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ARCHIVES DIVISION

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**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 852  
BOARD OF OPTOMETRY

**FILED**

01/10/2022 3:09 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Accepting COPE Pain courses

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 03/24/2022 2:30 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

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1500 Liberty St SE, Ste 210  
Salem, OR 97302

Filed By:  
Shelley Sneed  
Rules Coordinator

HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 03/24/2022

TIME: 2:00 PM - 2:30 PM

OFFICER: Shelley Sneed

ADDRESS: Oregon Board of of Optometry  
1500 Liberty St SE, Suite 210  
Salem, OR 97302

SPECIAL INSTRUCTIONS:

Email [optometry.board@obo.oregon.gov](mailto:optometry.board@obo.oregon.gov) for an electronic meeting invitation

NEED FOR THE RULE(S)

Allows OBO licensees to use COPE pain courses to meet the on-going pain education requirement.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

ARBO course listing at board office.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

COPE offers a variety of on-line and in person trainings that are open to all optometry licensees.

FISCAL AND ECONOMIC IMPACT:

None--licensees are used to paying for CE courses, so this is just one course option/.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost

*of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

No new requirements for record keeping.

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DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

The Board is comprised of 4 licensed optometrists.

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WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

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AMEND: 852-070-0010

RULE SUMMARY: Allows OBO licensees to use COPE approved pain courses to meet the biennial training requirement.

CHANGES TO RULE:

852-070-0010

#### Requirement of Continuing Optometric Education ¶¶

The Oregon Board of Optometry is committed to ensuring the continuing education of its licensees for the protection, safety and wellbeing of the public. Continuing education is required to maintain and advance the professional skills and abilities of licensees and to educate optometric physicians in the application and use of new techniques, scientific and clinical advances and the achievements of research to ensure expansive and comprehensive care to the public.¶¶

(1) Every active status licensed optometric physician must complete at least 18 hours of clinical optometric courses each license year as a condition of license renewal. Continuing education hours cover 12-month periods and must be reported with license renewal applications. Upon written request, the licensee may carry forward approved excess CE hours completed in the prior license year to the current license year.¶¶

(2) Of the required 18 hours, at least nine hours each license year must be in the area of diagnosis, treatment and management of ocular disease (TMOD). The licensee must be the first or second author of the article or paper and the paper must have been published in the CE reporting period.¶¶

(3) Optometric physicians must complete one hour of approved credit for an optometric ethics or Oregon law course every other license year, regardless of credits carried forward under (1) of this section. Licensees may receive one hour of optometric ethics/Oregon law credit per year for verified attendance of at least one hour at an official meeting of the Oregon Board of Optometry. One hour of law/ethics credit is granted for passing the Oregon law exam.¶¶

(4) One hour of Board approved or Oregon Health Authority approved cultural competency continuing education may be used toward satisfying the required number of non-TMOD hours each license year. All licensees must complete at least 1 hour of cultural competency education for every other license renewal. The first reporting is due with renewals due after June 30, 2021.¶¶

(5) Credit will be given for no more than five hours of clinical or surgical observation per license year. No credit will be granted for observation in the licensee's primary practice or in any practice locations affiliated with the licensee.¶¶

(6) The required hours of continuing education used to meet the CE requirement each license year must be of different course content. When the Board determines that a licensee has submitted a course or lecture essentially identical to another presentation submitted for credit in the same license renewal period, credit will be given for only one.¶¶

(7) Credit will be given for no more than 2 hours for each publication of a qualifying article or paper.¶¶

(8) New Licensees are required to complete the Oregon Pain Management 1 hour training offered by the Oregon Health Authority and report at their first license renewal. Existing licensees must complete at least 1 hour of pain management education every other license renewal, regardless of credits carried forward under (1) of this section. Existing licensees may complete the Oregon Pain Management 1 hour training offered by the Oregon Health Authority or other pain management courses approved by the Board. The Board will accept COPE approved pain courses, unless they are in categories EJ or PM.¶¶

(9) Of the 18 required hours, licensees can report up to five hours of in-person, U.S. based CME courses per license renewal. Acceptable courses must be ACCME accredited, be in AMA PRA Category 1 and be acceptable in the TMOD category per OAR 852-070-0010(2).

Statutory/Other Authority: ORS 683, 182

Statutes/Other Implemented: ORS 683.140, 683.270, 683.210, 182.466