

HAWAII BOARD OF OPTOMETRY
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

AGENDA

Date: November 18, 2024

Time: 9:00 a.m.

In-Person Meeting Location: PVL Exam Room
HRH King Kalakaua Building
335 Merchant Street, Third Floor
Honolulu, Hawaii 96813

Virtual Participation: Virtual Videoconference Meeting - Zoom Webinar
(use link below)
[https://dcca-hawaii-
gov.zoom.us/j/86779666854?pwd=E4gDD7PJvkPP3Lf5LFOkSYYyRmdCYU.1](https://dcca-hawaii.gov.zoom.us/j/86779666854?pwd=E4gDD7PJvkPP3Lf5LFOkSYYyRmdCYU.1)

Phone: 1+ 669 900 6833

Meeting ID: 867 7966 6854

Passcode: 906974

Agenda: Posted on the State electronic calendar as required by Hawaii Revised Statutes ("HRS") section 92-7(b).

If you wish to submit written testimony on any agenda item, please email your testimony to optometry@dcca.hawaii.gov or submit by hard copy mail to: Attn: Hawaii Board of Optometry, P.O. Box 3469, Honolulu, HI 96801. We request submission of testimony at least 24 hours prior to the meeting to ensure that it can be distributed to the Board members.

INTERNET ACCESS:

To view the meeting and provide live oral testimony, please use the link at the top of the agenda. You will be asked to enter your name. The Board requests that you enter your full name, but you may use a pseudonym or other identifier if you wish to remain anonymous. You will also be asked for an email address. You may fill in this field with any entry in an email format, e.g., *****@***mail.com.

Your microphone will be automatically muted. When the Chairperson asks for public testimony, you may click the Raise Hand button found on your Zoom screen to indicate that you wish to testify about that agenda item. The Chairperson will individually enable each testifier to unmute their microphone. When recognized by

the Chairperson, please unmute your microphone before speaking and mute your microphone after you finish speaking.

PHONE ACCESS:

If you cannot get internet access, you may get audio-only access by calling the Zoom Phone Number listed at the top on the agenda.

Upon dialing the number, you will be prompted to enter the Meeting ID which is also listed at the top of the agenda. After entering the Meeting ID, you will be asked to either enter your panelist number or wait to be admitted into the meeting. You will not have a panelist number. So, please wait until you are admitted into the meeting.

When the Chairperson asks for public testimony, you may indicate you want to testify by entering "*" and then "9" on your phone's keypad. After entering "*" and then "9", a voice prompt will let you know that the host of the meeting has been notified. When recognized by the Chairperson, you may unmute yourself by pressing "*" and then "6" on your phone. A voice prompt will let you know that you are unmuted. Once you are finished speaking, please enter "*" and then "6" again to mute yourself.

For both internet and phone access, when testifying, you will be asked to identify yourself and the organization, if any, that you represent. Each testifier will be limited to five minutes of testimony per agenda item.

If connection to the meeting is lost for more than 30 minutes, the meeting will be continued on a specified date and time. This information will be provided on the Board's website at http://cca.hawaii.gov/pvl/boards/optometry/meeting_schedule/.

Instructions to attend State of Hawaii virtual board meetings may be found online at <https://cca.hawaii.gov/pvl/files/2020/08/State-of-Hawaii-Virtual-Board-Attendee-Instructions.pdf>.

1. Call to Order
2. Approval of Open Session Meeting Minutes of August 19, 2024

The Board may enter into Executive Session to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with HRS section 92-5(a)(4) to review the executive session minutes.

