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Lillian Wang, O.D., President  
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Glenn Kawaguchi, O.D.  
Joseph Pruitt, O.D.  
Sandra D. Sims, J.D., Public Member  
David Turetsky, O.D.  
Donald Yoo, J.D.  
Vacant, Optician Licensed Member



**LEGISLATION AND REGULATION COMMITTEE  
TELECONFERENCE MEETING MINUTES**

**Friday, October 22, 2021**

**This public meeting was held via WebEx Events.**

**MEMBERS OF THE COMMITTEE**

David Turetsky, O.D., Chair  
Glenn Kawaguchi, O.D.  
Eunie Linden, J.D.  
Mark Morodomi, J.D.  
Sandra D. Sims, J.D.

<b>Members Present</b>	<b>Staff Present</b>
David Turetsky, O.D., Chair	Cheree Kimball, Assistant Executive Officer
Glenn Kawaguchi, O.D.	Marc Johnson, Policy Analyst
Eunie Linden, J.D.	Terri Villareal, Enforcement Lead
Sandra Sims, J.D.	
<b>Member Absent</b>	
Mark Morodomi, J.D.	

Link for video: <https://www.youtube.com/watch?v=8t-qRICwfBo>

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

Dr. Turetsky called the meeting to order at 12:30p. A 4-1 quorum was established. Mark Morodomi was not present.

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

A letter from Dr. John Kim regarding waiver of fees for military members was included as public comment in the packet. There were no other public comments.

**3. Discussion and Possible Action to Adopt April 23, 2021 Legislation and Regulation Committee Meeting Minutes**

Video: <https://youtu.be/8t-qRICwfBo?t=200>

Members had no changes. There was no public comment.

**Glenn Kawaguchi motioned to accept the minutes as presented. Eunie Linden seconded. Motion passes 4-0-1.**

<b>Member</b>	<b>Aye</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Turetsky	X			
Kawaguchi	X			

Linden	X			
Morodomi				X
Sims	X			

**4. Discussion and Possible Action on 2021-2025 Strategic Plan Items Relevant to the Committee**

Video: <https://youtu.be/8t-qRICwfBo?t=387>

Dr. Turetsky referred members to the meeting materials, which contained a list of strategic plan items relevant to the committee. He outlined goal area #3, law and regulation, which the committee will be tracking and working on. Staff will report progress to the LRC at future meeting.

Item # 3.1 - Policy Analyst Marc Johnson pointed out the occupational analysis for optometric assistants was underway and would inform item 3.1.

Item # 3.2 – Mr. Johnson noted the mobile optometric office rulemaking package was in process.

Item # 3.3 – Mr. Johnson asked the committee for further direction on telemedicine research. Dr. Turetsky noted the Board discussed the issue in previous meetings in 2019. Dr. Kawaguchi suggested looking at Minnesota and other states and the ARBO would be sharing information on this issue. Staff will continue working with the workgroup on the telemedicine issue.

Item # 3.4 – Mr. Johnson noted AB 1534 gave the Board authority to collect a fee for license verifications.

Item # 3.5 – Staff will work with DCA’s legislation and regulation committee to determine if the Board can track federal legislation.

There was no public comment.

**Eunie Linden moved to accept goal #3 as written and move forward to present to full board. Sandra Sims seconded. 4-0-1 motion passed.**

Member	Aye	No	Abstain	Absent
Turetsky	X			
Kawaguchi	X			
Linden	X			
Morodomi				X
Sims	X			

**5. Update, Discussion, and Possible Action on the Following Rulemaking Packages**

- a. Optician Program Omnibus Regulatory Changes (Amend Title 16, §§ 1399.200 – 1399.285)
- b. Dispensing Optician Disciplinary Guidelines (Amend Title 16, § 1399.273)
- c. Implementation of AB 458 (Adopt Title 16, §1507.5; Amend Title 16, § 1524)
- d. Implementation of AB 443 (Amend Title 16, § 1524; Adopt Title 16, § 1572)

