

852-010-0080

The following fee schedule is established by the Oregon Board of Optometry to set forth in one place all of the fees and specified civil penalties charged by the Board:

(1) Active license:

(a) Annual renewal — ~~\$325~~ **\$375**, of which ~~\$298~~ **\$348** is for the active optometry license, \$25 is the Prescription Drug Monitoring Fund fee collected by the licensing body on behalf of the Oregon Health Authority and \$2 for the OHA Survey fee.

(b) Additional copy of Portable Multiple Practice Location license — ~~\$25~~ **\$40** each.

(c) Failure to meet renewal date: Late renewal fee — ~~\$50~~ **\$75** first failure, \$100 second failure, \$200 any subsequent failure in a seven-year period.

(d) Lapse in CPR certification during licensing period — ~~\$50~~ **\$75 first lapse**, \$100 second lapse, \$200 any subsequent lapse in a seven-year period.

(e) Failure to notify the Board of practice locations or address or phone number of record — ~~\$50~~ **\$75** first failure, \$100 second failure, \$200 any subsequent failure(s) in a seven-year period.

(2) The agency assesses civil penalties for violations of ORS 683.010 to 683.310 and 676.110 to 676.220 and OAR chapter 852, some of which may be settled per the terms of a settlement agreement, consent order or stipulated order. Penalties not listed here will be assessed by the Board on a per case basis.

(a) Failure to respond to a Continuing Education audit within 21 days — \$250.

(b) Failure to complete or document meeting Continuing Education requirements by the due date — \$500 plus license suspension if overdue 60 days or more.

(3) Inactive License:

(a) Annual renewal — ~~\$100~~ **\$125** which includes \$2 for the OHA Survey fee.

(b) Late renewal fee — ~~\$15~~ **\$20**.

(c) Failure to notify the Board of address or phone number of record — ~~\$50~~ **\$75** first failure, \$100 second failure, \$200 subsequent failure(s) in any seven-year period.

(4) Application for Licensure:

(a) Application for Examination and Licensure — ~~\$200~~ **\$300**.

(b) Application for Endorsement Examination and Licensure — \$300.

(c) Application for TPA Certification — ~~\$75~~ **\$100**.

~~(d) Law and Administrative Rule Examination administered by the Board — \$75.~~

(5) Other fees:

- (a) Written official license verification — ~~\$20~~ **\$30**.
- (b) List of licensees (electronic or printed) — ~~\$25~~ **\$30** each Active/Inactive.
- (c) Reactivation of license — ~~\$100~~ **\$150**.
- (d) Reinstatement of license — ~~\$100~~ **\$150**.
- ~~(e) Law and Administrative Rules booklet — \$25 (available online at no charge).~~
- (e)** ~~(f)~~ Decorative Wall Certificate of Registration (optional, personalized and signed by Board) — ~~\$30~~ **\$40**.
- (g) Applicant or licensee must pay to the Board the cost of conducting the state and federal background check. The cost is \$45 and due with the application fee or when requested by the Board.
- (h) Return check fees or other costs associated with a returned payment to the agency will be reimbursed by the licensee, as well as a \$25 agency processing fee.
- (6) Public Records Fees: The Board will assess Public Records fees per DAS Policy 107-001-030 or any subsequent policy number.
- (7) The Board will not refund any fee unless there has been an error by the Board in the charging of the fee. Information not known by the Board because the licensee, applicant, or other person or entity has not supplied the correct information is not considered an error.

852-001-0001

Notice of Proposed Rule

Before the adoption, amendment, or repeal of any permanent rule, the Board of Optometry must give notice of the proposed adoption, amendment, or repeal in the following ways:

- (1) In the Secretary of State's Bulletin referred to in ORS 183.360, at least 21 days before the effective date of the rule.
- (2) By e-mailing or mailing a copy of the notice to persons on the Board of Optometry's distribution list established pursuant to ORS 183.335(8) at least 28 days before the effective date of the rule.
- (3) By ~~mailing~~ emailing a copy of the notice to the legislators specified on ORS 183.335(15) at least 49 days before the effective date of the rule.
- (4) By emailing or mailing a copy of the notice to:
 - (a) Oregon Optometric Physicians Association; and
 - (b) Capitol Press Room.
- (5) By posting the notice of rulemaking along with the proposed administrative rule text on the Board's website.

852-050-0005

License and Certificate of Registration

- (1) Upon becoming authorized to practice Optometry in Oregon, the licensee will receive:
 - (a) One original license, printed with and valid only at the address of the reported primary practice location. This current original license must be displayed in plain sight at the primary practice location where it can be viewed by any patient; and
 - (b) One Portable Multiple Practice Location license, printed with the reported primary practice location address, which may be used to practice at an unlimited number of additional reported practice locations. A Board-issued Portable Multiple Practice Location license must be displayed in plain sight at each non-primary practice location in an area where it can be viewed by any patient. Optometric physicians who wish not to transport this portable license among locations may purchase additional copies of the Portable Multiple Practice Location license from the Board.
- (2) The licensee's status (active or inactive, and pharmaceutical certification) is printed by the Board on each license.
- (3) The licensee must notify the Board of each practice location before commencing work at that location.