3. Applications
The Board may enter into Executive Session pursuant to Hawaii Revised Statutes §§ 92-5(a)(1) and 92-5(a)(4) to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both and to consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities.

a. Ratifications

Approved for DPA Certification

OD1045 CARLEE KRAMER
 OD1046 SHARMELLE KAMIBAYASHI

Approved for TPA Certification

OD1045 CARLEE KRAMER
 OD1029 JEREMY HUANG
 OD1043 JAQUELINE PAN
 OD1046 SHARMELLE KAMIBAYASHI

License Restoration

4. Request for CE Program Approval

a. New Course Requests

INDEX #	PROGRAM TITLE	SPONSOR'S NAME	DATE	LOCATION	HOURS REQUESTED	TPA HOURS REQUESTED
24-013	2024 Pacific Rim Optometric Conference	Hawaii Optometric Association	11.3.2024	Honolulu	8	8
24-014	Review of Cataract and IOL Technology	Aloha Laser Vision	10.9.2024	Zoom	1	1
24-015	Hydrus Microstent Advancements	Hawaii Vision Specialists	10.28.2024	Hilo	2	2
24-016	Interventional Glaucoma Advancements	Hawaii Vision Specialists	11.11.2024	Hilo	2	2

5. New Business

a. Request for Trade Name - Ratification

i. LocalEyes Optometry of Hawaii
 Chia Yu Chen, OD995

b. Potential Regulatory Issue Regarding
 Kentucky Board of Optometric Examiners Proposed Regulation: NBEO/OEBO

i. November 8, 2024 Email from Lisa Fennel, Executive Director/CEO, Association of Regulatory Boards of Optometry (ARBO)

- ii. November 7, 2024 Email from Margaret Whelan, Executive Officer, Arizona State Board of Optometry
 - c. ARBO State Scope of Practice Overview
 - d. American Optometric Association
Eyeglass Rule Compliance Toolkit (Informational – No action needed)
6. Executive Officer Report
- a. 2025 Meeting Dates

7. Next Board Meeting

Monday, February 10, 2024
9:00 a.m.
Virtual Videoconference Meeting – Zoom Webinar

And

In-Person Meeting Location: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

8. Adjournment

If you need an auxiliary aid/service or other accommodation due to a disability, contact Kerrie E. Shahan at (808)586-2705 and optometry@dcca.hawaii.gov of the Hawaii Board of Optometry as soon as possible, preferably by Thursday, November 14th. Requests made as early as possible have a greater likelihood of being fulfilled.

Upon request this notice is available in alternate/accessible formats.

11/8/2024

HAWAII BOARD OF OPTOMETRY
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING¹

Date: August 19, 2024

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Virtual Videoconference Meeting – Zoom Webinar
<https://dcca-hawaii-gov.zoom.us/j/84873738568?pwd=ht5aw8dOqjaUaUwvMKV0GIQC1DSJzd.1>

Zoom Recording Link <https://www.youtube.com/watch?v=kCkWCfQduH0>

Present: K. Paul Chin, O.D., Chairperson (“Chair”)
Peter Clayton Searl, O.D., Vice-Chairperson (“VC”)
Gayle Chang, Public Member
Wallace Kojima, O.D (Virtual)

Excused: None

Staff: Andrew I. Kim, Deputy Attorney General (“DAG”)
Kerrie Shahan, Executive Officer (“EO”)
Cortnie Tanaka, Secretary
Johnny Li, Tech Support

Guests: Jonovan Ottenbacher
Ashley McSweny

Agenda: The agenda for this meeting was posted on the State electronic calendar as required by HRS section 92-7(b).

A short video was played to explain the meeting procedure and how members of the public could participate in the virtual meeting.

¹ Comments from the public were solicited on each agenda item. If no public comments were given, the solicitation for and lack of public comment are not explicitly stated in these minutes.

1. Call to Order: Chairperson Chin welcomed everyone to the meeting and proceeded with a roll call of the Board members. Board members joining via Zoom confirmed that they were present and alone.

There being a quorum present, Chair Chin called the meeting to order at 9:20 a.m.

2. Approval of Board Minutes Of May 1, 2024 Chair Chin asked the Board members if there were any comments or concerns regarding the Board either the opens session or the executive session meeting minutes of May 1, 2024; here were none. It was moved by Ms. Chang, seconded by VC Searl, was and unanimously carried to approve the opens session and executive session Board meeting minutes of May 1, 2024 as circulated.

