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To: Legislation and Regulation Committee Members **Date:** September 28, 2017

From: Rob Stephanopoulos **Telephone:** (916) 575-7185
Assistant Executive Officer

Subject: **Agenda Item 5 – Update, Discussion and Possible Action Related to Board Strategic Plan “Law and Regulation” Objectives**

Once the Board approved its Strategic Plan, the Department of Consumer Affairs’ (DCA) SOLID team met with staff to develop an action plan to implement the Board’s goals and objectives. While the Executive Officer and staff are ultimately responsible for implementing Board policy, there are several objectives where staff could benefit from committee input and feedback.

Please review the proposed action plan (Attachment 1) for the Board’s “Law and Regulation” Objectives and provide input/feedback wherever necessary.

GOAL 3: Law and Regulation

The Board works to establish and maintain fair and just laws and regulations that provide for the protection of consumer health and safety and reflect current and emerging, efficient and cost-effective practices.

- 3.1 Review federal law to identify methods that will strengthen existing California legislation regarding the sale of contact lenses and eye glasses as a means of improving enforcement and enhancing consumer protection.

		End Date: Q4 17/18
Success Measure: Presentation made to the Board.		
Major Tasks	Responsible Party	Completion Date
Researching federal law related to contact lenses and eye glasses.	Policy Analyst	February 2018
Analyze and compare federal law with current state law to determine if improvements are needed.	Policy Analyst	February 2018
Present changes to the Dispensing Optician Committee (DOC) and Legislative and Regulatory Committee for review.	Policy Analyst	March 2018
Present recommendations to the Board.	Policy Analyst	April 2018

- 3.2 Contact members of congress and the Federal Trade Commission regarding the current 48 hour law to obtain information that would assist in closing existing loopholes.

Start Date: Q2 17/18		End Date: Q4 17/18
Success Measure: Federal Trade Commission and Congress contacted.		
Major Tasks	Responsible Party	Completion Date
Research federal law related to current 48-hour law.	Policy Analyst	February 2018
Contact the Federal Trade Commission and Congress.	Policy Analyst	February 2018
Bring before the Dispensing Optician Committee (DOC) and Legislative and Regulatory Committee for discussion and possible recommendation.	Policy Analyst	March 2018
Present recommendations to the Board.	Policy Analyst	April 2018

- 3.3 Continue prioritization for review and updates to existing statutes, legislation, and regulations, for both optometry and dispensing opticians, in order to identify whether or not they are the cause of enforcement delays and determine promulgation of new regulations.

		End Date: Q2 18/19	
Success Measure: Statues, legislation and regulations reviewed.			
Major Tasks	Responsible Party	Completion Date	
Meet with enforcement and determine if current laws and regulations are the cause of enforcement delays.	Policy Analyst, and Lead Enforcement Analyst	August 2018	
As needed, draft recommendations to amend necessary laws.	Policy Analyst	August 2018	
Bring recommendations to the Legislative and Regulatory Committee.	Policy Analyst	October 2018	
Present to the board for consideration.	Policy Analyst	November 2018	

- 3.4 Continue partnering with the Medical Board of California to identify potential loopholes regarding online and kiosk refraction administration to enhance consumer protection.

Start Date: Q1 17/18		End Date: Q2 17/18	
Success Measure: Communicate with the Medical Board of California.			
Major Tasks	Responsible Party	Completion Date	
Attend the Medical Board of California (MBC) board meeting.	Executive Officer	October 2017	
Provide MBC with materials developed as a result of the board’s communication plan.	Assistant Executive Officer	March 2018	

- 3.5 Review current methods and explore new opportunities to increase access to care (e.g. scope of practice, mobile clinics, new technology, tele-medicine).

Start Date: Q1 17/18		End Date: Q2 17/18	
Success Measure: Potential opportunities presented to the board.			
Major Tasks		Responsible Party	Completion Date
Research methods mobile clinics in other states and Department of Consumer Affairs' programs.		Policy Analyst	August 2017
Draft analysis report and recommendation to the Legislative and Regulatory Committee.		Policy Analyst	September 2017
Present to the board for consideration.		Policy Analyst	November 2017

- 3.6 Review and identify existing practice requirements with regards to unnecessary licensing barriers in an effort to reduce barriers to entry, enhance consumer access to care, and maintain consumer protection.

Start Date: Q4 17/18		End Date: Q2 18/19	
Success Measure: Licensing barriers identified.			
Major Tasks		Responsible Party	Completion Date
Review the Little Hoover Report for clarification.		Policy Analyst	May 2018
Research initial and renewal licensing requirements in all states and develop an analysis looking at requirements and scope of practice.		Policy Analyst	May 2018
Research all relevant practice requirements and identify possible licensing barriers.		Policy Analyst	May 2018
Research the feasibility to amend the current licensing survey to include questions related to licensing barriers.		Policy Analyst	January 2019
Connect with the three California schools regarding the potential accelerated program for international graduates.		Policy Analyst	January 2019

- 3.7 Explore the feasibility of proposing legislation to synchronize the expiration dates of all license types for a given individual.

Start Date:		End Date:	
Success Measure:			
Major Tasks		Responsible Party	Completion Date
Refer to 1.1			