852-005-0005

Budget

The Oregon Board of Optometry hereby adopts by reference the Oregon Board of Optometry ~~[2017-19]~~ **2019-21** Biennium Budget of ~~[\$656,980]~~ **\$786,000** in revenues and ~~[\$773,004]~~ **\$839,561** in expenses covering the period from July 1, ~~2017~~ **2019** through June 30, ~~2019~~ **2021**. The Executive Director of the Board will amend budgeted accounts as necessary within the approved budget for the effective operation of the Board. The Board will not exceed the approved ~~[2017-19]~~ Biennium budget without amending this rule, notifying holders of licenses, and holding a public hearing thereon as required by ORS Chapter 182.462(1) & (2). Copies of the budget are available from the Board's office and are also posted on the Board's website.

OBO Draft
2019-2021 Biennium Budget--as of October 2018

		Jul 19 - Jun 20		Jul 20 - Jun 21		Biennial Total		2017-19 Approved Amended Budget	
						Jul 19 - Jun 21			
Revenue									
2200 - LICENSING FEES									
	1850 - EPMP (Collected for OHA)	20,400		20,400		40,800		22,000	
	1860 - Background Check Fees (\$45)	2,700		2,700		5,400		3,105	
	0206 - Duplicate Portable	4,000		4,000		8,000		5,250	
	1520 - Annual Renewal - Active	285,600		285,600		571,200		504,263	
	1521 - Annual Renewal - Inactive	44,500		44,500		89,000		82,025	
	Total 2200 - LICENSING FEES		357,200		357,200		714,400		616,643
2300 - MISCELLANEOUS FEES									
	1765 - License Verifications	1,400		1,350		2,750		3,425	
	1774 - Licensee List	1,500		1,500		3,000		3,563	
	1794 - Investment Income	750		500		1,250		600	
	Total 2300 - MISCELLANEOUS FEES		3,650		3,350		7,000		7,588
2400 - OTHER FEES									
	1225 - Wall Certificate	200		200		400		275	
	1290 - Delinquent Fee	0		0		0		300	
	1292 - New License Application	15,000		15,000		30,000		26,500	
	1293 - TPA Certification Application	1,000		1,000		2,000		1,475	
	1294 - Endorsement Application	1,500		1,500		3,000		2,500	
	1296 - Reactivation Application	1,050		1,050		2,100		1,375	
	1297 - Reinstatement Application	450		450		900		1,375	
	1810 - Late Payment - Renewal	5,500		5,500		11,000		11,750	
	1811 - Civil Penalties	2,000		2,000		4,000		4,000	
	1812 - Lapsed CPR Certification	5,500		5,500		11,000		4,000	
	2410 - Returned Check Charges	100		100		200		400	
	1831 - Disciplinary Fees	0		0		0		-	
	Total 2400 - OTHER FEES		32,300		32,300		64,600		53,950
	Total Revenue		393,150		392,850		786,000		678,181
Expense									
3100 - PAYROLL & OPE									
3110 - PAYROLL									
	3111 - Employee Payroll	159,306		165,552		324,858		282,510	
	3120 - Board Payroll - Stipend	2,500		2,500		5,000		5,000	
	3121 - Temporary Payroll	4,000		4,000		8,000		8,000	
	Total 3110 - PAYROLL		165,806		172,052		337,858		295,510
3200 - OPE									
	3221 - Payroll Tax - FICA (6.2%)	10,280		10,667		20,947		18,322	
	3222 - Payroll Tax - Medicare (1.45%)	2,404		2,495		4,899		4,285	
	3263 - Payroll Benefit - Insurance (Med/Dent/Life)	43,136		45,651		88,787		86,089	
	3265 - Payroll Benefit - PERS/Employee	36,051		37,464		73,515		61,509	
	3269 - Payroll Tax - Workers Comp Bd.	339		339		678		351	
	3271 - Other Payroll Expenses	0		0		0		-	
	3266 - DAS - PERS Bond Debt	9,877		10,264		20,141		17,516	
	Total 3200 - OPE		102,087		106,881		208,967		188,072
	Total 3100 - PAYROLL & OPE		267,892		278,933		546,825		483,582
6000 - SERVICES & SUPPLIES									
6010 - IN-STATE TRAVEL									
	6011 - In State Meals & Lodging/Misc	500		500		1,000		1,000	
	6012 - Conference Meals & Lodging	0		2,000		2,000		2,000	
	6013 - Parking Fees	200		200		400		400	
	6036 - In-State Ground Transportation	1,500		1,500		3,000		3,000	
	Total 6010 - IN-STATE TRAVEL		2,200		4,200		6,400		6,400

