



CALIFORNIA STATE BOARD OF OPTOMETRY
 2450 DEL PASO ROAD, SUITE 105, SACRAMENTO, CA 95834
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**QUARTERLY BOARD MEETING
 ACTION MINUTES**

April 20, 2018
9:00 A.M. – 5:00 P.M.
 (or until conclusion of business)

**Embassy Suites by Hilton San Francisco Airport Waterfront
 Solano Room
 150 Anza Blvd.
 Burlingame, CA 94010**

See Webcast and Audio for discussions

9:00 am

Members Present	Staff Present
Cyd Brandvein, Public Member, President	
David Turetsky, O.D., Vice President	Jessica Sieferman, Executive Officer
Rachel Michelin, Public Member, Secretary	Robert Stephanopoulos, Assistant Executive Officer
Martha Garcia, CLD, SLD	Mina Hamilton, Legal Counsel
Glenn Kawaguchi, O.D.	Todd Kerrin, Policy Analyst
Debra McIntyre, O.D.	
Mark Morodomi, JD, Public Member	
Maria Salazar Sperber, JD, Public Member	
Lillian Wang, O.D.	
Absent	
Madhu Chawla, O.D.	
	Guest List
	On File

FULL BOARD OPEN SESSION

1. Call to Order/Roll Call and Establishment of a Quorum *Webcast* [0:00:03](#)

Cyd Brandvein, Board President, called the meeting to order. Ms. Michelin, Board Secretary, called roll and a quorum was established.

2. Public Comment for Items Not on the Agenda *Webcast* [0:01:03](#)

Note: The Board may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code Sections [11125](#), [11125.7\(a\)](#)]

3. [Petition for Reduction of Penalty and Early Termination of Probation:](#)
 - A. Gregory Tom, OD. *Webcast* [0:01:15](#)

FULL BOARD CLOSED SESSION

4. Pursuant to Government Code Section [11126\(c\)\(3\)](#), the Board Will Meet in Closed Session for Discussion and Deliberation on the above Petition- and Other Disciplinary Matters

FULL BOARD OPEN SESSION

5. [President’s Report](#) *Webcast* [0:38:24](#)
 - A. 2019 Board and Committee Meeting Schedule

No action was taken on this item. President’s Report on file upon request.

6. [Approval of Board Meeting Minutes](#) *Webcast* [1:02:36](#)
 - A. January 26, 2018

Mr. Morodomi moved to approve the January 26, 2018 Board Meeting Minutes as amended with non-substantive corrections. Dr. Wang seconded. The Board voted 7-0 with one abstention and the motion passed. *Webcast* [1:02:50](#)

Member	Aye	No	Abstain	Absent	Recusal
Ms. Brandvein	X				
Dr. Chawla				X	
Ms. Garcia	X				
Dr. Kawaguchi	X				
Dr. McIntyre			X		
Ms. Michelin	X				
Mr. Morodomi	X				
Ms. Sperber				X	
Dr. Turetsky	X				
Dr. Wang	X				

7. [Executive Officer’s Report](#) *Webcast* [1:51:14](#)
 - A. Federal Trade Commission’s Interest in California’s Consumer Notice (Prescription Release) Requirement
 - B. Association of Regulatory Boards of Optometry (ARBO) - Executive Director’s Meeting
 - C. ARBO’s Bylaws Committee Meeting
 - D. FBI Rap Back Program Update
 - E. Strategic Plan Update
 - F. Enforcement Program
 - G. Examination and Licensing Programs
 - H. Personnel
 - I. Budget

Dr. Turetsky moved to direct staff to begin working on updating statute to merge the Optometry and RDO Program funds. Ms. Garcia seconded. The Board voted 9-0 and the motion passed. *Webcast* [2:20:41](#)

Member	Aye	No	Abstain	Absent	Recusal
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Ms. Brandvein	X				
Dr. Chawla				X	
Ms. Garcia	X				
Dr. Kawaguchi	X				
Dr. McIntyre	X				
Ms. Michelin	X				
Mr. Morodomi	X				
Ms. Sperber	X				
Dr. Turetsky	X				
Dr. Wang	X				

Executive Officer's Report on file upon request.

