

AMENDED IN SENATE JUNE 3, 2015

AMENDED IN ASSEMBLY APRIL 8, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1253

Introduced by Assembly Member Steinorth

February 27, 2015

An act to amend Section 3151.1 of the Business and Professions Code, relating to optometry.

LEGISLATIVE COUNSEL'S DIGEST

AB 1253, as amended, Steinorth. Optometry: license: retired volunteer service designation.

The Optometry Practice Act provides for the licensure and regulation of the practice of optometry by the State Board of Optometry and makes a violation of the act a crime. The act requires the board to issue, upon application and payment of a specified fee, a retired license to an optometrist with a current and active license, and prohibits the holder of a retired license from engaging in the practice of optometry. ~~The act authorizes the holder of a retired license issued for less than 3 years to reactivate the license to active status if certain requirements have been met, including, the filing of an application for reactivation on a form prescribed by the board. The act authorizes the holder of a retired license issued for more than 3 years to reactivate the license to active status if certain additional requirements have been met, including, that the holder of the retired license passes both the National Board of Examiners in Optometry's Clinical Skills examination, or other clinical examination approved by the board, and the board's jurisprudence examination.~~ The

The act requires the board to issue a license with retired volunteer service designation to an optometrist who holds a retired license or a license that is current and active upon application and payment of a specified fee if the applicant certifies that he or she has completed the required continuing education hours. The act requires the applicant for a license with retired volunteer service designation to, among other things, certify that the sole purpose of the license with retired volunteer service designation is to provide voluntary, unpaid optometric services at health fairs, vision screenings, and public service eye programs.

*This bill would ~~limit the existing requirement that the board issue a license with retired volunteer service designation to an optometrist who holds a retired license to an optometrist who holds a retired license issued for less than 5 years. The bill would~~ recast those provisions to require the board to issue, upon application and payment of a specified fee, a license with retired volunteer service designation to an optometrist who holds a retired license ~~issued for 5 years or more, or a license that was issued, or that has expired and has gone unexpired, for specified periods, including over 5 years,~~ if that licensee meets ~~all the requirements for an optometrist to reactivate his or her retired license issued for more than 3 years, as described above, and satisfies all other requirements of an applicant for a license with retired volunteer service designation.~~ *specified requirements.* The bill would also require an applicant for a license with retired volunteer service designation ~~who has held a retired license whose retired license had been issued, or whose license had been expired, for more than 3, but less than 5, years ago to complete,~~ and certify on the application that he or she has completed, an additional 50 hours of formal continuing education coursework. By expanding the scope of the crime of perjury, this bill would impose a state-mandated local program.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3151.1 of the Business and Professions
2 Code is amended to read:

3 3151.1. (a) The board shall issue, upon application and
4 payment of the fee described in Section 3152, a license with retired
5 volunteer service designation to an optometrist who ~~holds a retired~~
6 ~~license issued for less than five years or a license that is current~~
7 ~~and active.~~ *satisfies any of the following:*

8 (1) *The applicant holds any of the following:*

9 (A) *A retired license issued within the last three years.*

10 (B) *A license that has not been renewed and has expired within*
11 *the last three years.*

12 (C) *A license that is current and active.*

13 (2) *The applicant holds either of the following, and the applicant*
14 *certifies on the application that he or she has completed an*
15 *additional 50 hours of formal continuing optometric education*
16 *coursework:*

17 (A) *A retired license issued more than three, but less than five,*
18 *years ago.*

19 (B) *A license that has not been renewed and has expired more*
20 *than three, but less than five, years ago.*

21 (3) *The applicant holds either of the following, and satisfies the*
22 *requirements set forth in subdivisions (a) to (d), inclusive, of*
23 *Section 3147.6:*

24 (A) *A retired license issued more than five years ago.*

25 (B) *A license that has not been renewed and has expired more*
26 *than five years ago.*

27 ~~(b) The board shall issue, upon application and payment of the~~
28 ~~fee described in Section 3147.6, a license with volunteer service~~
29 ~~designation to the holder of a retired license issued for five years~~
30 ~~or more if he or she satisfies all the requirements of Section 3147.6.~~

31 ~~(c) The applicant shall certify on the application that he or she~~
32 ~~has completed the required number of continuing education hours~~
33 ~~pursuant to Section 3059. If the applicant has held a retired license~~
34 ~~for more than three years, the applicant shall complete, and certify~~
35 ~~on the application that he or she has completed an additional 50~~
36 ~~hours of formal continuing optometric education coursework.~~

1 (b) *The board shall not issue a license pursuant to this section*
2 *to an applicant whose application would be subject to denial*
3 *pursuant to Section 480.*

4 ~~(d)~~

5 (c) The applicant shall certify on the application that the sole
6 purpose of the license with retired volunteer service designation
7 is to provide voluntary, unpaid optometric services at health fairs,
8 vision screenings, and public service eye programs.

9 ~~(e)~~

10 (d) The holder of the retired license with volunteer service
11 designation shall submit a biennial renewal application, with a fee
12 fixed by this chapter and certify on each renewal that the required
13 number of continuing education hours pursuant to Section 3059
14 were completed, and certify that the sole purpose of the retired
15 license with volunteer service designation is to provide voluntary,
16 unpaid services as described in subdivision ~~(d)~~: (c). Pursuant to
17 Section 3146, the license expires at midnight on the last day of the
18 licenseholder’s birth month every two years if not renewed.

19 SEC. 2. No reimbursement is required by this act pursuant to
20 Section 6 of Article XIII B of the California Constitution because
21 the only costs that may be incurred by a local agency or school
22 district will be incurred because this act creates a new crime or
23 infraction, eliminates a crime or infraction, or changes the penalty
24 for a crime or infraction, within the meaning of Section 17556 of
25 the Government Code, or changes the definition of a crime within
26 the meaning of Section 6 of Article XIII B of the California
27 Constitution.