OBO Draft
2019-2021 Biennium Budget--as of October 2018

		Jul 19 - Jun 20		Jul 20 - Jun 21		Biennial Total		2017-19 Approved Amended Budget	
						Jul 19 - Jun 21			
6100 - OFFICE EXPENSE									
	6110 - Office Supplies	1,500		1,500		3,000		3,000	
	6111 - Printing and Reproduction	0		0		0		-	
	6112 - Administrative Printing & Copying	1,500		1,500		3,000		2,000	
	6113 - Newsletter Printing & Copying	0		0		0		1,000	
	6120 - Postage	2,500		2,500		5,000		5,000	
	6125 - Office Services	150		150		300		300	
	6140 - Equipment Rentals	3,000		3,000		6,000		6,000	
	6145 - Dues and Subscriptions	1,400		1,400		2,800		2,800	
	6146 - Facilities Rent	17,200		17,500		34,700		33,500	
	6150 - Payroll Processing	1,100		1,100		2,200		2,000	
	6160 - Publicity and Publications	0		0		0		-	
	6165 - Secure Shredding	300		300		600		600	
	6216 - Data Processing Services	0		0		0		-	
	Total 6080 - OFFICE EXPENSE		28,650		28,950		57,600		56,200
6274 - TELECOM & TECHNOLOGY									
	6275 - DAS ETS (Server, Email, Phones)	5,846		5,846		11,691		9,974	
	6276 - Internet Access and Web Hosting	1,680		1,680		3,360		3,360	
	6277 - E-Records Storage and Retrieval	500		500		1,000		1,000	
	6278 - Website Design	200		200		400		400	
	6279 - Database Fees	24,000		24,000		48,000		49,200	
	6274 - Telecommunications & Technology Other	960		960		1,920		1,920	
	Total 6174 - TELECOM & TECHNOLOGY		33,186		33,186		66,371		65,854
6300 - PROFESSIONAL DEVELOPMENT		500		500		1,000		1,000	
6400 - PROFESSIONAL SERVICES		0		0		0		-	
	6436 - ALJ/CONTESTED CASE RESERVES	2,000		2,000		4,000		4,000	
	6440 - ATTORNEY GENERAL LEGAL FEES	20,000		20,000		40,000		40,000	
	6451 - AUDIT CHARGES	10,000		0		10,000		9,000	
	6452 - Other Consulting Services	300		300		600		300	
	6456 - INSURANCE	6,186		6,186		12,372		12,822	
	6615 - INTER-AGENCY CHARGES	0		0		0		-	
	6523 - OTHER SERVICES	0		0		0		-	
	6500 - BANK SERVICE CHARGES	0		0		0		-	
	6532 - BANK SERVICE CHARGES	200		200		400		850	
	6535 - CREDIT CARD PROCESSING FEES	8,000		8,000		16,000		16,000	
	6536 - RETURN CHECK FEES	100		100		200		400	
6600 - State Administrative Support									
	6610 - DAS Fees								
	6611 - DAS Rule Filing Fees	1,697		1,700		3,397		4,592	
	6612 - Bill Tracker/LINUS Fees	243		245		488		488	
	6613 - Ethics Commission Fees	25		25		50		50	
	6614 - PPDB & E-Recruit Fees	0		0		0		-	
	6616 - Employment Relations Board	60		60		120		120	
6670 - COLLECTION Costs									
	6671 - Collection Costs - DOR	0		0		0		-	
	6672 - Collection Costs - Private Firm	0		0		0		-	
6700 LICENSING COSTS									
	6740 - OJIN Fees	540		540		1,080		1,080	
	6750 - EPMP	18,360		18,360		36,720		39,600	
	6760 - LEDS Background Check Fees	1,300		1,300		2,600		2,600	
	6770 - NPDB Background Check Fees	200		100		300		300	
	6775 - OHA Survey Fee	2,344		2,344		4,688		4,720	
	6780 - National Background Check Fees	2,250		2,100		4,350		1,300	
6800 - Investigation Costs									

OBO Draft
2019-2021 Biennium Budget--as of October 2018

			Biennial Total		2017-19 Approved Amended Budget	
			Jul 19 - Jun 20	Jul 20 - Jun 21		Jul 19 - Jun 21
		6810 - Mileage	500	500	1,000	1,200
		6820 - Lodging/meal Costs	0	0	0	500
		6830 - Investigation Supplies	1,000	1,000	2,000	1,500
		6840 - Investigation Other Costs	500	500	1,000	1,000
		6850 - Contract Investigator Costs	1,500	1,500	3,000	3,000
		6900 - Miscellaneous Expenses				
		6905 - Other Services	500	500	1,000	1,000
		7000 - Board Expenses				
		7010 - Board Meeting Room Rentals	0	0	0	-
		7015 - Board Meeting Meals	1,000	1,000	2,000	2,000
		7020 - Board Meeting Lodging	1,000	1,000	2,000	1,200
		7025 - Board Meeting mileage	3,000	3,000	6,000	6,000
		6660 - EXPENDABLE PROPERTY (\$250-5000)	5,000	1,000	6,000	2,000
		Total 6000 - SERVICES & SUPPLIES	88,305	74,060	162,365	158,622
		Total Expense	420,233	419,328	839,561	770,658
		Net Income/Loss	\$ (27,083)	\$ (26,478)	\$ (53,561)	\$ (92,477)
			<u>2019-20</u>	<u>2020-2021</u>	<u>Total Biennium</u>	
		Total Revenues	\$ 393,150	\$ 392,850	\$ 786,000	
		Total Expenses	\$ (420,233)	\$ (419,328)	\$ (839,561)	
		Fixed Asset Purchases	\$ -	\$ -	\$ -	
		Balance	\$ (27,083)	\$ (26,478)	\$ (53,561)	
		6/30/19 Estimated Willamette Valley Bank balance	\$30,434			
		6/30/19 Estimated Willamette Valley CD balance	\$200,000			
				Avg. Monthly income	\$ 32,750.00	
		6/30/19 Estimated Total Cash Assets	\$230,434	Avg. Monthly expenses	\$ 34,981.71	
		Projected 2017-19 Close of Biennium Cash Assets	\$176,873	# of months of operating income in reserves as of 6/30/19	5.06	