3. Applications a. Ratifications

Approved for DPA Certification

OD1026	TARA TAGAMI
OD1027	JOSEPH AHLBORN
OD1028	NATALIE OUK
OD1029	JEREMY HUANG
OD1030	JASMINE FUJIMOTO
OD1031	WILILIAM BLACK
OD1032	REMI TOKUNAGA
OD1033	KAIEA IWASAKI
OD1034	CHRISTINE CHEU
OD1035	MIN JI E JANG
OD1036	BRIANNE KUSAKA
OD1037	NGUYET-ANGELICA DOAN
OD1038	TARA NOMURA
OD1039	JANINE MURRAY
OD1040	QUYEN NGUYEN
OD1041	JENNY SOO HOO
OD1042	MAIKA TEAL
OD1043	JACQUELINE PAN
OD1044	NICOLE PACER

Approved for TPA Certification

OD756	TREVOR HAY
OD1020	MARK MITCHELL
OD1023	BRYAN SIXKILLER
OD1027	JOSEPH AHLBORN
OD1030	JASMINE FUJIMOTO
OD1032	REMI TOKUNAGA
OD1034	CHRISTINE CHEU

OD1037 NGUYET-ANGELICA DOAN
 OD1039 JANINE MURRAY
 OD1040 QUYEN NGUYEN
 OD1042 MAIKA TEAL
 OD1044 NICOLE PACER

License Restoration

OD284 NIDA GOULDING
 OD787 NATALIE MACKE

It was moved by VC Searl, seconded by Ms. Chang, and unanimously carried to ratify the above licenses and certifications.

4. Request for CE Program Approval a. New Course Request It was moved by VC Searl, seconded by Ms. Chang and unanimously carried to approve the following CE programs:

INDEX #	PROGRAM TITLE	SPONSOR'S NAME	DATE	LOCATION	HOURS REQUESTED	TPA HOURS REQUESTED
24-005	Treatment Approach to Refractory Glaucoma Patients	Hawaii Vision Specialists	05.09.2024	Hilo	2	2
24-006	Diagnosis and Management of Dry Eyes	Hugo Higa, MD	05.15.2024	Honolulu	1	1
24-007	Lumps and Bumps – Eyelid Lesion Diagnosis and Management	Hugo Higa, MD	05.15.2024	Honolulu	1	1
24-008	Introduction to AMD	Hugo Higa, MD	05.15.2024	Honolulu	1	1
24-009	Hawaii Optometric Association Live Virtual CE	Hawaii Optometric Association	07.14.2024	Honolulu	4	4
24-010	Glaucoma Implant Devices for Long-Acting Medication Delivery	Hawaii Vision Specialists	06.06.2024	Hilo	2	2
24-011-1	Primary Angle Closure Disease: Updates in Management (VSPP Premier Edge + PECAA – Mahalo 2024)	VSP Vision	09.12.2024	Kapolei	1	1
24-011-2	A Practical Approach to Optic Neuropathies (VSPP Premier Edge + PECAA – Mahalo 2024)	VSP Vision	09.12.2024	Kapolei	1	1

24-011-3	Beyond the Usual Suspects: Evidence-Based Work-Up of Retina Vein Occlusions (VSP Premier Edge + PECAA – Mahalo 2024)	VSP Vision	09.12.2024	Kapolei	1	1
24-011-4	Glaucoma or Not? The Diagnostic Dilemma of Normal Tension Glaucoma (VSP Premier Edge + PECAA – Mahalo 2024)	VSP Vision	09.12.2024	Kapolei	1	1
24-012	Everything You Want to Know About EVO ICL & More!	Jenkins Eye Care	9.5.2024	Honolulu	1	1

5. New Business a. Acceptable Verification of Counting Education “Certificates”

It was moved by VC Searl, seconded by Ms. Chang, and unanimously carried to approve the trade name of Mid Pacific Eyecare.

