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To: Board Members

Date: January 27, 2017

From: Joanne Stacy
Policy Analyst

Telephone: (916) 575-7182

Subject: Agenda Item 17 – Update, Discussion, and Possible Action on Implementing AB 1359; Proposed Amendments to CCR § 1568 Relating to Therapeutic Agents Certification Requirements

[Assembly Bill 1359 \(Nazarian\)](#), which passed in 2015, changed some of the requirements for a therapeutic pharmaceutical agents (TPA) certification. The bill deleted certain requirements for an applicant for a TPA certification who graduated from a California accredited school of optometry, prior to January 1, 1996. Previously, applicants were split into 3 categories based upon when they graduated from an accredited school of optometry – prior to January 1, 1992, January 1, 1992 to January 1, 1996 and after January 1, 1996.

The bill removed the categories and created a cutoff at graduating prior to January 1, 1996 and most notably, removed completing a didactic course of at least 80 classroom hours requirement. The bill would require an applicant to complete a preceptorship of at least 65 hours, with either a TPA-certified optometrist in good standing or a physician and surgeon board-certified in ophthalmology in good standing, and requires the applicant to complete a minimum of 100 hours of directed and accredited education in ocular and systemic diseases course.

Previously, optometrist who graduated from an accredited school of optometry on or after January 1, 1992, and before January 1, 1996, were exempt from the didactic course of at least 80 classroom hours. AB 1359 would delete the distinction for an optometrist who graduated from an accredited school of optometry on or after January 1, 1992, and before January 1, 1996, and instead require such an applicant to meet the requirements for the issuance of a TPA certification that apply to an applicant who graduated from a California accredited school of optometry, prior to January 1, 1996.

Also, before the passage of SB 1359 the Board is authorized to grant TPA certification to an applicant who graduated from a California accredited school of optometry, on or after January 1, 1996, and is licensed as an optometrist in the state if certain requirements are met, including completing 10 hours of experience with a board certified ophthalmologist. This bill would delete certain requirements for an applicant for a therapeutic pharmaceutical agents certification who graduated from a California accredited school of optometry, on or after January 1, 1996, and is licensed as an optometrist in the state, and would instead require such an applicant to pass all sections of the National Board of Examiners in Optometry's national board examination or its equivalent, as determined by the board, in order to be granted a therapeutic pharmaceutical agents certification.

The TPA certification application (Attachment 1) which is incorporated by reference is outdated due to the changes in statute. The form still includes the requirements prior to the passage of AB 1359 and has not been updated since 1996. Additionally, the [California Code of Regulations \(CCR\) Section 1568](#) restates the original statute – this makes the CCR redundant to [B&P §3041.3](#) in addition to being incorrect. Amended language (Attachment 2) removed the redundancies and updates the form (Attachment 3) to reflect the changes from AB 1359.

Action Required:

Please review, consider, and vote to approve the proposed language. If approved, please delegate authority to the Executive Officer to initiate the rule making process and circulate the language for the required time period.

Attachments:

1. TPA Certification_TPA-1 Rev 4.96
2. CCR §1568 Language
3. TPA Certification_TPA-1 Rev 1.17



BOARD OF OPTOMETRY
400 R STREET, SUITE 1070, SACRAMENTO, CALIFORNIA, 95814-6200
TELEPHONE: (916) 323-8720



APPLICATION FOR TPA CERTIFICATION

The information is required under Sections 3041.3 and 3152.5 of the Business and Professions Code. All terms of information requested are mandatory. Failure to provide any of the requested information will result in the application being rejected as incomplete. The information provided will be used in determining qualification for TPA licensure. The official responsible for the maintenance of this information is the Executive Officer. The information may be transferred to other interagency or inter governmental agency, and/or enforcement agencies. Each individual has the right to review the files or records maintained on them by the agency, unless the records are identified as confidential information and exempted in Section 1798.3 of the Information Practices Act.