Licenses as of 10/5/18		Proposed Fee	Income
Active	816	\$375	\$306,000
Inactive	356	\$125	\$44,500
	1,172		\$350,500
Other Fees			
Duplicate Portable/Reprint	100	\$40	\$4,000
License Verifications	45	\$30	\$1,350
Licensee List	75	\$30	\$2,250
Wall Certificate	5	\$40	\$200
License Application--Exam	50	\$300	\$15,000
License Application--Endorsement	5	\$300	\$1,500
TPA Application	10	\$100	\$1,000
Reactivation Fee	7	\$150	\$1,050
Reinstatement Fee	3	\$150	\$450
Late/Address/CPR Fees			
1st	100	\$75	\$7,500
2nd	25	\$100	\$2,500
3rd & subsequent	5	\$200	\$1,000
Inactive Late Fee	100	\$20	\$2,000
			390,300

**Includes the \$25 EDMP fee & the \$2 OHA survey fee

Late Fee	CPR lapse
3,750	3,750
1,250	1,250
500	500
5,500	5,500

(4) While practicing at any location, a current license must be displayed in plain sight at all times in an area where it can be viewed by any patient.

(5) Photocopies of licenses are void and may not be displayed.

(6) The original license and all Portable Multiple Practice Location licenses expire and must be renewed during the annual license renewal period. **Current licenses must be displayed per 808-005-0005(4).**

(7) Any optometric physician actively licensed to practice in Oregon may purchase an optional decorative wall certificate of registration personalized and signed by the Board.

(8) Licensees must be licensed under their legal name. Any names changes require a written notification to the Board accompanied with the legal documentation of the name change. The licensee will be required to purchase a new license copy at the time of a legal name change. Acceptable documentation includes: marriage certificate, divorce decree, driver's license, birth certificate or other Board acceptable documentation. A licensee's legal name is their first name, middle initial and last name. A license can be printed with the licensee's full legal name upon written request.

852-005-0030

Contracting

The Oregon Board of Optometry adopts by reference **portions of** the State of Oregon's contracting policies. These rules are contained in the Oregon Administrative Rules, chapter 125, divisions 20, 300, 310, 320, 330, 360. **The Board's financial policies will govern any other contracting activities.**

852-010-0015

Application for Examination and Licensure

(1) Each applicant must meet educational qualifications and must comply with the requirements of ORS 683.040 before the applicant will be accepted for examination and licensure.

(2) Applications for licensure as an optometric physician in Oregon must be directed to the office of the Board.

(3) The application is complete upon receipt by the Board of:

(a) A signed application form;

(b) A copy of the **A mailed** official final transcript from an **Accreditation Council on Optometric Education (ACOE)** accredited college of optometry indicating receipt of the doctor of optometry degree **mailed directly to the Board from the college or university;**

(c) A copy of the record establishing satisfactory completion of a course in pharmacology as it applies to optometry from an institution approved under ORS 683.040(2) when applicable;

(d) Verification of the passage of the examination of the National Board of Examiners in Optometry (NBEO) **sent directly from NBEO to the Board;**

(e) Receipt by the Board's office of the application fee and criminal background check fee as listed in OAR 852-010-0080;

(f) Written confirmation sent directly from the licensing entity of each other state in which the candidate has ever been licensed that the candidate for licensure has not been sanctioned for violating the laws, rules and standards of ethics of that jurisdiction. **The Board will accept electronic license verifications if that is the only mechanism the verifying state uses for license verifications;**

(g) Documentation of completion of the required continuing optometric education;

(h) Documentation of current CPR certification, as required in OAR 852-080-0040;

(i) Proof of meeting the requirements of OAR 852 division 80 – Pharmaceutical Agents, for licensure with the non-topical certification (AT) or non-topical certification with injections (ATI);

(j) Proof of passage of the Oregon optometric law and administrative rules examination; and

(k) Satisfactory results of a criminal records background check as defined in OAR 852-050-0025.

(4) Any application received from an optometrist who has been sanctioned by another optometric licensing jurisdiction is individually reviewed and considered by the Board **at their next regularly scheduled meeting. Any applicant with a felony conviction will be individually reviewed and considered by the Board at their next regularly scheduled meeting.**

852-010-0020

Rules for Examination and Licensure

(1) Pursuant to ORS 683.060(2), the Board will require a passing score on Parts I, II, III, (PAM and Clinical Skills) and TMOD (Treatment and Management of Ocular Disease) of the National Board of Examiners in Optometry (NBEO) examination. NBEO standards for passing the NBEO examination are acceptable to the Board.

(2) The applicant for examination and licensure must:

(a) Provide written confirmation sent directly from the licensing entity of each other state in which the applicant has ever been licensed that the applicant for licensure has not been sanctioned for violating the laws, rules or standards of ethics of that jurisdiction. **The Board will accept electronic license verifications if that is the only mechanism the verifying state uses for license verifications.** In addition, the Board will query the National Practitioner Data Bank for adverse actions on each person making an application for licensure;

(b) Submit documentation of continuing education hours as required in OAR 852 division 70;

(c) Pass, by a score of 80 or better, a Board-approved written examination relating to Oregon optometric law and administrative rules within the 12 months before date of Oregon licensure. Because the

Administrative Rule and Law examination is not clinical in nature, there is no waiting period before an examination retake. If the examination is not available through the National Board of Examiners in Optometry, the Board will set location(s), date(s) time(s) and fees for administration of the examination.