6. Election of Chair and Vice Chair Pursuant to HRS §436B-6(a)

7. Next Board Meeting: Wednesday, November 18, 2024
 9:00 a.m.
 In-Person: Queen Liliuokalani Conference Room
 HRH King Kalakaua Building
 335 Merchant Street, Third Floor
 Honolulu, Hawaii 96813
 Virtual
 Participation: Virtual Videoconference Meeting – Zoom Webinar

9. Adjournment: With no further business to discuss, Chair Chin adjourned the meeting at 9:39 a.m.

Taken by:

S/ Kerrie Shahan
 Kerrie Shahan
 Executive Officer

Reviewed by:

s/ Kerrie Shahan
 Kerrie Shahan

Executive Officer

11/7/2024

Minutes approved as is.

Minutes approved with changes; see minutes of _____.

DRAFT

PROGRAM SPONSOR AGREEMENT FOR CONTINUING EDUCATION ("CE")

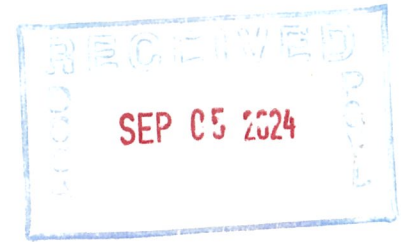
2024 Pacific Rim Optometric Conference

PROGRAM TITLE: Hawaii Optometric CE Seminar

FOR OFFICE USE ONLY	
Index number	<u>24-013</u>
Reviewed by	<u>W. Kojima</u>
Approved by	_____
Amended date	_____

INSTRUCTIONS

1. Submit this original completed application form for each course title no more than 45 days after the course is completed;
2. Attach a program outline including time schedule;
3. Attach course description;
4. Attach curriculum vitae of all lecturer(s);
5. Attach a copy of the certificate of attendance (please see Hawaii Administrative Rules §16-92-40(a) for the required information); and
6. Attach a check for \$25 made payable to: "COMMERCE & CONSUMER AFFAIRS". (check must be in U.S. dollars and be from a U.S. financial institution.)



SPONSOR'S NAME: Hawaii Optometric Association

PHONE NO.: 808-537-5678 EMAIL ADDRESS: hoaopt@earthlink.net

TYPE OF ORGANIZATION: Professional Association

BUSINESS ADDRESS: 98-820 Moanalua Rd., #15-1/179; Aiea, Hawaii 96701

LOCATION OF PROGRAM (City, State): Honolulu, Hawaii DATE OF PROGRAM: November 3, 2024

Total CE hour(s) being requested: 8

8 hours(s) will apply towards fulfilling the 36 hours of CE in the diagnosis, treatment and management of ocular and systemic diseases, required for license renewal of an optometrist with therapeutic pharmaceutical agent ("TPA") certification.

The sponsor agrees that the program shall be such:

1. That it will require and monitor the attendance;
2. That it will be at least 50 minutes in duration for each hour claimed from the beginning of the subject matter to its conclusion;
3. That it will be presented by a qualified lecturer, whose name, title, and qualifications are to be included in attached curriculum vitae;
4. That written records of its attendees and of the program outline shall be maintained in its files for a period of two years immediately following its conclusion;
5. That written evidence of attendance will be issued by the Sponsor to **each attendee** with the CE hour(s) and the Board's Hawaii Index Number shown thereon. The Board will not accept any certification of attendance or lists of attendees from the Sponsor. If any are received, they will be discarded;

(CONTINUED ON PAGE 2)

Print Name of Sponsor: Hawaii Optometric Association

Date: September 3, 2024

- 6. That the CE hour(s) requested are exclusive of any preparation time;
- 7. That the program records will be subject to review by the Hawaii Board of Optometry ("Hawaii Board") and the program sponsor agrees to make these records available to the Hawaii Board or its designee during regular business hours at the business address indicated on this application for a period of two years following the date of presentation; and
- 8. That the Hawaii Board will be notified as to the location of these records if they are removed from the above location prior to expiration of the above two-year period.

