



ANTI-TRUST COMPLIANCE POLICY

It is the firm policy of the California Optometric Association (COA) to fully comply with the anti-trust laws of the United States and the State of California. In order to assure full compliance, the following policies and procedures are to be followed by COA and its societies, all delegates, trustees, officers and society officers, committees, members and employees.

A. At any meeting or event, whether formal or informal, of the membership of COA (COA House of Delegates), Board of Trustees, any COA society, any COA committee or at any meetings or events where any COA employee is present or where COA, its societies or committees are in any way involved, or in any electronic communication medium owned by COA or in which any COA officer, delegate, trustee, member or employee is in any way involved, including, but not limited to, bulletin boards, listservs and blogs, there shall be no discussion of the following:

1. Sharing of fee information, fee levels, fee differentials, mark-ups, margins, profits, allowances, credit terms or other consideration for the examination or treatment of patients or for the provision of other services or products offered to patients other than those set explicitly by statute or regulation;
2. Fee cutting or discounts, changes or proposed changes to fees or other consideration for the examination or treatment of patients or for the provision of other services or products to patients other than those set explicitly by statute or regulation;
3. Formulas, procedures or means for establishment and determination of fees or terms or conditions for the examination or treatment of patients or the provision of other services or products to patients;
4. Any other terms or conditions for the provision of optometric services or the allocating or sharing of patients;
5. Any acts, practices or conduct, including, but not limited to, calls for boycott, which would in any way ever be construed to constitute a boycott or an attempt to exclude any competitor, including, but not limited to, another doctor of optometry, insurer or any other purchaser or supplier of optometric services or products;
6. Any acts, practices or conduct, including, but not limited to, tying arrangements, which would in any way ever be construed to constitute a situation in which a party agrees to sell a product or service on the condition that the buyer also purchase a different product or service, or agree not to purchase that product or service from another supplier.
7. Any agreements, practices or information that any COA member has with any vendor pertaining to the provision of goods or services to the COA member's optometric practice or business.

B. It is the intention of this paragraph to preclude any discussion whatsoever at any meeting or event of COA or on any electronic communication medium where COA personnel are present of any matter relating to fees, rates, discounts, boycotts and particular competitive practices of the members of COA.

C. In the event that any of these improper subjects are raised at a COA meeting or on a COA-owned electronic communication medium, the person raising these subjects is to be told to immediately stop and in the event such a person refuses to stop, the meeting is to be immediately adjourned or the person removed from the ability to communicate on COA-owned electronic communication medium(s).

D. Copies of this anti-trust compliance policy shall be distributed at each meeting of COA and COA societies, and shall be communicated or posted on all COA-owned electronic communication mediums. This policy shall also be provided annually to incoming COA and COA society leadership and committee members.

E. Any incident where any improper topics were raised at a COA meeting or event or on a COA-owned electronic communication medium should be immediately reported to the COA executive director, COA president or COA legal counsel.