(3) Any applicant whose conduct constitutes cheating or subverting of the process of the evaluation of professional competency by the Board or by an examiner may be dismissed from the examination and denied licensure.

852-010-0022

Application for Endorsement Examination and Licensure

(1) Each applicant must meet educational qualifications and must comply with the requirements of ORS 683.040 before the applicant is accepted for examination and licensure.

(2) Applications for licensure as an optometric physician in Oregon must be directed to the office of the Board.

(3) The application is complete upon receipt by the Board of:

(a) A signed application ~~form~~;

(b) Confirmation that the applicant holds a license for the practice of optometry obtained by examination in another state in the United States, and the applicant is TPA certified by that state;

(c) Written confirmation sent directly from the licensing entity of each other state in which the applicant has ever been licensed that the applicant for licensure has not been sanctioned for violating the laws, rules or standards of ethics of that jurisdiction. **The Board will accept electronic license verifications if that is the only mechanism the verifying state uses for license verifications.**;

(d) Verification of the passage of the examination of the National Board of Examiners in Optometry (NBEO) or its equivalent;

(e) Documentation of continuing optometric education **as required in OAR 852 division 70;**

(f) Receipt by the Board's office of the application fee;

(g) Proof of meeting the requirements of OAR 852 Division 80 — Pharmaceutical Agents, for licensure with the non-topical certification (AT) or non-topical certification with injections (ATI); and

(h) Satisfactory results of a criminal records background check as defined in OAR 852-050-0025.

(4) Any application received from an optometrist who has been sanctioned by revocation of license by another optometric licensing jurisdiction is individually reviewed and considered by the Board.

NOTE: Because of the unique scope of practice for Oregon optometric physicians, Oregon does not have reciprocity licensing agreements with any other state(s).

852-010-0023

Rules for Endorsement Examination and Licensure

Pursuant to ORS 683.220 the Board may grant to an applicant a license by endorsement for the practice of optometry if the applicant:

- (1) Holds a license for the practice of optometry obtained by examination in another state in the United States;
- (2) Has been continuously engaged in the practice of optometry for not less than two years immediately preceding the application to the Board;
- (3) Has educational qualifications the Board considers equivalent to the educational requirements necessary for licensing by the Board at the time the applicant commenced the practice of optometry. The educational requirements include a passing score on Parts I, II, III, (PAM and Clinical Skills) and TMOD (Treatment and Management of Ocular Disease) of the National Board of Examiners in Optometry (NBEO) examination or its equivalent, as determined by the Board. NBEO standards for passing the NBEO examination are acceptable to the Board;
- (4) Submits documentation satisfactory to the Board of continuing optometric education hours equivalent to the requirements established by OAR 852-070;
- (5) Provides written confirmation sent directly from the licensing entity of each other state in which the applicant has ever been licensed that the applicant for licensure has not been sanctioned for violating the laws, rules or standards of ethics of that jurisdiction. **The Board will accept electronic license verifications if that is the only mechanism the verifying state uses for license verifications.** In addition, the Board will query the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank for adverse actions on each person making an application for licensure by endorsement;
- (6) Pays the licensure by endorsement application fee as listed in OAR 852-010-0080; and
- (7) Passes, by a score of 80 or better, a Board-approved written examination relating to Oregon optometric law and administrative rules within the 12 months previous to date of Oregon licensure. Because the Administrative Rule and Law examination is not clinical in nature, there is no waiting period before an examination retake. If the examination is not available through the National Board of Examiners in Optometry, the Board will set location(s), date(s) time(s) and fees for administration of the examination;
- (8) Provides proof of meeting the requirements of OAR 852 division 80 — Pharmaceutical Agents, for licensure with the non-topical certification (AT) or non-topical certification with injections (ATI);
- (9) ~~Receive~~ Receive Satisfactory results of a criminal records background check as defined in OAR 852-050-0025;
- (10) Any applicant whose conduct constitutes cheating or subverting of the process of the evaluation of professional competency by the Board or by an examiner may be dismissed from the examination and denied licensure.

852-050-0006

Annual Renewal of Active License

(1) Active licensees must annually renew their license to practice optometry:

(a) Annual license-year renewal periods are established by the Board based upon birth dates of licensees;

(b) If the licensee's date of birth is not available to the Board, a license renewal period will be established for the licensee.

(2) Complete license renewal applications are due on the first day of the month of license expiration (month of licensee's birth date) and must be received in the Board's office or be postmarked to the Board's mailing address or successfully submitted via the Board's online system, on or before the due date.

(3) The license renewal application must include the following to be considered complete:

(a) A completed license renewal ~~form~~ signed by the licensee;

(b) Payment for the correct license renewal fee(s) **and any late fee(s)**;

(c) **Accurate** completion of the required continuing optometric education reporting ~~form~~ and attestation of meeting the continuing education requirements; and

(d) Attestation of continuous CPR certification, as required in OAR 852-80-0040.