In consideration for compliance with this agreement, we understand that we may advise prospective attendees of the approval of our program and the number of hours of credit allowable. If we fail to comply with this agreement or fail to meet acceptable standards in our program, we understand that approval of our program may be revoked by the Hawaii Board and that notice of such revocation may be given by the Hawaii Board to all licensees.

By *Charlotte Nekota*
Signature of individual responsible for CE administration

September 3, 2024
Date

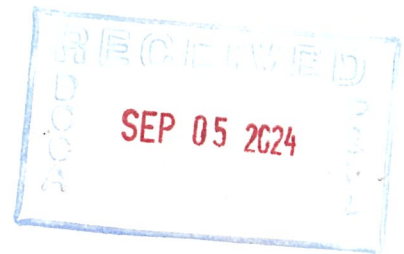
Its Executive Director
Title

Charlotte Nekota

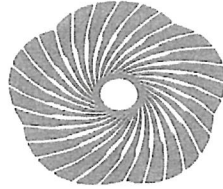
Print name of individual responsible for CE administration

(THIS FORM MAY BE DUPLICATED)

Print Form



This material can be made available for individuals with special needs. Please call the Licensing Branch Manager at (808) 586-3000 to submit your request.



2024 PACIFIC RIM SEMINAR SCHEDULE

Sunday November 3, 2024

Oahu Country Club

Registration/Breakfast/Exhibitors

6:30 am – 8:00 am

Continuing Education—8 Hours TPA

8:00 am – 5:00 pm

Our Speakers



Dr. Elyse Tom



Dr. Christopher Lum



Dr. Kalli Hirasa



Dr. Jeffrey Peterson

Time with Exhibitors

Breakfast

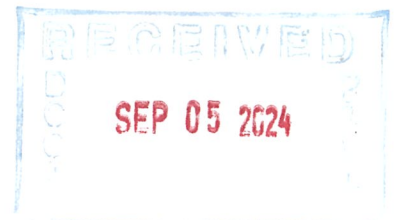
6:30 am – 8:00 am

Lunch

12:00 pm – 1:00 pm

Evening Reception With Exhibitors

5:00 pm – 6:30 pm



Dr. Christopher Lum (2 hours)

Bilateral Cataract Surgery

The pros and cons of performing same day cataract surgery for both eyes. Safety data on performing bilateral surgery and the reduction of down town for the patient will be discussed. Comparisons of Immediate Sequential Bilateral Cataract Surgery (ISBCS) to Delayed Sequential Bilateral Cataract Surgery (DSBCS) will be discussed.



I was born and raised in Kerman, California, a small farming community near Fresno. As an undergraduate at the University of California, Irvine, I had many dorm mates from Hawaii. When I visited them on Oahu and experienced the aloha spirit firsthand, I was smitten by the people, the culture, the food, and the natural beauty of Hawaii. I was so taken, in fact, that I became president of the college's Hawaii club! My wife is from Kaneohe, and we were thrilled to make our home in the Islands, where our children could be closer to their many relatives here.

Medical school

New York Medical College
Valhalla , NY

Board certification

Ophthalmology

American Board of Ophthalmology

To verify board certification for an individual practitioner, please visit the [American Board of Medical Specialties](#), the [American Medical Association](#), or the [American Osteopathic Association](#) websites.

Medical training

Internship

Medicine

University of California San Francisco
Fresno , CA

Residency

Ophthalmology

Gavin Herbert Eye Institute/ Department of Ophthalmology
Irvine , CA



Dr. Elysse Tom (2 hours)

Retinal Case Presentations—Unique Cases From Diagnosis to Management

Retinal diseases will be discussed in case presentation form. Instrumentation used for the diagnosis and surgical and pharmacology for the treatment and management of these cases will be discussed.





