

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**  
A Notice of Proposed Rulemaking accompanies this form.

**FILED**  
9-15-16 8:10 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

Board of Optometry  
Agency and Division

852  
Administrative Rules Chapter Number

Updates agency rules for business ownership requirements and criminal records checks and fitness determinations

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Board of Optometry

**Statutory Authority:**

ORS 683

**Other Authority:**

**Statutes Implemented:**

ORS 683.070, 683.100, 683.120 & 683.270

**Need for the Rule(s):**

Updates Board rules to clarify authority over business ownership of optometry businesses. Updates Board rules regarding criminal background checks and fitness determinations. Clarifies what a recent optometry graduate can do within the industry and updates rules to reflect one hour of CE credit for taking the Oregon law exam.

**Documents Relied Upon, and where they are available:**

See attached document

**Fiscal and Economic Impact:**

Minimal. Applicants and licensees are currently required to pay the cost of Board criminal background checks. Other updates are administrative and would only have a fiscal impact for non-compliance.

**Statement of Cost of Compliance:**

**1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):**

None

**2. Cost of compliance effect on small business (ORS 183.336):**

**a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:**

There are approximately 800 actively licensed optometrists in Oregon and about 400 inactively licensed optometrists. The Board doesn't license facilities.

**b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:**

None

**c. Equipment, supplies, labor and increased administration required for compliance:**

None

**How were small businesses involved in the development of this rule?**

Licensees will have the opportunity to comment during the rule-making process.

**Administrative Rule Advisory Committee consulted?: Yes**

**If not, why?:**

11-01-2016 11:00 a.m.	Shelley Sneed	shelley.g.sneed@oregon.gov
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