FOR OFFICIAL USE ONLY
Receipt Number

APPLICATION FEE \$25.00

PLEASE TYPE OR PRINT LEGIBLY

1. Name: (First) (Middle) (Last)
2. Address: (Number and Street) CA Optometry License No.:
(City) (State) (Zip) Telephone
3. Education: Name of school or college, or residency review committee in ophthalmology, at which you completed the didactic course (80 hours minimum) in the diagnosis, pharmacological, and other treatment and management of ocular disease. Certification of course completion and passage of the final examination must be received by the board from the institution attended.
(Name of Institution):
(Address of Institution):
(Course Completion Date):
4. Self Directed Education: Have you completed at least 20 hours of self-directed education as required under Section 3041.3 (b) (3)?
Yes No If no, your application will be rejected as incomplete.

I declare under penalty of perjury under the laws of the State of California that the information given by me in completing this application, and any attached information, is true and I understand and agree that any misstatements of material facts herein may be cause for denial of this application or for subsequent suspension or revocation of my certificate of registration to practice optometry in California.

DATE: SIGNATURE OF APPLICANT:



BOARD OF OPTOMETRY
400 R STREET, SUITE 1070, SACRAMENTO, CALIFORNIA, 95814-6200
TELEPHONE: (916) 323-8720



**INFORMATION AND INSTRUCTIONS FOR CALIFORNIA LICENSED OPTOMETRISTS
APPLYING FOR THERAPEUTIC PHARMACEUTICAL AGENTS (TPA) CERTIFICATION**

Following you will find a checklist of requirements along with instructions for completing your application package:

(1) APPLICATION FEE: \$25.00 The \$25 application fee must accompany your application and is not refundable.

***(2) TPA DIDACTIC COURSE & FINAL EXAMINATION:** If you graduated from an accredited school or college of optometry prior to January 1, 1992, you must successfully complete a didactic course of at least 80 classroom hours in the diagnosis, pharmacology, and other treatment and management of ocular disease offered by an accredited school or college of optometry or recognized ophthalmological residency review committee **in California** and given after July 1, 1992. Certification of course completion and passage of the final examination must be received by the board from the institution attended to satisfy this requirement.

***(3) TMOD EXAMINATION:** If you graduated from an accredited school or college of optometry prior to January 1, 1992, you must successfully pass the National Board of Examiners in Optometry (NBEO) TMOD examination administered after July 1, 1992. A copy of your TMOD scores must be submitted to the board office. You should contact the office of the NBEO at (301) 652-5192 to request that a copy of your TMOD scores be sent to the board.

(4) PRECEPTORSHIP: All applicants must complete a preceptorship of no less than 65 hours in no less than two-months nor more than one-year in an ophthalmologist's office or optometric clinic. *Preceptor's service shall be authorized by an accredited school or college of optometry, or recognized ophthalmological residency review committee in California. Preceptors shall be board (ABMS)- certified ophthalmologists and must be in good standing with the Medical Board.* The board's "Preceptor Completion Verification" form provided by the school or college of optometry, or residency review committee, must be submitted to the applicable institution upon completion of the preceptorship for endorsement and forwarding to the board office.

(5) SELF DIRECTED EDUCATION: All applicants must successfully complete a minimum of 20 hours of self-directed education. You must indicate whether you have fulfilled this requirement by checking the appropriate box in item # 4 of the attached application.

Those requirements marked " *" do not apply to applicants who graduated from an accredited school or college of optometry after January 1, 1992 and were licensed in California prior to January 1, 1996.

**Title 16. California State Board of Optometry
Department of Consumer Affairs**

Proposed Language

Amend Sections § 1568 of Division 15 of Title of 16 of the California Code of Regulations to read:

§ 1568. Therapeutic Pharmaceutical Agents Usage -Purpose and Requirements.