8. Update, Discussion and Possible Action Regarding Board Committee Reports
Webcast [2:35:19](#)

A. [Consumer Protection Committee](#)

Mr. Morodomi moved to defer the adoption of random inspections for one year, and to revisit the issue after staff has compiled a report about the effectiveness of a proactive approach to inspections. Ms. Michelin seconded. The Board voted 9-0 and the motion passed. *Webcast* [3:08:23](#)

Member	Aye	No	Abstain	Absent	Recusal
Ms. Brandvein	X				
Dr. Chawla				X	
Ms. Garcia	X				
Dr. Kawaguchi	X				
Dr. McIntyre	X				
Ms. Michelin	X				
Mr. Morodomi	X				
Ms. Sperber	X				
Dr. Turetsky	X				
Dr. Wang	X				

B. [Public Relations and Outreach Committee](#)

Ms. Michelin moved to accept proposed language to the Board's planned brochure for informing consumers about online refractions. Mr. Morodomi seconded. The Board voted 9-0 and the motion passed. *Webcast* [2:39:15](#)

Member	Aye	No	Abstain	Absent	Recusal
Ms. Brandvein	X				
Dr. Chawla				X	
Ms. Garcia	X				
Dr. Kawaguchi	X				
Dr. McIntyre	X				
Ms. Michelin	X				

Mr. Morodomi	X				
Ms. Sperber	X				
Dr. Turetsky	X				
Dr. Wang	X				

- C. [Practice and Education Committee](#)
- D. [Legislation and Regulation Committee](#)

Ms. Michelin moved to accept the proposed statutory language related to expanding optometric care for homebound patients, pending review by Board legal counsel. Dr. Wang seconded. The Board voted 9-0 and the motion passed. *Webcast* [3:26:08](#)

Member	Aye	No	Abstain	Absent	Recusal
Ms. Brandvein	X				
Dr. Chawla				X	
Ms. Garcia	X				
Dr. Kawaguchi	X				
Dr. McIntyre	X				
Ms. Michelin	X				
Mr. Morodomi	X				
Ms. Sperber	X				
Dr. Turetsky	X				
Dr. Wang	X				

E. Dispensing Optician Committee

- 9. [Update and Possible Action on 2017-18 Legislation Impacting the Practice of Optometry, Healing Arts Boards and Department Wide Programs](#) *Webcast* [3:33:59](#)
 - A. Optometry
 - 1. AB [1802](#) (Salas) Optometry: scope of practice
 - 2. AB [2444](#) (Burke) Pupil health: eye and vision health
 - 3. AB [3184](#) (Rubio) California State Board of Optometry
 - 4. SB [1386](#) (McGuire) Professions and vocations (*Item was taken out of order and discussion can be see on the Webcast beginning at [1:04:22](#)*)

Dr. Turetsky moved to formally support SB 1386 as written, and to have the Board president create a workgroup to collaborate with stakeholders and continue to move forward with discussions surrounding changes to the branch office license. Ms. Garcia seconded. The Board voted 7-0 with two (2) abstentions and the motion passed. *Webcast* [1:48:20](#)

Member	Aye	No	Abstain	Absent	Recusal
Ms. Brandvein	X				
Dr. Chawla				X	
Ms. Garcia	X				
Dr. Kawaguchi	X				
Dr. McIntyre	X				
Ms. Michelin	X				
Mr. Morodomi	X				
Ms. Sperber			X		
Dr. Turetsky	X				

Dr. Wang			X		
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B. Healing Arts Boards

1. AB [1659](#) (Low) Healing arts boards: inactive licenses
2. AB [2078](#) (Daly) Sex offenses: professional services
3. AB [2193](#) (Maienschein) Maternal mental health
4. AB [2461](#) (Flora and Obernolte)
5. SB [762](#) (Hernandez) Healing arts licensee: license activation fee: waiver

C. Department Wide

1. AB [767](#) (Quirk-Silva) Master Business License Act
2. AB [2138](#) (Chiu) Licensing boards: denial of application: criminal conviction
(Discussion at Webcast [3:49:13](#))

Ms. Michelin moved that the Board formally oppose AB 2138. Dr. Turetsky seconded. The Board voted 8-0 with one abstention and the motion passed. Webcast [4:01:03](#)

Member	Aye	No	Abstain	Absent	Recusal
Ms. Brandvein	X				
Dr. Chawla				X	
Ms. Garcia	X				
Dr. Kawaguchi	X				
Dr. McIntyre	X				
Ms. Michelin	X				
Mr. Morodomi			X		
Ms. Sperber	X				
Dr. Turetsky	X				
Dr. Wang	X				

