

Introduced by Senator Nguyen

February 26, 2015

An act to amend Section 3057.5 of the Business and Professions Code, relating to healing arts, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 496, as introduced, Nguyen. Optometry: graduates of a foreign university: examinations.

Existing law, the Optometry Practice Act, creates the State Board of Optometry, which licenses optometrists and regulates their practice. Existing law provides that the State Board of Optometry is required, by regulation, to establish educational and examination requirements for licensure to ensure the competence of optometrists to practice. Existing law requires an applicant for licensure to submit an application that is provided under oath and to pay a prescribed fee. All fees are deposited in the Optometry Fund, which is continuously appropriated to the board to administer the act. Any violation of the act is a crime.

Existing law authorizes the board to permit a graduate of a foreign university who meets specified requirements to take the examinations for an optometrist license.

This bill would revise the license examination requirements for a graduate of a foreign university to, among other things, require submission of an application and payment of a prescribed fee. By increasing the amount of moneys deposited into a continuously appropriated fund, this bill would make an appropriation. Because the application would be required to be provided under oath, this bill would expand the scope of an existing crime and create 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: yes. Fiscal committee: yes.

State-mandated local program: yes.

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

1 SECTION 1. Section 3057.5 of the Business and Professions
2 Code is amended to read:

3 3057.5. (a) Notwithstanding any other provision of this
4 chapter, the board shall permit a graduate of a foreign university
5 who meets all of the following requirements to take the
6 examinations for an optometrist license:

7 ~~(a)~~

8 (1) Is over 18 years of age.

9 ~~(b)~~

10 (2) Is not subject to denial of a license under Section 480.

11 ~~(c)~~

12 (3) Has ~~a~~ obtained any of the following:

13 (A) A degree as a doctor of optometry issued by a university
14 located outside of the United States.

15 (B) A degree from a school of optometry program located
16 outside of the United States that has a minimum of a four year or
17 equivalent curriculum leading to an optometry license in the
18 country where the program is located.

19 (C) A degree from a school of medicine located outside of the
20 United States and completed the necessary requirements to practice
21 in the field of ophthalmology in the country where the school of
22 medicine is located.

23 (4) Submits an application to obtain a letter of sponsorship on
24 a form approved by the board.

25 (5) Pays to the board the fee for an application for licensure
26 prescribed in subdivision (a) of Section 3152.

27 (b) (1) A graduate of a foreign university shall provide to the
28 board any supporting documents requested by the board to
29 establish that the requirement of paragraph (3) of subdivision (a)
30 has been met. These supporting documents may include, but are

1 *not limited to, a curriculum vitae, official examination score,*
2 *certificate of optometric or medical education, official school*
3 *transcript, certified copy of optometric or medical diploma, official*
4 *English translation, certificate of completion of post graduate*
5 *training, and certificate of clinical training.*

6 *(2) Every document provided pursuant to this subdivision shall*
7 *be in English or translated into English by a certified United States*
8 *translation service approved by the board.*

9 *(c) The board shall require a graduate of a foreign university*
10 *to obtain an evaluation of his or her official school transcript by*
11 *an education evaluation service approved by the board. The board*
12 *shall determine from the evaluation whether the applicant has met*
13 *the educational requirements that are reasonable and necessary*
14 *to ensure that an optometrist has the knowledge to adequately*
15 *protect the public health and safety.*

16 *(d) Notwithstanding paragraph (3) of subdivision (a), if a*
17 *graduate of a foreign university does not meet the educational*
18 *requirements that are reasonable and necessary to ensure that an*
19 *optometrist has the knowledge to adequately protect the public*
20 *health and safety, the board may establish alternative education*
21 *requirements for the graduate of a foreign university to meet in*
22 *order to ensure this knowledge. A graduate of a foreign university*
23 *shall provide any supporting documents requested by the board*
24 *to establish that these requirements are met.*

25 *(e) The board shall issue a letter of sponsorship, or its*
26 *equivalent, required by the National Board of Examiners in*
27 *Optometry, or its equivalent, to permit a graduate of a foreign*
28 *university to take all examinations required for licensure. This*
29 *letter of sponsorship shall expire two years from the date of*
30 *issuance.*

31 SEC. 2. No reimbursement is required by this act pursuant to
32 Section 6 of Article XIII B of the California Constitution because
33 the only costs that may be incurred by a local agency or school
34 district will be incurred because this act creates a new crime or
35 infraction, eliminates a crime or infraction, or changes the penalty
36 for a crime or infraction, within the meaning of Section 17556 of
37 the Government Code, or changes the definition of a crime within

- 1 the meaning of Section 6 of Article XIII B of the California
- 2 Constitution.

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