(4) The Board, as a courtesy, mails or emails annual license renewal notices to the licensee's current reported address or email address of record. However, it is the licensee's responsibility to ensure timely renewal; failure to receive notice does not relieve the licensee of the responsibility to timely renew

(5) A licensee who is not more than 30 days late in renewing the license may renew upon payment to the Board of the required late fee. If a licensee is more than 30 days late, the license is automatically suspended upon 30-day notice sent to the licensee via certified mail, as required by ORS 683.120(2).

(6) If a licensee is more than 60 days late in renewing the license, the licensee may be required to take an examination and pay the examination fee as required in ORS 683.060. The Board may, upon written ~~application~~ **request**, waive the examination requirement.

(7) **In addition to** the annual license renewal fee listed in OAR 852-010-0080, the Board is required by ORS 431.972 to collect an additional annual fee from each **active status** optometry licensee for the Electronic Prescription Drug Monitoring Fund, which is remitted to the Oregon Health Authority.

(8) In any seven-year period, any licensee whose complete license renewal and fee is not received or postmarked by the first day of the month of license expiration is subject to a late payment fee listed in OAR 852-010-0080, which must be received before the license will be issued.

(9) Any licensee whose Board-required CPR certification lapsed at any time during the licensing period is subject to a lapsed CPR fee as listed in OAR 852-010-0080, which must be received before the license will be issued.

852-050-0012

Inactive Status License

(1) Eligible licensees may be granted an inactive status license upon signed written request. If renewal is not due, the license will be converted from active to inactive at no charge. If renewal is due, the licensee will pay the inactive renewal fee.

(2) To remain in inactive status, a licensee must renew annually. Annual license-year renewal periods are established by the Board based upon birth dates of licensees.

(3) Complete license renewal applications are due on the first day of the month of license expiration (month of licensee's birth date) and must be received in the Board's office or be postmarked to the Board's mailing address on or before the due date.

(4) The license renewal application must include the following to be considered complete:

(a) A completed license renewal ~~form~~ signed by the licensee; and

(b) Payment for the correct license renewal fee(s) **and any late fee(s)**.

(5) As a courtesy, the Board sends a license year renewal notice to the inactive status licensee's current reported **email address or** address of record . However, it is the licensee's responsibility to ensure timely renewal; failure to receive notice does not relieve the licensee of the responsibility to timely renew.

(6) A licensee who is not more than 30 days late in renewing the license may renew the license upon payment to the Board of the required fee plus a late fee. If a licensee is more than 30 days late, the license is automatically suspended upon 30-day notice sent to the licensee by first-class mail.

(7) A licensee who is more than 60 days late in renewing the license may be required to take an examination and pay the examination fee as required in ORS 683.060. The Board may, upon written application, waive the examination requirement.

(8) ~~An inactive status licensee whose license renewal fee is postmarked~~ **or electronically completed** ~~after the first day of the month of license expiration is subject to a late payment fee as listed in OAR 852-010-0080, which must be received before the license will be issued.~~ **Complete license renewal applications are due on the first day of the month of license expiration (month of licensee's birth date) and must be received in the Board's office or be postmarked to the Board's mailing address or successfully submitted via the Board's online system, on or before the due date.**

(9) Reactivation: To reactivate a license to practice optometry in Oregon, an inactive status licensee must complete the following requirements:

- (a) Submit a signed Reactivation Request form;
- (b) Pay the reactivation fee listed in OAR 852-010-0080 and the difference between the inactive and active status license renewal fees;
- (c) Submit proof of continuing education hours equivalent to Oregon requirements for the previous licensing period;
- (d) Submit documentation of current CPR certification, as required in OAR 852-80-0040;
- (e) Submit proof of meeting the requirements of OAR 852 Division 80 – Pharmaceutical Agents, for licensure with the non-topical certification (AT) or non-topical certification with injections (ATI), unless this information has been previously provided to the Board;
- (f) Provide the Board’s office with the address of the intended primary practice location in the state of Oregon, if known, or the mailing address to be printed on the license;
- (g) Provide written confirmation sent directly from the licensing entity of each other state in which the applicant has ever been licensed that the applicant for licensure has not been sanctioned for violating the laws, rules or standards of ethics of that jurisdiction. **The Board will accept electronic license verifications if that is the only mechanism the verifying state uses for license verifications.** In addition, the Board will query the National Practitioner Data Bank for adverse actions on each person making an application for licensure;
- (h) **If inactive for two years or more, pass any required criminal background checks;** and
- (i) Pass the Oregon optometric law and administrative rules examination if the applicant last held an active status license in Oregon more than two years before the date the Board confirms receipt of the completed application.

852-050-0014

Reinstatement of License

(1) A person who has been previously licensed by the Board may have the license reinstated to its former status if the person:

- (a) Voluntarily surrendered the license to the Board and, at the time of surrender , was in good standing and not surrendering in lieu of discipline or under notice for proposed disciplinary action, or subject to a final order of the Board, or
- (b) The license was suspended due to nonpayment of the license renewal fee or late fee and, at the time of suspension, the licensee was not surrendering in lieu of discipline or under notice for proposed disciplinary action, or subject to a final order of the Board.