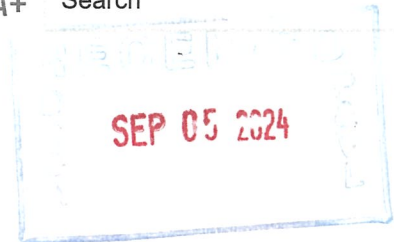
RETINA CONSULTANTS OF HAWAII

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FOR APPOINTMENTS CALL: (808) 487-8928

AFTER HOURS CALL: PHYSICIAN'S EXCHANGE (808) 524-2575

g+ A-A A+ Search



Elysse S. Tom, MD



Dr. Elysse Tom was born and raised in Honolulu, Hawaii and graduated as a valedictorian from Iolani School. She earned her Bachelor of Science degree from the University of Washington in Seattle, Washington as a member of the Phi Beta Kappa honor society and with Cum Laude honors. She received her medical degree from the University of Hawaii John A. Burns School of Medicine. During medical school she received awards including the John A. Burns Foundation Merit Scholarship, the Hawaii Lions Foundation Ophthalmology Award, the E.E. Black Community Service Scholarship, and the Medical Education Certificate of Distinction.

Dr. Tom completed her ophthalmology residency at the University of Washington and then finished her fellowship training in vitreoretinal surgery at The Retina Institute in St. Louis, Missouri. She specializes in the latest techniques for the medical and surgical management of diabetic retinopathy, macular degeneration, macular holes, retinal detachments, epiretinal membranes, and retinal vascular disease. Dr.

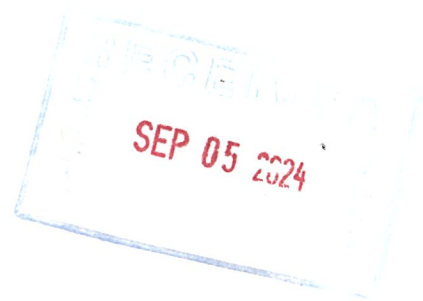
Tom has published articles in peer-reviewed journals and has presented research at national meetings. She is a member of the American Academy of Ophthalmology and the American Society of Retina Specialists.

Dr. Tom and her husband enjoy traveling, trying new restaurants, hiking, and spending time in nature.

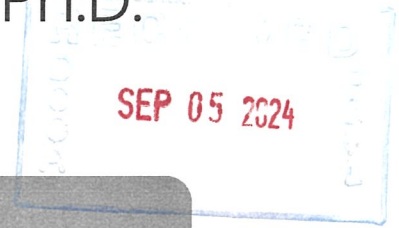
Dr. Jeffery Peterson (2 hours)

Glaucoma Diagnosis and Management

This presentation will highlight recent advances in the diagnosis and treatment of glaucoma. New technologies and pharmaceuticals that contribute to glaucoma care will be discussed. Review of the anatomy and the pathophysiology of glaucoma will be discussed



Jeffrey Peterson, M.D., Ph.D.



Ophthalmologist and Eye Surgeon

Jeffrey Peterson, M.D., Ph.D. focuses on the care of patients with glaucoma and cataracts.

Dr. Peterson was born and raised in Honolulu and is thrilled to have returned to Hawaii to practice ophthalmology. He earned both an M.D. and a Ph.D from Weill Cornell Medical College in New York City, and completed his residency in ophthalmology at Baylor College of Medicine in Houston. He was

specialty trained through a fellowship in glaucoma at the Robert Cizik Eye Clinic at the University of Texas Medical School in Houston.

Dr. Peterson is adept at managing advanced cases of glaucoma. He understands the rigor of chronic eye diseases like glaucoma and their impact on patient's lives. Dr. Peterson employs sophisticated leading edge techniques for early detection and the medical and surgical treatment of glaucoma. He is committed to educating his patients about glaucoma and walking them through each step of treatment.

Dr. Peterson has been an invited speaker at both national and international scientific and clinical meetings. He has authored numerous peer reviewed journals and textbook chapters.

Dr. Peterson and his wife, Sarah Grekin M.D., have two daughters and a son. He enjoys hiking, swimming, golfing, playing the piano, running, and reading.

