



REGULATORY AGENCY ACTION

the rule was set for January but was cancelled. The Board of Optometry opposes this proposed regulation.

LEGISLATION:

AB 573 (Bates) would require the Board of Optometry to hold the examination for licensure at least twice per year. Existing law requires the Board to hold the examination at least once annually. *AB 573* remains in inactive status. The Board, which endorsed the measure, may try to resurrect it in 1988.

1988 Proposed Legislation. Assemblymember Bill Jones has agreed to author 1988 legislation addressing three issues affecting optometrists. The first issue concerns the recognition in California of optometric licenses from other states. California currently has no optometric reciprocity agreement with other states. Legislation in this area would allow optometric licenses from other states to partially or completely fulfill California's optometric licensure requirements.

Also to be addressed in the legislation are fictitious name permits for optometric practices, which must be approved by the Board. Section 3125 of the Business and Professions Code states that a fictitious name may not be deceptive or misleading. Proposed legislation in this area would attempt to fashion a more specific standard for approval of fictitious name permits.

Finally, the Jones legislation would allow the Board of Optometry to recover its costs from the respondent when it prevails in an administrative disciplinary action. Currently, the Board may recover costs in successful criminal actions.

RECENT MEETINGS:

The Board of Optometry met on October 28-29 in Los Angeles. The Board voted to send a letter to the state Athletic Commission regarding examination of boxers. The letter was to express the opinion that optometrists are as qualified as ophthalmologists to examine boxers. Currently, only ophthalmologists may examine boxers' eyes.

The next licensure examination was set for July 8-10 at University of California at Berkeley.

The Board also voted to change its fee schedule. The fee for license renewals was reduced from \$85 to \$75. The branch office renewal fee was reduced from \$65 to \$50. The fee schedule changes have been approved by the Department of Consumer Affairs.

The Examination Committee of the Board met on December 17 in Emeryville. The Committee heard appeals from

22 licensure candidates who did not pass the licensure examination. Nine of the 22 appeals were accepted by the Committee.

FUTURE MEETINGS:

March 3 in San Diego.

BUREAU OF PERSONNEL SERVICES

Chief: Jean Orr
(916) 920-6311

The Bureau of Personnel Services, formerly the Bureau of Employment Agencies, was established within the Department of Consumer Affairs to regulate those businesses which secure employment or engagements for others for a fee. The Bureau regulates both employment agencies and nurses' registries. Those businesses which place applicants in temporary positions or positions which command annual gross salaries in excess of \$25,000 are exempt from Bureau regulation. Under the recently-enacted *AB 2929* (Chapter 912, Statutes of 1986), employer-retained agencies are also exempt from such oversight. *AB 2929* became effective July 1, 1987. The number of licensees regulated by the Bureau decreased as a result, but the major decline in the number of licensees is expected in April, 1988, which is the renewal date for current license holders. (For more information on the effects of *AB 2929*, see *CRLR Vol. 7, No. 1* (Winter 1987) p. 56 and *Vol. 7, No. 2* (Spring 1987) p. 64.)

The Bureau's primary objective is to limit abuses among those firms which place individuals in a variety of employment positions. It prepares and administers a licensing examination and issues several types of licenses upon fulfillment of the Bureau's requirements. There are approximately 1,600 licensees.

The Bureau is assisted by an Advisory Board created by the Employment Agency Act. This seven-member Board consists of three representatives from the employment agency industry and four public members. All members are appointed for a term of four years. As of this writing, seats for one public and two industry members remain vacant.

MAJOR PROJECTS:

Pilot Program. The Bureau's pilot enforcement program is now operative. (For more information, see *CRLR Vol. 7, No. 4* (Fall 1987) p. 63.) The program's enhanced enforcement has been demonstrated through the closing of

twelve businesses in the last four months as a result of Bureau investigation and consumer complaints.

Regulations. The Bureau was scheduled to conduct a hearing on January 8 regarding proposed changes to its regulations contained in Chapter 28, Title 16 of the California Administrative Code. Proposed amendments to sections 2840 and 2841 would require that employment agency advertisements and agency job advertisements contain the agency license name and either its address, telephone number, or license number. Several proposed amendments to sections 2842 and 2880 would delete language relating to employer-retained agencies, which the Bureau no longer licenses. Also scheduled for discussion at the January 8 hearing was the Bureau's proposal to adopt new sections 2898 and 2898.1 in Chapter 28. These provisions would implement the Bureau's citation authority established under *SB 2335* (Montoya), 1986 legislation which added section 125.9 to the Department of Consumer Affairs' general provisions in the Business and Professions Code.

FUTURE MEETINGS:

To be announced.

BOARD OF PHARMACY

Executive Officer: Lorie G. Rice
(916) 445-5014

The Board of Pharmacy grants licenses and permits to pharmacists, pharmacies, drug manufacturers, wholesalers and sellers of hypodermic needles. It regulates all sales of dangerous drugs, controlled substances and poisons. To enforce its regulations, the Board employs full-time inspectors who investigate accusations and complaints received by the Board. Investigations may be conducted openly or covertly as the situation demands.

The Board conducts fact-finding and disciplinary hearings and is authorized by law to suspend or revoke licenses or permits for a variety of reasons, including professional misconduct and any acts substantially related to the practice of pharmacy.

The Board consists of ten members, three of whom are public. The remaining members are pharmacists, five of whom must be active practitioners. All are appointed for four-year terms.

MAJOR PROJECTS:

Proposed Continuing Education Regulations. After two Office of Admin-