(2) To reinstate an Oregon Optometry license an optometric physician must:

- (a) Submit a signed written request;

(b) Provide written confirmation sent directly from the licensing entity of each other state in which the applicant has ever been licensed that the applicant for licensure has not been sanctioned for violating the laws, rules or standards of ethics of that jurisdiction. **The Board will accept electronic license verifications if that is the only mechanism the state uses for license verifications.** In addition, the Board will query the National Practitioner Data Bank for adverse actions on each person making an application for licensure;

(c) **If unlicensed for two years or more, pass any required criminal background checks;**

(d) Pay delinquent fees as determined by the Board;

(e) Pay the reinstatement fee as listed in OAR 852-010-0080; and

(f) Submit documentation of current CPR certification, as required in OAR 852-80-0040;

(g) Submit a complete set of fingerprints obtained from any state or local law enforcement agency, or from any other agency approved by the Board. Applicants shall use forms prescribed by the Board and pay any required fees.

(h) The requirements in (2)(b), (2)(c), (2)(e), and (2)(g) above may be waived by the Board if the license is not more than 60 days expired.

(3) Reinstatement of a license to active status also requires:

(a) Submission of a completed Reactivation Application form;

(b) Passage of the Oregon optometric law and administrative rules examination if it has been more than two years since the person held an active status license in Oregon; and

(c) Submission of proof of continuing education equivalent to Oregon requirements for the previous license renewal period.

852-050-0016

Notice of Place of Practice

(1) Each active licensee must notify the Board in writing of each place of practice before engaging in practice at that location. If the licensee is practicing in a mobile facility or with a portable unit, the licensee must report the Base of Operations and specific locations of such practice to the Board in compliance with this rule.

(a) Within 14 days of termination, **but no later than the effective date**, of practice at any location, licensee must notify the Board in writing, including information on the custody of any patient records generated by the licensee at that location.

(b) Written notification from a licensee to the Board must be signed, and may be made by mail, fax or scanned e-mail attachment. Standard e-mail notification from the licensee's professional or personal e-

mail will be accepted with an electronic signature that is composed of the licensee's full legal name and optometry license number, followed by the last four digits of the licensee's Social Security number.

(2) Failure to notify the Board in writing of practice location(s) and any address change(s) in accordance with (1) above subjects the licensee to fees listed in OAR 852-010-0080.

852-070-0047

Continuing Education Approval

(1) Licensees or course providers can submit appropriate courses for Board approval. In order to grant approval, a written request must be submitted at least 30 days in advance of the course **and the request process completed within 60 days of initial information submission:** ~~or license renewal that includes:~~

(a) A completed agency request form, **which may include:**

(b) Name and contact information of the course sponsor

(c) Date and location of the course or program, or a website with the course information

(d) ~~A brief overview of the course content~~ **Brief learning objectives**

(e) The number of clock hours for the presentation. 1 hour is no less than 50 minutes of presentation time; 30 minutes is no less than 25 minutes of presentation time. The CE type being requested.

(f) Curriculum Vitae of the presenters or surgeons

(g) Powerpoint slides or an itemized course outline. If submitting an outline, the general expectation is 1 page of information per course hour of CE credit.

(h) A sample certificate of completion

(2) Surgical clinics applying for surgical clinic observation CE time can submit a written request for CE approval by submitting ~~the following information~~ **the applicable information from (1) above and :**

(a) Name and address of the clinic, ~~along with all of the~~ locations where observations may be performed

(b) ~~The name and contact information for the primary contact for the clinic~~

~~(c)~~ A brief description of the procedures that will be offered for observation

~~(e)~~ Curriculum Vitae of the physicians who will be performing the procedures and observing the attendee

~~(e-d)~~ The protocol established for monitoring and verifying the attendance of optometric physicians who observe procedures in the surgery facility

~~(f) A sample certificate of completion~~

(3) All submissions are reviewed by a licensed member of the Oregon Board of Optometry, **who will make the final determination of approval, denial and allowable CE hours and CE type.**

(4) Requestors will be notified of the approval or denial of their request in writing. Any denials will include the reason for denial.

(5) CE requests for presentations or publications will provide:

(a) A completed agency request form, which may include:

(b) Name and contact information of the requestor

(c) Date and location of the course or publication, or a website with the information

(e) The number of CE hours requested per 852-070-0025.

(f) Curriculum Vitae of the requestor.

(6) Requestors must follow the Board submittal process for course review.

852-080-0040

Certification to Use Pharmaceutical Agents

(1) Inactive Status Topical TPA Certification (T): Any inactive status optometric physician licensed in Oregon who seeks TPA certification must:

(a) Pass the National Board of Examiners in Optometry's "Treatment and Management of Ocular Disease" (TMOD) **on or after January 1, 2002** or have passed a 100-hour TPA course approved by the Board;

(b) Pay the TPA examination and licensure fee as listed in OAR 852-010-0080 for topical TPA certification **and submit the Board request form**; and

(c) Obtain a license from the Oregon Board of Optometry indicating "Certified to use Topical Therapeutic Pharmaceutical Agents."

