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CALIFORNIA STATE BOARD OF
OPTOMETRY

CONSUMER PROTECTION COMMITTEE

January 11, 2019

Meeting Minutes

MEMBERS OF THE COMMITTEE

Mark Morodomi, JD, Chair
Martha "Ruby" Garcia, CLD, SLD
Glenn Kawaguchi, OD
Debra McIntyre, OD
David Turetsky, OD

Teleconference locations:

Oakland Marriott City Center
Second Floor Lobby
1001 Broadway
Oakland, CA 94607

Charter College – Oxnard Campus
2000 Outlet Center Drive #150
Oxnard, CA 93036

California Eye Professionals
41637 Margarita Rd., Suite 100
Temecula, CA. 92591

Department of Consumer Affairs
HQ2 – Pearl Room
1747 North Market Boulevard,
Sacramento, CA 95834

Link for audio of meeting here: <https://www.optometry.ca.gov/meetings/index.shtml>

Members Present	Staff Present
Mark Morodomi, JD, Chair	Shara Murphy, Executive Officer
Martha "Ruby" Garcia, CLD, SLD	Evan Gage, Assistant Executive Officer
Debra McIntyre, OD	Mina Hamilton, Legal Counsel
David Turetsky, OD	Marc Johnson, Policy Analyst
	Cheree Kimball, Enforcement Program Lead
Member Absent	
Glenn Kawaguchi, OD	Guest List
	On File

1. Call to Order/Roll Call/Establishment of a Quorum

Audio of discussion: 0:00

Mr. Morodomi called the meeting to order at 2:30 p.m. Roll was taken: Mr. Morodomi – present in Oakland, CA; Ms. Garcia – present in Oxnard, CA; Dr. Kawaguchi – not present; Dr. McIntyre – present in Temecula, CA; Dr. Turetsky – present in Sacramento, CA. **4-1 quorum established.**

2. Public Comment for Items Not on the Agenda

Audio of discussion: 1:26

There was no public comment made at any of the teleconference locations.

3. Discussion and Possible Action on Meeting Minutes: March 23, 2018

Link for materials: https://www.optometry.ca.gov/meetings/materials/20190111_cpc_mm3.pdf

Audio of discussion: 1:40

The date of the meeting minutes was corrected to March 23, 2018 and the link was updated. There were no other changes to the minutes.

Motion: Dr. Turetsky moved to approve the March 23, 2018 CPC meeting minutes with the changes made here today. Dr. McIntyre seconded the motion. Motion passed 4-0-1.

Member	Aye	No	Abstain	Absent	Recusal
Morodomi	x				
Garcia	x				
Kawaguchi				x	
McIntyre	x				
Turetsky	x				

There was no public comment made at any of the teleconference locations.

4. Update, Discussion and Possible Action Regarding Board’s Disciplinary Guidelines

Link for materials: https://www.optometry.ca.gov/meetings/materials/20190111_cpc_mm4.pdf

Audio of discussion: 4:24

Ms. Hamilton recommended tabling the item. She reported that several pending changes to Uniform Standard number four and potentially other Standards were being considered by DCA and are anticipated to be announced in the next few weeks. Due to these changes, the Guidelines will not be ready for approval at the full Optometry Board meeting in February. It was estimated three to six months would be needed by staff to formulate final language for the Guidelines; Committee agrees with this timeline.

Dr. McIntyre asked that the working committee of her and Mr. Morodomi be given future drafts of the Guidelines to review.

There was no public comment made at any of the teleconference locations.

5. Review, Discussion, and Consideration of Requirements for Board’s Implementation of AB 2138 (Chapter 995, Statutes of 2018, Chiu; Denial of Applications Based Upon Criminal Convictions); Suggested Updates to Optometry Regulations; Recommendation to Full Board

Link for materials: https://www.optometry.ca.gov/meetings/materials/20190111_cpc_mm5.pdf

Audio of Discussion: 25:01

Ms. Hamilton reported DCA Legal was working on implementation language for AB 2138 but would not be available until mid-January. There is a statutory deadline of implementation by June 1, 2020, so in the interest of time Mr. Morodomi suggested referring the regulatory changes to the full Board for consideration.

Motion: Mr. Morodomi moved to direct staff to make changes to regulations as a result of AB 2138 and refer the changes directly to the full Board. Ms. Garcia seconded the motion. Motion passed 4-0-1.

Member	Aye	No	Abstain	Absent	Recusal
Morodomi	X				
Garcia	X				
Kawaguchi				X	
McIntyre	X				
Turetsky	X				

There was no public comment made at any of the teleconference locations.

6. Update and Discussion Regarding Strategic Plan Enforcement Objectives and Deliverables

Link for materials: https://www.optometry.ca.gov/meetings/materials/20190111_cpc_mm6.pdf

Audio of Discussion: 36:31

Ms. Murphy asked the Committee to clarify its priorities regarding consumer protection that are either not started or are not actively being implemented. She proposed making Item #4.5 as an outreach item, potentially holding a public informational meeting on the issue or working with national associations or businesses; Committee agrees.

The Committee prioritized implementation of the following strategic plan items:

- Item #4.1
- Item #4.3

Items #4.6 and #4.7 were considered low priority.

Mr. Morodomi asked about licensees self-reporting convictions; staff was also directed to draft potential regulatory language to certify convictions, or lack thereof, on licensee renewals. Additionally, Ms. Murphy noted staff would be doing a presentation on Enforcement processes and statistics at a future meeting.

There was no public comment made at any of the teleconference locations.

7. Future Agenda Items

Audio of Discussion: 1:24:15

Committee members had no future agenda items. There was no public comment made at any of the teleconference locations.

8. Adjournment

Committee adjourned at 3:57 p.m.