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To: Medical Board of California Date: October 12, 2017

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California State Board of Optometry

Subject: Emerging Technologies and Outreach to California Consumers

The California State Board of Optometry (CSBO) has regulated optometrists since 1913. In 2016, jurisdiction over registered dispensing opticians, spectacle lens dispensers, contact lens dispensers, and non-resident contact lens sellers moved from the Medical Board of California (MBC) to CSBO. For years, the CSBO and the MBC has had dual jurisdiction over vision care services provided to California patients – whether it be with overlapping practice scopes with optometrists and ophthalmologists, prescription lens statutes (BPC §§ 2540-2545), or authority over optometric/ophthalmic assistants (BPC § 2544), the boards have mutual interests.

Regardless of jurisdiction, our primary mission – our reason for existence – remains the same: consumer protection. For both our boards, public protection shall be the highest priority. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount (BPC §§ 2001.1, 3010.1).

To the consumer, however, there is no difference; many may not understand the intricacies between the health care professions or the regulatory bodies that oversee those professions. They also may not know the type of healthcare professional who saw them. This may lead to complaints being sent to the wrong board and/or involve optometrists, ophthalmologists, and dispensers – and our boards must work together to ensure the swiftest, most efficient, and appropriate action.

One mutual issue was identified during the CSBO's Sunset Review: emerging technologies related to refraction services. Currently, California consumers are quickly able to obtain a corrective vision prescription based on a refraction performed either online or at a kiosk located inside a registered dispensing optician location. So far, most of the complaints received involve prescriptions issued by California licensed ophthalmologists residing outside of California.

Overall Consumer Protection Concern

The overall concern is patients may not fully understand the difference between a refraction test and a comprehensive eye exam. To the patient, he/she experiences a symptom (difficulty seeing near or far away), and the symptom is "fixed" with a quick and convenient refraction test and a pair of glasses. That patient may assume everything is fine and never see the need to have a comprehensive eye exam.

However, refractions (regardless of setting) cannot evaluate the underlying health of the eye or appropriately determine causation of the refractive error. For example, a patient struggling to see far away (symptom) may think they just need a prescription for glasses (perceived solution). So, that patient, believing all he/she needs is a quick prescription, receives a prescription and glasses from an online source. The patient thinks the problem

is solved and his/her vision is fine. However, that patient might have an increase in blood sugar due to diabetes, and getting his/her blood sugar under control would not only negate the need for glasses, but also assist the patient in obtaining proper care for diabetes. A comprehensive eye examination can quickly detect diabetes, and the eye care provider can discuss steps to help control diabetes and refer the patient to his/her primary care provider.

In addition, determining the refractive error is a minor portion of a comprehensive eye examination, and it is typically assessed *after* evaluating the overall health of the eye.

Consumer Protection Concern Discussed During Sunset Hearing

This consumer protection concern was discussed with CSBO Members, the Executive Officer and the Legislature during CSBO's Sunset Hearing. That portion of the hearing can be viewed here. [https://www.youtube.com/watch?v=p7Vy-y1uRdk&feature=youtu.be]

During the hearing, several possibilities were discussed in order to address the issue including, but not limited to, the following:

- increasing accountability and liability of the licensed professional,
- potentially requiring the corporations offering the services to register with the applicable regulatory board, and
- increasing educational outreach to consumers.

The CSBO also provided information regarding its efforts to educate the public on this issue.

Consumer Protection Concern Discussed During Informational Hearing

On March 14, 2017, the CSBO's Executive Officer (EO), the California State Board of Pharmacy EO, and the MBC Executive Director served on a healing arts panel to provide information during a joint informational hearing entitled *The Regulation of Corporations and the Impact on Professional Licensing*.

During that hearing, Assembly Member Salas, former Chair requested additional information related to emerging technologies and online refractions. The CSBO's EO discussed the current consumer protection concerns and the jurisdictional issue with licensed ophthalmologists and medical corporations performing the services. The MBC Executive Director testified that the MBC is evaluating this issue on a case by case basis and that simply providing services online is not illegal; however, the same industry standard of care must still be followed regardless of practice setting. CSBO agrees.

CSBO's Educational Outreach Campaign and Request

To address this issue, the CSBO developed an Emerging Technologies Outreach Campaign to educate consumers on the differences between refractions and comprehensive eye exams (attached). The CSBO acknowledges the majority of consumers belong to the younger, more tech-savvy generation. Standard outreach efforts (i.e., brochures, pamphlets, website postings) would not reach the most impacted consumers. This outreach campaign attempts to address that.

In addition, part of the campaign includes partnering with programs, such as the MBC, to educate consumers. The CSBO would like to form a collaborative partnership with the MBC in order to address this mutual issue.

California State Board of Optometry Communications Plan

Introduction

The California State Board of Optometry (Board) was created by the California Legislature in 1913 to safeguard the public's health, safety, and welfare through regulation of the practice of optometry. Protection of the public is the highest priority for the Board when exercising its licensing, regulatory and disciplinary functions. The Board currently licenses approximately 7,500 practicing optometrists, the largest population of optometrists in the United States.

The Board's vision is to promote excellent optometric care for every Californian. One component of this is to ensure the public understands what is excellent optometric care. Part of that is knowing what proper eye health in general looks like and what are the options available to consumers for maintaining eye health.

The Board recognizes there is a need to educate consumers and other stakeholders on its mission and proper eye health. It is the intent of the Board to establish a communications plan to bring awareness to consumers, professionals and policy makers about the Board's role and the benefits of proper eye care.