(2) Active Status Nontopical TPA Certification (AT): Before using nontopical therapeutic pharmaceutical agents as listed in this rule, any active status optometric physician in Oregon seeking AT certification must submit a completed application and:

(a) Meet Topical TPA Certification;

(b) Pass a didactic Nontopical TPA course of at least 23 hours approved by the Board or pass the National Board of Examiners in Optometry's "Treatment and Management of Ocular Disease" (TMOD), year 2002 or subsequent examination;

(c) Pay the TPA examination and licensure fee as listed in OAR 852-010-0080 for nontopical TPA certification;

(d) Obtain a license from the Oregon Board of Optometry indicating “Certified to use Topical and Nontopical Therapeutic Pharmaceutical Agents”; and

(e) Acquire and maintain Board-approved CPR certification designed for professional health care providers. The CPR certification standard is the American Heart Association’s BLS Healthcare Providers Course or its equivalent, as determined by the Board. This initial CPR course must be a hands-on course; online CPR courses will not be approved by the Board for initial CPR certification:

(A) After the initial CPR certification, the Board will accept a Board-approved BLS Healthcare Providers Online Renewal course for license renewal. A CPR certification card with an expiration date must be received from the CPR provider as documentation of CPR certification. The Board considers the CPR expiration date to be the last day of the month that the CPR instructor indicates that the certification expires;

(B) Documentation of CPR certification is due with the licensee’s annual license renewal as required in OAR 852-050-0006; and

(C) Any licensee whose CPR certification lapses at any time in the licensing year is subject to a late CPR fee as listed in OAR 852-010-0080.

(3) Inactive Status Nontopical TPA Certification (AT): Any inactive status optometric physician licensed in Oregon who seeks AT certification must submit a completed application and:

(a) Meet all criteria for Topical TPA Certification in OAR 852-080-0040(1);

(b) Pass a didactic Nontopical TPA course of at least 23 hours approved by the Board or pass the National Board of Examiners in Optometry’s “Treatment and Management of Ocular Disease” (TMOD) year 2002 or subsequent examination;

(c) Pay a the TPA examination and licensure fee as listed in OAR 852-010-0080 for nontopical TPA certification;

(d) Obtain a license from the Oregon Board of Optometry indicating “Certified to use Topical and Nontopical Therapeutic Pharmaceutical Agents”; and

(e) Acquire Board-approved CPR certification designed for professional healthcare providers. The CPR certification standard is the American Heart Association’s BLS Healthcare Providers Course or its equivalent, as determined by the Board. This initial CPR course must be a hands-on course; online CPR courses will not be approved by the Board for initial CPR certification. A CPR certification card with an expiration date must be received from the CPR provider. The Board considers the CPR expiration date to be the last day of the month that the CPR instructor indicates that the certification expires.

(4) Active Status Nontopical TPA Certification with Injections (ATI): Before using nontopical therapeutic pharmaceutical agents as listed in this rule, any active status optometric physician in Oregon seeking ATI certification must submit an application and:

(a) Pass a Board-approved Nontopical TPA course of at least 23 hours or pass the National Board of Examiners in Optometry's "Treatment and Management of Ocular Disease" (TMOD) year 2002 or subsequent examination;

(b) Pass a Nontopical TPA injection workshop of at least seven hours approved by the Board or provide proof of equivalent training acceptable to the Board;

(c) Pay the TPA examination and licensure fee as listed in OAR 852-010-0080 for nontopical TPA certification;

(d) Obtain a license from the Oregon Board of Optometry indicating "Certified to use Topical and Nontopical Therapeutic Pharmaceutical Agents with Injections"; and

(e) Acquire and maintain Board-approved CPR certification designed for professional health care providers. The CPR certification standard is the American Heart Association's BLS Healthcare Providers Course or its equivalent, as determined by the Board. This initial CPR course must be a hands-on course; online CPR courses will not be approved by the Board for initial CPR certification;

(A) After the initial CPR certification, the Board will accept a Board-approved BLS Healthcare Providers Online Renewal course for license renewal. A CPR certification card with an expiration date must be received from the CPR provider as documentation of CPR certification. The Board considers the CPR expiration date to be the last day of the month that the CPR instructor indicates that the certification expires;

(B) Documentation of CPR certification is due with the licensee's annual license renewal as indicated in OAR 852-050-0006;

(C) Any licensee whose CPR certification lapses at any time in the licensing year is subject to a late CPR fee as listed in OAR 852-010-0080.

(5) Inactive Status Nontopical TPA Certification with Injections (ATI): Any inactive status optometric physician licensed in Oregon who seeks ATI certification must submit an application and:

(a) Pass a didactic Nontopical TPA course of at least 23 hours approved by the Board or pass the National Board of Examiners in Optometry's "Treatment and Management of Ocular Disease" (TMOD) year 2002 or subsequent examination;

(b) Pass a Nontopical TPA injection workshop of at least seven hours approved by the Board or provide proof of equivalent training acceptable to the Board;

(c) Pay the TPA examination and licensure fee as listed in OAR 852-010-0080 for nontopical TPA certification;

(d) Obtain a license from the Oregon Board of Optometry indicating “Certified to use Topical and Nontopical Therapeutic Pharmaceutical Agents with Injections”; and

(e) Acquire Board-Approved CPR certification designed for professional healthcare providers. The CPR certification must be the American Heart Association’s BLS Healthcare Providers Course or its equivalent, as determined by the Board. This initial certification must be a hands-on course; online CPR courses will not be approved by the Board for initial CPR certification. A CPR certification card with an expiration date must be received from the CPR provider as documentation of CPR certification. The Board considers the CPR expiration date to be the last day of the month that the CPR instructor indicates that the certification expires. Inactive status licensees are not required to maintain CPR certification after initial TPA certification.