



## ISSUE MEMORANDUM

<b>DATE</b>	May 31, 2024
<b>TO</b>	Members, California State Board of Optometry (CSBO)
<b>FROM</b>	Joely Walker, Enforcement Manager
<b>SUBJECT</b>	Agenda Item #9B– Executive Officer’s Report - Enforcement Program

The Enforcement Unit has been working with the Breeze team on business process mapping enforcement processes. The goal of this project is to identify efficiencies in our work that we can implement to streamline workflow.

We are coordinating with our Deputy Attorney General liaison to present training on the formal discipline process and anticipate holding this training at the August Board meeting.

In this quarter, the Board contracted with three new Subject Matter Expert reviewers for evaluation of enforcement cases involving quality of care.

Our CE audit sample rate is increasing from 5% to 7% in quarter 4 of FY 2023-24 and going forward.

### **Statistics:**

- A. We are providing the priority/category of complaints, ranging from urgent to routine. That information is on attachment “9bi” for Optometry and Opticianry.
- B. Probation monitoring statistics are available on the quarterly complaint statistics logs. There are currently a total of 7 licensees (4 OPT/3 OPN) on probation. Of these, 1 probationer is tolled and not receiving credit toward the completion of probation.
- C. Continuing Education Audits statistics are provided as attachment “9bii”. 39 audits have been completed in the quarter. Of the 39 completed, the statistics show 72 percent have passed (11 failed, 28 passed).

Below are Fiscal Year 2023-24 Quarter 3 enforcement actions taken by the Board:

## **Citations Issued**

### **Adams, Paul (OPT 8154) San Bernardino, CA**

On February 13, 2024, a \$2,000.00 citation was issued to Dr. Paul Matthew Adams, O.D. (OPT 8154), for obstructing a patient from obtaining a prescribed device, refusal to comply with a request for clinical records, and failure to cooperate and participate with a Board investigation (BPC §§ 733(a), 3110(a), 3110(x), and CCR §§ 1582(a)). [Click here to obtain a copy of the action or to view the doctor's license profile.](#)

### **Bittel, Charles F, III (OPT 13002) Yorba Linda, CA**

On March 7, 2024, a \$650 citation was issued to Charles F. Bittel, III (OPT 13002) for failing to meet the continuing optometric education (CE) requirements within the 2020-2022 renewal (BPC §§ 3110(a), 3059(e), and CCR § 1536(b)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

### **Buu, Thi D. (OPT 11411) Lake Elsinore, CA**

On February 29, 2024, a \$650 citation was issued to Thi D. Buu. (OPT 11411) for failing to meet the continuing optometric education (CE) requirements within the 2020-2022 renewal (BPC §§ 3110(a), 3059(e), and CCR § 1536(l)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

### **Charm, Harry Joel (OPT 5511) Anaheim, CA**

On February 13, 2024, a \$1,000 citation was issued to Harry Joel Charm (OPT 5511) for failing to provide patient records as lawfully requested by the patient and failing to cooperate with a Board investigation. (BPC §§ 3110(a) and (x), 3059(e), CCR § 1582(a), HSC §§ 123110(b)(1) and (b)(2)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

### **Cherno, Mark**

On January 9, 2024, a \$1,000.00 citation was issued to Mark Cherno, for failure to maintain adequate and accurate records for three years after prescriptions were filled. (BPC §§ 2555.5(a), (n), and CCR §1399.231)). [Click here to obtain a copy of the action.](#)

### **Devlyn Optical (RDO 71275) Panorama City, CA**

On February 13, 2024, a \$1,000.00 modified citation via Settlement was issued to Devlyn Optical (RDO 71275), for filling the ophthalmic prescriptions without a valid and current registration, and for advertising optometry services (BPC §§ 651(a), 2555.5(g), 2555.5(p), 2556.5, 2564.91(a), and 17500)). [Click here to obtain a copy of the action or to view the registrant's registration profile.](#)

### **Friden, Jonathan C. (OPT 13301) Quincy, CA**

On March 7, 2024, a \$650 citation was issued to Jonathan Charles Friden (OPT 13301) for failing to meet the continuing optometric education (CE) requirements within the

2020-2022 renewal (BPC §§ 3110(a), 3059(e), and CCR §§ 1536(b) & (l)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

**Hiura, Ronald Neal (OPT 6956)**

**San Francisco, CA**

On February 29, 2024, a \$2,500 citation was issued to Ronald Neal Hiura (OPT 6956) for failing to meet the continuing optometric education (CE) requirements within the 2020-2022 renewal and certifying under penalty of perjury on his license renewal that the CE requirements were met (BPC §§ 3110(a) and (j), 3059(e), and CCR § 1536(b)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

**Kenkel, Rebecca E. (OPT 14908)**

**Rolling Hills Estate, CA**

On February 29, 2024, a \$650 citation was issued to Rebecca E. Kenkel (OPT 14908) for failing to meet the continuing optometric education (CE) requirements within the 2020-2022 renewal (BPC §§ 3110(a), 3059(e), and CCR § 1536(l)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

**Kim, Jennifer Chin (OPT 13944)**

**Irvine, CA**

On February 29, 2024, a \$1,300 citation was issued to Jennifer Chin Kim (OPT 13944) for failing to meet the continuing optometric education (CE) requirements within the 2020-2022 renewal and certifying under penalty of perjury on her license renewal that the CE requirements were met (BPC §§ 3110(a) and (j), § 3059(e), and CCR § 1536(l)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