Communications Objectives

- Educate consumers about the potential health risks of not receiving a thorough eye exam by a licensed eye care professional.
- Teach consumers the difference between the types of eye exams available and the benefits of each one.
- Provide materials to professionals to educate their patients on different types of eye exams.
- Create a level of understanding on the benefits of new technology, but also recognize its limitations.
- Secure the support of partners to assist in the distribution of messaging.
- Inform the public of the role of the Board.

Target Audience

The Board will be targeting multiple audiences and developing different messages and materials for each.

- Parents
- Doctors/professionals
- Policy Makers

Messaging

Initial messaging themes are presented in the following matrix for each audience. Depending on the outreach tactic, the message can be changed.

Audience	Message Themes
Parents	 A refractive eye exam – what it can and cannot do. Are you compromising eye safety for convenience? Your vision could be at risk. Importance of a thorough eye exam. Long term versus short term strategy for maintaining eye health.
Doctors/Professionals	 Educating patients on different types of eye exams will establish trust and loyalty and also better eye health. Patients rely on professionals for easy to understand information to make informed decisions. Refraction tests may be a first step to vision care, but other exams are needed to detect other eye health issues.
Policy Makers	 The Board recognizes that new technology exists related to eye care, however, there are limitations to the technology. The Board's role is to license and regulate the practice of optometry. What is eye health?

Strategy

The Board will work with the Department of Consumer Affairs' Communications Division to create materials and content to use for outreach. Campaigns will leverage national holidays pertaining to optometry, current events and issues, as well as board priorities. The Board will also work on developing partnerships to help promote the Board's role and campaigns.

Tactics

The following activities are some ideas for the Board to implement.

Traditional Media Outreach*

- News Releases News releases can be written to gain interest on Board activities and messages. These can be tied to national events to be relevant including Save Your Vision Month and the like.
- Interviews These can be for radio, television or print. The Communications Division will work to secure interviews on specific topics for the Board.
- Opinion Editorials Topics can be decided to develop an opinion editorial for placement. These too can coincide with specific months to gain relevancy or around specific pieces of legislation.

*Please see attached media list to include blogs, major dailies and community papers. This is just a starting point. Outreach will also be to television and radio stations depending on the campaign.

Social Media Outreach

The Board currently has Facebook and Twitter pages. Specific campaigns can be developed to garner more followers and engagement with the Board. These campaigns would be promoted using hashtags. Some potential campaigns could include the following:

- #HealthyEyes campaign can be centered on developing graphics to educate people on what healthy eyes look like.
- #CanUSeeWhatISee a campaign to explain the difference between eye exams.
- #ShowMeYourGlasses fun campaign to get people engaged and showcase how many people wear glasses and the importance of eye health.

The Board will also create an Instagram account to promote the campaigns above. By creating campaigns throughout the year to promote on social media the sites would be upgraded and enhanced with content and information.

Back to School Campaign

Back to school is a good time to remind parents to take their children to get a comprehensive eye exam. The Board will develop a press release to educate parents on the need to have their child's eyes checked out by an optometrist or ophthalmologist. (Draft attached)

A social media campaign will also be developed with messages to remind parents to take their children to get an eye exam. The following are examples of potential posts for social media sites. They would also be linked to the Board's website for more information.

- FB Posts (the following messages would be designed graphic posts)
 - Parents, did you know healthy eyes can lead to a better learning experience for your children? Make sure to get your child's eyes checked before school starts. #HealthyEyes
 - Have you gotten your child's eyes checked? Send us a picture of your child getting their eyes checked. #HealthyEyes
 - o Its 'Back-to-School' and time for an eye check. #HealthyEyes
 - This school year, make sure your children have clear vision and healthy eyes. #HealthyEyes
 - Don't impede your child's learning ability get them a comprehensive eye exam. #HealthyEyes
- Instagram Posts we would encourage people to post pictures of their children going back to school with glasses on or at the time of their eye appointment. We'd use the hashtag #HealthyEyes

Video Development

The Board can work on developing videos to explain the difference between eye exams. This can be of an optometrist simulating different eye exams. The video can then be used and placed on social media sites. As well as shared with partners and doctors to play in their offices.

Collateral Materials

Several materials can be created for use on the Board's website, social media and for distribution.

- Update existing brochures
- Create plain language materials for doctors to provide to patients regarding eye exams
- Create a one sheet to explain all the different types of eye exams
- Develop a brochure on the Board's role and function

Partnerships

Developing partnerships is a great tool to get ambassadors to deliver Board messages. The CA Optometric Association has agreed to run Board content in their newsletters and link to the Board website. We would work on identifying potential partners and develop materials as necessary.

Below is a brief list of potential partners:

- CA Optometric Association
- VSP
- Kaiser
- Optometry schools
- National Eye Institute
- American Academy of Ophthalmology
- California Department of Health Care Services
- California CareForce
- Blue Shield
- California Association of Dispensing Opticians
- California Academy of Eye Physicians & Surgeons
- School PTA's
- Legislative Offices specifically targeting the following:
 - Assemblymembers:
 - Matthew Harper
 - Adrin Nazarian
 - Jacqui Irwin
 - Marie Waldron
 - Kevin Kiley
 - Rob Bonta
 - Mark Stone
 - Catherine B. Baker

o Senators:

- John M. W. Moorlach
- Robert M. Hertzberg
- Hannah-Beth Jackson
- Henry I. Stern
- Joel Anderson
- Ted Gaines
- Nancy Skinner
- Bill Monning
- Steven M. Glazer

DCA Publications

DCA has a host of venues to have Board content including:

- DCA Blog Page
- Consumer Connection
- Monthly DYK

Timeline

Many of the tactics can be used throughout the year. Below is a general timeline to follow for specific campaigns using the different tactics. All dates/timeframes are estimates and subject to change.

Please see attached timeline for more details.