- e. Optometry Continuing Education Regulations (Amend Title 16, § 1536)
- f. Requirements for Glaucoma Certification (Amend Title 16, § 1571)
- g. Optometry Disciplinary Guidelines (Amend Title 16, §1575)
- h. Implementation of AB 896 (Adopt Title 16, §§1583 – 1586)

Video: <https://youtu.be/8t-qRICwfBo?t=1754>

Mr. Johnson provided a recap of the Board’s existing rulemaking packages, like what is given to the Board. He referred members to the memo in the packet and noted the Board has had staff shortages which has prevented work being done on the rulemaking packages. He requested the committee prioritize the packages in order to better direct staff’s work.

Mr. Johnson noted the continuing education regulatory package has been submitted to legal for review and the implementation of AB 896 package was next for completion. Dr. Turetsky agreed with the prioritization as set out in the materials. Dr. Kawaguchi asked staff provide some clarification on how the packages are prioritized.

**Glenn Kawaguchi moved to accept prioritization of packages as presented and provide an update at the next board meeting. Sandra Sims seconded. 4-0-1 motion passed.**

Member	Aye	No	Abstain	Absent
Turetsky	X			
Kawaguchi	X			
Linden	X			
Morodomi				X
Sims	X			

There was no public comment.

**6. Update, Discussion and Possible Action on Tracked 2021 Legislation**

- a. Assembly Bill 407 (Salas and Low) Optometry: scope of practice
- b. Assembly Bill 691 (Chau) Optometry: SARS-CoV-2 vaccinations: SARS-CoV-2 clinical laboratory tests or examinations
- c. Assembly Bill 1534 (Committee on Business and Professions) Optometry: mobile optometric clinics: regulations.
- d. Senate Bill 509 (Wilk) Optometry: COVID-19 pandemic: temporary licenses

Video: <https://youtu.be/8t-qRICwfBo?t=2344>

Mr. Johnson referred members to the materials with the listing of bills and comments staff has made. He asked the committee to provide any feedback on the listed bills and noted AB 691 and SB 509 have forms listed in law which staff has begun implementing. Dr. Turetsky asked if the insurers had any concerns with temporary licensure.

Public comment was made by Kristine Schultz from California Optometric Association. She has been talking with Vision Service Plan and they have no concerns with temporary licensure and noted COA would be doing outreach on scope of practice changes made by AB 407.

**7. Discussion and Possible Action on 2022 Legislative Proposals; Possible Recommendation to Full Board**

Video: <https://youtu.be/8t-qRICwfBo?t=2936>

Dr. Turetsky noted in the materials a public comment regarding active duty service member fees and felt the Board should act to remove these fees. Mr. Johnson noted staff would need to talk to legal counsel and the legislature to determine the best approach. Dr. Kawaguchi said the issue has not come up and is likely more complicated than the letter states; he wondered if a regulation package would be appropriate.

Dr. Turetsky asked if the Board could potentially waive the fees for military licensees under existing authority; Mr. Johnson replied he would need to research the issue and come back with information. Ms. Sims asked for more detail from the letter. Dr. Kawaguchi asked that the Board look at the larger issue of license portability with other states. Staff will also work with Dr. Garcia on military issues.

Mr. Johnson referred to legislative proposals for 2022 as listed in the packet. Staff will work to find a legislative author.

**Eunie Linden accepted proposals as in packet and recommended they be brought to the full board. Sandra Sims seconded. Sandra Sims seconded. 4-0-1 motion passed.**

<b>Member</b>	<b>Aye</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Turetsky	X			
Kawaguchi	X			
Linden	X			
Morodomi				X
Sims	X			

## **8. Future Agenda Items**

Committee members had no items. There was no public comment.

## **9. Adjournment**

Meeting adjourned at 1:36 p.m.