session at 11:35 a.m. Open session resumed at 12:30 p.m.

5. Discussion and Possible Action on Board Meeting Minutes

- A. August 13 and 14, 2020 Meeting**
- B. September 18, 2020 Meeting**
- C. October 23, 2020 Meeting**

Audio of Discussion: [1:01:16 / 1:47:48](#)

President Morodomi brought forth one edit needed in the August 13 and 14, 2020 draft minutes. The September 18, 2020 draft minutes and the October 23, 2020 draft minutes will be addressed at a future meeting.

There were no requests for public comment.

Lillian Wang moved to approve the August 13 and 14, 2020 Meeting Minutes. Debra McIntyre seconded. The Board voted unanimously (7-0) and the motion passed.

Member	Aye	No	Abstain	Absent	Recusal
Mr. Morodomi	X				
Dr. Kawaguchi	X				
Dr. McIntyre	X				
Ms. Brandvein	X				
Dr. Garcia	X				
Dr. Turetsky	X				
Dr. Wang	X				

6. Department of Consumer Affairs Update

A. Executive Office

Audio of Discussion: [1:04:16 / 1:47:48](#)

Carrie Holmes, Department of Consumer Affairs Deputy Director, provided an update. She reported that after temporary closure in March due to state and local stay at home orders, DCA offices remain open with preventative measures to safeguard the health and safety of our employees and visitors. DCA continues to partner with the Governor’s Office and Business and Consumer Services and Housing Agency on statewide efforts related to awareness and enforcement of public health measures. In April, DCA and all boards and bureaus worked to limit expenditures and hiring to those only necessary to support core functions and emergency response activities. Additionally, this week DCA learned the Department will be required to take a 5% permanent budget reduction no later than FY 2021-2022. Each board and bureau will need to develop a plan for a 5% permanent budget reduction. DCA will be working with the board staff immediately to identify a plan that best fits the board’s operational needs.

Ms. Holmes provided an overview of the Board of Optometry appointments. Currently, the Board has four vacancies. She requested that if any of the Members know of any great candidates, or if any members of the public attending the meeting are interested in becoming involved, to please find the link titled “*Board Member Resources*” on DCA’s home page to apply for an appointment.

B. Budget Office

Ms. Murphy announced that the budget report has been submitted within the materials.

There was no public comment.

7. 2021 Board Meeting Dates

Audio of Discussion: [1:17:37 / 1:47:48](#)

Ms. Murphy announced that as of January 2020, it is no longer necessary to approve this calendar; additionally, staff greatly welcome and appreciate feedback from the Members.

There was no public comment.

8. Future Agenda Items

Audio of Discussion: [1:16:08 / 1:47:48](#)

Dr. Kawaguchi asked that the Board seek clarity and understanding for when optometrists, SLDs, and CLDs receive COVID-19 vaccines. The Board may be a conduit of information to licensees and optician registrants. Dr. Kawaguchi also requested discussion around the 5% permanent budget cut.

There was no public comment.

9. Executive Officer's Report

A. Examination and Licensing Program

B. Enforcement Program

C. Policy and Outreach Update

D. Update on the Board's Response to COVID-19

Audio of Discussion: [1:18:56 / 1:47:48](#)

Ms. Leeper reported on the examination and licensing program. Both DCA and the Association of Regulatory Boards of Optometry (ARBO) extended their CE extensions. DCA is accepting CE extensions for CE requirements for licensees who expire December 31, 2020. ARBO has extended offering live online courses through June 30, 2021. PSI locations in California for the California Laws and Regulations Exam (CLRE) is still at limited capacity; however, most 2021 graduates have already applied to take the law exam or plan to do so soon. The current processing time for optometry applications is 6-8 weeks which staff wishes to maintain. The opticianry application processing times are 4-6 weeks, but staff anticipates that this processing time may lengthen due to the loss of a staff member. American Board of Opticians (ABO) testing locations are also offered at limited capacity; however, they are offered continuously rather than quarterly. Staff is still receiving the same number of applications as received in previous years.

President Morodomi asked what the Board's expectation is in obtaining a draft regulation presented to the Board regarding giving the Board power to allow (in emergencies) that graduates do not have to take the Part III immediately upon graduation to practice. Ms. Murphy reminded members that the Board has a few different avenues for action and change within that area. She explained that staff continues to work with stakeholders in developing a case for emergency regulations, and have a conversation with the Senate Business and Professions and Assembly Business and Professions consultants regarding the potential for Sunset Review legislation that will allow the Board greater flexibility within the statute. Additionally,

staff continues to have strategy sessions with the Office of Professional Examination Services (OPES) regarding potential verification outside of the use of the Part III portion of the examination - the use of some substitute deemed appropriate by the Board.

Mr. Garcia asked why the optometry law exam is not offered more often and asked about the pass rate. Ms. Murphy explained that staff is responsible for working with OPES to create text bank questions for utilization. Staff holds Subject Matter Experts (SME's) workshops every six months to create new exams. The Board is working without a line item within the budget for our examination development. Staff would like to have the exam offered more often but it would require substantial investment by the Board in creating new exams every 2 or 3 months to prevent compromise of the test bank. Dr. Wang noted that the other professional health boards (medical, dental, etc.) all offer their exam every six months as well. Dr. Garcia inquired whether his understanding is correct; that if an applicant fails the exam, the applicant must wait six months to retake the exam; Ms. Murphy confirmed that this is correct.

Dr. Kawaguchi continues to feel that the numbers provided are not an accurate reflection of the speed at which staff can process an application once all documents and information are received by staff. He is aware that, in the processing forum, that many applicants will start their process before they are even able to submit all their documents. He noted that the appearance is that staff can process paper applications more quickly than applications via BreEZe. Dr. Kawaguchi wants licensees to have an accurate understanding of the Board's efficiencies and the benefits of BreEZe. Ms. Murphy explained that staff continues to look for a way in which BreEZe can assist staff in delineating those times; however, there has been a great change in licensing staff.

President Morodomi announced that he will be appointing Ms. Brandvein as chair of the Outreach Committee. He suggests merging the Consumer Protection Meeting with the Outreach Committee due to their overlapping purposes.

There was no public comment.

10. Update, Discussion, and Possible Action on Optometry Board Sunset Review

This item was not taken up.

Adjournment

Meeting adjourned at 1:18 p.m.