



ISSUE MEMORANDUM

DATE	March 17, 2023
TO	Board Members, California State Board of Optometry (CSBO)
FROM	Gregory Pruden, Interim Executive Officer
SUBJECT	Agenda Item #8 – Association of Regulatory Boards of Optometry (ARBO) OE Tracker and CSBO Continuing Education (CE) Audit Program

Purpose: To provide a status update on staff efforts related to the ARBO OE Tracker and CSBO CE Audit Program.

A. ARBO OE Tracker and BreEZe

Pursuant to Board-direction, staff have been exploring the feasibility of linking the ARBO OE Tracker with the BreEZe system. Preliminary conversations have occurred with the DCA BreEZe team. To achieve this functionality, an extensive scoping plan would be required to map the current CE audit process. Following the mapping process, compatibility between the two systems would be explored. As mentioned in Agenda Item #6A, the Board will be undergoing a process mapping project with DCA this year. Once the mapping process is completed, the BreEZe team would be positioned to design system functionality. Once the BreEZe team begins designing functionality, given priorities and processes, it could take a year for functionality linking the two systems to exist. Staff will continue its present efforts to improve its CE audit program, as outlined below, and will continue exploring system linkages.

B. CSBO CE Audit Program

Background: During the last sunset review in 2020, the Board was faulted for shortcomings in its CE audit program. The sunset report noted that the Board was falling short of its goal to audit 5% of licensees every year and noted that there was a high-failure rate of 31% for those audits that were performed. The Board committed to improving the rate of CE audits performed and increasing its communication with licensees and stakeholders to spread awareness that the Board would be more active in this area.

Unfortunately, little progress was achieved in this area over the course of 2021 and 2022, as a key staff member was out with an extended illness, the Board pursued additional enforcement resources, and examined its processes. Staffing resources are now in place and the Board is actively performing CE audits each month. The Board

audits its current active optometrist population by randomly selecting 5% of licensees who renewed and indicated they completed the CE requirement. Staff expects to begin reporting the audit pass and fail rates at the May 12, 2023 meeting.

The Board also wants to remind licensees that staff is being active in performing random CE audits and that they may hear from us if selected. Many licensees utilize the ARBO OE Tracker for organizing their CE attendance, and the Board's regulations authorize the Board to use the ARBO OE Tracker system as proof of CE compliance. To assist licensees and the Board in the audit process, I encourage all licensees to utilize OE Tracker and upload any certificates, especially for courses taken or credit earned from other organizations. When selected for an audit, Board staff can look up a licensee's CE hours on OE Tracker and determine compliance. If all the requirements are met, the audit is concluded and the audit is passed. The auditee is then notified that they were randomly selected and passed the audit. If additional information is required because not enough information has been uploaded to ARBO OE Tracker, you should expect to receive a letter requesting proof of compliance to your address of record. Please make sure that you keep this address updated with the board. The board appreciates cooperation and attention to the CE audit process and encourages licensees to utilize the ARBO OE Tracker system as a means of complying with and successfully passing an audit if selected.

The Board will continue to provide outreach to licensees and stakeholders regarding its work in this area.

Requirements: The Board's Continuing Education requirements apply to optometrists and not opticians. Accordingly, pursuant to [Business and Professions Code \(BPC\) section 3059](#), all active or retired volunteer licensed optometrists must complete CE every two years as a condition of renewal. Licensees on inactive or retired status (not volunteer) do not need to complete CE for renewal. Additionally, new optometry licensees, who were issued their license within one year of graduation, do not need to complete CE hours for their first renewal.

Non-Therapeutic Pharmaceutical Agent (TPA) Licensed Optometrists:

Under Title 16 of the California Code of Regulations (CCR) section 1536, all non-TPA licensed optometrists must complete 40 hours of Board-approved CE every two-year renewal period to renew their license as active status.

TPA-Certified Licensed Optometrists:

Under BPC section 3059, all TPA-certified licensed optometrists must obtain 50 hours of CE. 35 of the required 50 hours of Continuing Education shall be on the diagnosis, treatment, and management of ocular disease in any combination of the following areas:

- Glaucoma.
- Ocular infection.
- Ocular inflammation.
- Topical steroids.
- Systemic medication
- Pain medication, including the risks of addiction associated with the use of Schedule II drugs.

TPG or TLG Certified Licensed Optometrists:

Licensed optometrists who are TPG or TLG certified must follow the same continuing education requirements as TPA-certified optometrists. Additionally, glaucoma-certified optometrists are required to complete 10 hours of glaucoma-specific continuing education every license renewal period under CCR section 1536(l). These 10 hours shall be part of the 35 hours on the diagnosis and treatment and management of ocular disease.

C. Discussion and possible action regarding CE Courses and Topics

As Board staff has been reviewing its CE audit processes, staff discovered that there are some ARBO COPE-accredited courses for which it is difficult to determine compliance with Board requirements. Some of these courses, such as pharmacology or PH-designated courses, may be outside of the statutory requirements as they exist in Business and Professions Code section 3059(e). Other ARBO COPE courses are in categories for which the Board lacks criteria to determine how to apply the course for purposes of determining whether a license is compliant with the CE requirements. In researching this issue, staff has identified that boards in other jurisdictions have created guides to address this issue (see New Jersey State Board of Optometrists COPE Category and Code: <https://www.njconsumeraffairs.gov/opt/Documents/cope-category-and-code.pdf>)

The Board should consider having the Practice and Education Committee explore this issue in more depth.



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COPE Category and Code

Contact Lens ***(CL) -Regular Credit***
Functional Vision/Pediatrics ***(FV) -Regular Credit***
General Optometry ***(GO) - Regular Credit***
Glaucoma ***(GL) - TPA Credit***
Injectables ***(IS)- Orals***
Jurisprudence ***(JP)- Regular Credit***
Low Vision ***(LV) -Regular Credit***
Neuro-Optometry ***(NO)- TPA Credit***
Peri-Operative Management of Ophthalmic Surgery ***(OS)- TPA Credit***
Pharmacology ***(PH)- TPA Credit***
Practice Management ***(PM) -Regular Credit***
Principles of Diagnosis ***(PD)- TPA Credit***
Refractive Surgery Management ***(RS)- TPA Credit***
Treatment & Management of Ocular Disease: Ant. Seg. ***(TA) & (AS)- TPA Credit***
Treatment & Management of Ocular Disease: Post. Seg. ***(PS)- TPA Credit***
Systemic/Ocular Disease ***(SD)- TPA Credit***

Oral TPA Codes- (OP), (PH) & (PO)

The above list can be used as a guideline for COPE courses, but the Board reserves the right on a case by case basis to determine otherwise upon review of courses submitted by audited licensees.

REGULAR CREDIT

CL, FV, GO, JP, LV, PM

TPA CREDIT

AS, GL, NO, OS, PD, PH, PS, RS, SD, TA

ORAL TPA

OP, PH, PO, IS