Only those optometrists meeting the requirements of this Article may apply for TPA Certification to use Therapeutic Pharmaceutical Agents. The Application for TPA Certification (Form TPA-1 Rev. ~~4/96~~1/17), which is hereby incorporated by reference, may be obtained from the Board's Headquarters office. ~~Requirements for TPA certification are as follows:~~

~~(a) If the applicant is licensed to practice optometry in California and graduated from an accredited school of optometry prior to January 1, 1992:~~

~~(1) Completion of an 80-hour TPA didactic course provided either by the University of California at Berkeley School of Optometry or the Southern California College of Optometry or recognized ophthalmological residency review committee or at an accredited school or college located outside of California as provided in Section 1570 in this Article.~~

~~(2) Pass the examination given at the conclusion of the TPA course.~~

~~(3) Pass the TMOD component of the NBEO administered after July 1, 1992.~~

~~(4) Complete 20 hours of self directed study in the treatment and management of ocular, systemic disease.~~

~~(5) Complete a 65-hour preceptorship service as defined in Section 1567 in this Article.~~

~~(b) If the applicant is a licensed optometrist in California and graduated from an accredited school of optometry after January 1, 1992 but before January 1, 1996:~~

~~(1) Complete 20 hours of self directed study in the treatment and management of ocular, systemic disease.~~

~~(2) Complete a 65-hour preceptorship service as defined in Section 1567 in this Article.~~

~~(c) If the applicant is a graduate from an accredited school of optometry after January 1, 1996:~~

~~(1) Obtain a California optometrist license.~~

~~(2) Be certified by an accredited school of optometry that the applicant is competent in the diagnosis, treatment, and management of ocular, systemic disease.~~

~~(3) Be certified by an accredited school of optometry that the applicant has completed 10 hours of experience with an ophthalmologist.~~

~~(d) If the applicant is licensed outside California and graduated from an accredited school of optometry before January 1, 1992:~~

~~(1) Obtain a California optometrist license.~~

~~(2) Completion of an 80-hour TPA didactic course provided either by University of California at Berkeley School of Optometry or Southern California College of Optometry or recognized ophthalmological residency review committee or at an out-of-state school as provided in Section 1570 in this Article.~~

~~(3) Pass the examination given at the conclusion of the TPA course.~~

~~(4) Pass the TMOD component of the NBEO administered after July 1, 1992.~~

~~(5) Complete 20 hours of self directed study in the treatment and management of ocular, systemic disease.~~

~~(6) Complete a 65-hour preceptorship service as defined in Section 1567 in this Article.~~

~~(e) If the applicant is licensed outside California and graduated from an accredited school of optometry after January 1, 1992 but prior to January 1, 1996:~~

~~(1) Obtain a California optometrist license.~~

~~(2) Complete 20 hours of self directed study in the treatment and of management of ocular, systemic disease.~~

~~(3) Complete a 65-hour preceptorship service as defined in Section 1567 in this Article.~~

~~(f) If the applicant is licensed in a state outside of California, graduated from an accredited school of optometry prior to January 1, 1992 and has practiced in that state, or on a reservation or a facility supported and maintained by the United States government with a TPA license:~~

~~(1) Obtain a California optometrist license.~~

~~(2) Pass the TMOD component of the NBEO administered after July 1, 1992.~~

~~(3) Complete a 65-hour preceptorship service as defined in Section 1567 in this Article.~~

~~(g) If the applicant is licensed in a state outside of California, graduated from an accredited school of optometry after January 1, 1992 but before January 1, 1996 and~~

~~has practiced in that state or on a reservation or a facility supported and maintained by the United States government with a TPA license:~~

~~(1) Complete 20 hours of self-directed study in the treatment and of management of ocular, systemic disease.~~

~~(2) Complete a 65-hour preceptorship service as defined in Section 1567 in this Article.~~

~~(h) All TPA-certified optometrists pursuant to this Article must complete 50 hours of continuing education in order to renew licensure. Thirty-five of the required hours shall be in the diagnosis, treatment and management of ocular, and systemic disease consistent with Business and Professions Code section 3059, subdivision (f).~~

(ia) If the applicant is licensed in a state outside of California and requests that the 65-hour preceptorship service requirement contained in subdivisions (e), (f) and (g) be waived based on their optometric practice experience using TPA in another state, the Board, as authorized under Business and Professions Code Section 3041.3(d)(1), shall deem the experience as equivalent to the 65-hour preceptorship service required in California provided the following conditions are met:

1. Applicant is licensed in good standing in their state of licensure.
2. Applicant has graduated from an accredited school of optometry before January 1, 1996.
3. Applicant has met the requirements to treat with therapeutic pharmaceutical agents in their state of licensure.
4. Applicant has been practicing optometry in their state of licensure using therapeutic pharmaceutical agents for 5 continuous years immediately preceding the submission of their application.