**Lamouchi, Manel (OPT 33354)**

**San Diego, CA**

On February 27, 2024, a \$1,050 citation was issued to Manel Lamouchi (OPT 33354) for failing to meet the continuing optometric education (CE) requirements within the 2020-2022 renewal (BPC §§ 3110(a), 3059(e), and CCR § 1536(b)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

**Mancilla, Raul Alex (OPT 12705)**

**El Centro, CA**

On March 28, 2024, a \$900 citation was issued to Raul Alex Mancilla (OPT 12705) for failing to meet the continuing optometric education (CE) requirements within the 2020-2022 renewal and certifying under penalty of perjury on his license renewal that the CE requirements were met (BPC §§ 3110(a)(j), 3059(e), and CCR § 1536(b)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

**Moore, Alexandra Noelle Kanan (OPT 14778)**

**Clovis, CA**

On January 25, 2024, a \$900 citation was issued to Alexandra Moore (OPT 14778) for failing to meet the continuing optometric education (CE) requirements within the 2020-2022 renewal cycle and certifying under penalty of perjury on her license renewal that the CE requirements were met (BPC §§ 3110(a), (j), 3059(e), and CCR § 1536(b)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

**Nguyen, Alain Hong (OPT 11500)**

**Bakersfield, CA**

On February 29, 2024, a \$2,500 citation was issued to Alain Hong Nguyen (OPT 11500) for failing to meet the continuing optometric education (CE) requirements within the 2020-2022 renewal and certifying under penalty of perjury on his license renewal that the CE requirements were met (BPC §§ 3110(a) and (j), BPC § 3059(e), and CCR §§ 1536(b) and (l)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

**Prince, Deborah Lynn (OPT 12242)**

**San Diego, CA**

On February 29, 2024, a \$500 modified citation was issued to Deborah Lynn Prince (OPT 12242) for failing to meet the continuing optometric education (CE) requirements within the 2020-2022 renewal cycle (BPC §§ 3110(a), 3059(e), and CCR § 1536(b)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

**Truong, Khoa Dang (OPT 11967)**

**San Diego, CA**

On January 23, 2024, a \$2,000.00 citation was issued to Dr. Khoa Dang Truong, O.D. (OPT 11967), for sexual harassment (BPC §§ 3110(a), and (m)(1)). [Click here to obtain a copy of the action or to view the doctor's license profile.](#)

**Quach, Katee Phoi (OPT 13057)**

**Pomona, CA**

On April 18, 2024, a \$650 citation was issued to Katee Phoi Quach (OPT 13057) for failing to meet the continuing optometric education (CE) requirements within the 2021-2023. (BPC §§ 3110(a), 3059(e), and CCR § 1536 (l)). [Click here to obtain a copy of the action or to view the doctor's license profile.](#)

**Truong, Khoa Dang (OPT 11967)**

**San Diego, CA**

On January 23, 2024, a \$2,000.00 citation was issued to Dr. Khoa Dang Truong, O.D. (OPT 11967), for sexual harassment (BPC §§ 3110(a), and (m)(1)). [Click here to obtain a copy of the action or to view the doctor's license profile.](#)

**Turcios, Jr., Robert A. (OPT 7077)**

**Pleasant Hill, CA**

On February 27, 2024, a \$1,300 citation was issued to Robert A. Turcios, Jr. (OPT 7077) for failing to meet the continuing optometric education (CE) requirements within the 2020-2022 renewal and certifying under penalty of perjury on his license renewal that the CE requirements were met (BPC §§ 3110(a) and (j), § 3059(e), and CCR §§ 1536(b) and (l)). [Click here to obtain a copy of the action or to view the doctor's profile.](#)

**Pending Accusations**

**Burkart, Kieth Jerome (OPT 5639)**

**Lake Arrowhead, CA**

On April 24, 2024, an Accusation was filed against the license of Kieth Jerome Burkart (OPT 5639), for Gross Negligence, Failure to Refer to an Appropriate Physician, and

Unprofessional Conduct (BPC §§ 3110, 3110(b), 3110(y)). [Click here to obtain a copy of the action or to view the doctor's license profile.](#)

**Stewart, Apert James (OPT 7582)**

**Fresno, CA**

On April 25, 2024, an Accusation was filed against the license of James Apert Stewart (OPT 7582), for being Unsafe to Practice, Unprofessional Conduct, and Repeated Negligent Acts (BPC §§ 822, 3110, and 3110(c)). [Click here to obtain a copy of the action or to view the doctor's license profile.](#)

**Revoked**

**Smith, Lesha (SLD 42013)**

**Sacramento, CA**

Effective March 7, 2024, the registration of Lesha Smith (SLD 42013), was revoked for a Criminal Conviction and Dangerous Use of Alcohol (BPC §§490(a), (b), (c), 2555.5(a), (k), and (l)). [Click here to obtain a copy of the action or to view the registrant's license profile.](#)

**Statement of Issues**

**Zegarra, Adrianna Guisella (SLD Applicant)**

On April 2, 2024, a Statement of Issues was filed against Adrianna Guisella Zegarra following the denial of her application for registration as a Spectacle Lens Dispenser. The basis for the denial was a Criminal Conviction: DUI, and Acts Warranting Denial of Licensure (BPC §§ 475(a)(4); 480(a)(2); and 3110(h)). [Click here to obtain a copy of the action.](#)