3. AB [2264](#) (Brough) Professions and vocations: fees
4. AB [2409](#) (Kiley) Professions and vocations: occupational regulations
5. AB [2483](#) (Voepel) Department of Consumer Affairs: Office of Supervision of Occupational Boards
6. AB [3183](#) (Carrillo) Consumers
7. SB [244](#) (Lara) Privacy: agencies: personal information
8. SB [984](#) (Skinner) State boards and commissions: representation: women
9. SB [1137](#) (Vidak) Veterans: professional licensing benefits
10. SB [1465](#) (Hill) Professions and vocations: examinations
2. AB [2078](#) (Daly) Sex offenses: professional services
3. AB [2193](#) (Maienschein) Maternal mental health
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- 8. SB [984](#) (Skinner) State boards and commissions: representation: women
- 9. SB [1137](#) (Vidak) Veterans: professional licensing benefits
- 10. SB [1465](#) (Hill) Professions and vocations: examinations

10. [Discussion and Possible Action Regarding BPC § 3109 Related to Optometrists Accepting Employment](#) *Webcast* [4:01:47](#)

No action was taken on this item.

11. Update by a Representative of the Department of Consumer Affairs, Which May Include Updates Pertaining to the Department’s Administrative Services, Human Resources, Enforcement, Information Technology, Communications and Outreach, as Well as Legislative, Regulatory and Policy Matters *(Item taken out of order)* *Webcast* [2:24:45](#)

No action was taken on this item.

12. [Update, Discussion and Possible Action Regarding Proposed Amendments to Board Member Handbook](#) *Webcast* [4:21:25](#)

Mr. Morodomi moved to approve the proposed amendments to the Board Member Handbook regarding per diem payment for meeting preparation and meeting attendance, pending review by Board legal counsel. Dr. Wang seconded. The Board voted 9-0 and the motion passed. *Webcast* [4:28:18](#)

Member	Aye	No	Abstain	Absent	Recusal
Ms. Brandvein	X				
Dr. Chawla				X	
Ms. Garcia	X				
Dr. Kawaguchi	X				
Dr. McIntyre	X				
Ms. Michelin	X				
Mr. Morodomi	X				
Ms. Sperber	X				
Dr. Turetsky	X				
Dr. Wang	X				

13. [Election of Board Officers](#) *Webcast* [4:16:33](#)

Cyd Brandvein was nominated as Board president. She was unopposed. The Board voted 9-0 and Ms. Brandvein will continue to serve as president. *Webcast* [4:19:08](#)

Member	Aye	No	Abstain	Absent	Recusal
Ms. Brandvein	X				
Dr. Chawla				X	
Ms. Garcia	X				
Dr. Kawaguchi	X				
Dr. McIntyre	X				
Ms. Michelin	X				
Mr. Morodomi	X				
Ms. Sperber	X				

Dr. Turetsky	X				
Dr. Wang	X				

David Turetsky was nominated as Board vice president. He was unopposed. The Board voted 9-0 and Dr. Turetsky will continue to serve as vice president. *Webcast* [4:20:03](#)

Member	Aye	No	Abstain	Absent	Recusal
Ms. Brandvein	X				
Dr. Chawla				X	
Ms. Garcia	X				
Dr. Kawaguchi	X				
Dr. McIntyre	X				
Ms. Michelin	X				
Mr. Morodomi	X				
Ms. Sperber	X				
Dr. Turetsky	X				
Dr. Wang	X				

Rachel Michelin was nominated as Board secretary. She was unopposed. The Board voted 9-0 and Ms. Michelin will continue to serve as secretary. *Webcast* [4:20:38](#)

Member	Aye	No	Abstain	Absent	Recusal
Ms. Brandvein	X				
Dr. Chawla				X	
Ms. Garcia	X				
Dr. Kawaguchi	X				
Dr. McIntyre	X				
Ms. Michelin	X				
Mr. Morodomi	X				
Ms. Sperber	X				
Dr. Turetsky	X				
Dr. Wang	X				

14. Future Agenda Items *Webcast* [4:28:43](#)

The Executive Officer relayed a request from Dr. Turetsky to take up the topic of expanding acceptance of online continuing education courses, as well as Ms. Garcia's request to consider offering optometrists continuing education credit for presenting at RDO colleges. Dr. Wang requested a review of policy regarding out-of-state licensees and continuing education requirements for California licensure.

15. Adjournment