Note: Authority cited: Sections 3025, 3041.2, and 3041.3 Business and Professions Code. Reference: Sections 3059, Business and Professions Code.



STATE BOARD OF OPTOMETRY
2450 DEL PASO ROAD, SUITE 105, SACRAMENTO, CA 95834
P (916) 575-7170 F (916) 575-7292 www.optometry .ca.gov



APPLICATION FOR TPA CERTIFICATION

FEE: \$25

Cashiering and Board Use Only			
Receipt #	Payer ID #	Beneficiary ID #	Amount

All items of information requested are mandatory. Information provided will be used in determining qualification for TPA certification. Failure to provide any of the requested information will result in the application being rejected as incomplete.

<p>1. NAME:</p> <p>_____ Opt# _____</p> <p style="text-align: center;">Last First</p>
<p>ADDRESS:</p> <p>_____ () _____</p> <p style="text-align: center;">Number & Street City State Zip Telephone</p>
<p>2. PRECEPTORSHIP: Indicate whether you have completed the 65-hour preceptorship as required under B&P Code section 3041.3 (b)(1)</p> <p style="text-align: center;"><input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>If you completed the 65-hour preceptorship service , please submit original school documentation of completion</p>
<p>3. SELF DIRECTED STUDY: Indicate whether you completed at least 100 hours of self-directed education as required under B&P Code section 3041.3 (b)(2)</p> <p style="text-align: center;"><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>4. TMOD EXAMINATION: Indicate whether you passed the TMOD component of the NBEO exam as required under B&P Code section 3041.3 (b)(3)</p> <p style="text-align: center;"><input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>If you passed the TMOD component, please have the NBEO submit your official score report.</p>
<p>I declare under penalty of perjury under the laws of the State of California that the information given by me in completing this application, and any attached or submitted information, is true. I further understand that any misstatements of material facts herein may be cause for denial of this application or for subsequent suspension or or revocation of my certificate of registration to practice optometry in California.</p> <p>_____</p> <p>SIGNATURE OF APPLICANT DATE</p>

**INFORMATION AND INSTRUCTION FOR CALIFORNIA LICENSED OPTOMETRISTS
APPLYING FOR THEIR THERAPEUTIC PHARMACEUTICAL AGENS (TPA)
CERTIFICATION**

The following is a checklist of requirements along with instructions for completing the “Application for TPA Certification:”

- (1) **APPLICATION FEE: \$25.00.** The \$25.00 application fee must accompany your application and is **not** refundable.
- (2) **TMOD EXAMINATION:** If you graduated from an accredited school or college of optometry prior to January 1, 1996, you must successfully pass the National Board of Examiners in Optometry’s (NBEO) TMOD examination administered after July 1, 1996. You must request that a copy of your TMOD score be sent directly to the Board office by the NBEO.*
- (3) **PRECEPTORSHIP:** All applicants must complete a preceptorship of no less than 65 hours in no less than two months nor more than one year in an ophthalmologist’s office or optometric clinic. *Preceptor’s service shall be authorized by an accredited school or college of optometry or recognized ophthalmological residency review committee in California. Preceptors shall be ophthalmologists certified by the American Board of Medical Specialties (ABMS) in good standing with the Medical Board of California.* The Board’s “Preceptor Completion Verification” form, provided by the Board, the school or college of optometry or residency review committee, must be submitted to the applicable institution or the Board’s office upon completion of the preceptorship.
- (4) **SELF DIRECTED EDUCATION:** All applicants must successfully complete a minimum of 100 hours of self-directed education. You must indicate that you have fulfilled these requirements by checking the appropriate box in item #4 of the application.

*** Requirements 2, 3 & 4 do not apply to applicants who graduated from an accredited school or college of optometry after January 1, 1996.**