Education

- College: University of California – Los Angeles, CA
- Medical and Graduate School: Weill Cornell / Rockefeller / Sloan-Kettering – New York, NY
- Internship: Joseph Mercy Hospital – Ann Arbor, MI
- Residency: Cullen Eye Institute, Baylor College of Medicine – Houston, TX
- Fellowship: University of Texas Medical School at Houston, Robert Cizik Eye Clinic

Professional Certifications

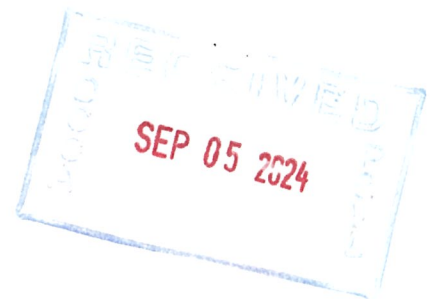
- American Board of Ophthalmology, 2016

Awards and Distinctions

- Chief Resident, Baylor Ophthalmology
- Merck New Investigator Award
- Alpha Omega Alpha
- Phi Beta Kappa

Professional Affiliation

- American Academy of Ophthalmology
- American Glaucoma Society, Member



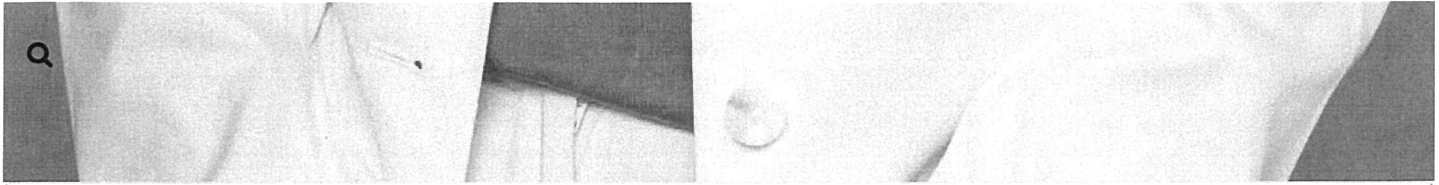
615 Pi'ikoi Street, Suite 205
Honolulu, Hawaii 96814

Dr. Kalli Hirasu (2 hours)

Pediatric and Adult Strabismus and Amblyopia Pearls

An in-depth dive into the anatomy and neurology of strabismus and amblyopia in adults and children and the treatment and management will be discussed. Pharmacological and surgical intervention to treat and manage these patients will be presented. Individual case studies will be presented.





Kalli Hirasa, O.D. (<https://www.honolulueyeclinic.com/doctor/kalli-hirasa-o-d/>)
Optometrist

info@honolulueyeclinic.com (<mailto:info@honolulueyeclinic.com>)



(808) 526-0030 (tel:808-526-0030)

[Make An Appointment \(/appointment\)](/appointment)

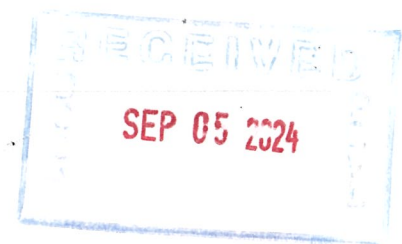
Kalli Hirasa, O.D. is a licensed optometrist, with a specialty in pediatrics and vision therapy. She is originally from Mililani, HI and has always dreamed of returning home to Oahu to start her optometric career. At the young age of four, she received her first pair of glasses from her pediatric ophthalmologist and this visit would spark her love for eye care, specifically pediatric optometry. She graduated with honors from Mililani High School and summa cum laude with her Bachelor of Science in Biology from Pacific University in Forest Grove, OR. She continued at Pacific University College of Optometry and earned her doctorate in optometry as the valedictorian of her class.

Dr. Hirasa has extensive experience through clinic rotations and externship sites specializing in pediatrics and vision therapy. At the end of her fourth year, Dr. Hirasa was awarded the College of Optometrists in Vision Development (COVD) Award for Excellence in Vision Therapy, which is awarded to a COVD student member who demonstrated a strong interest and excellent clinical skills in the area of vision therapy. She has seen the impact that binocular vision testing and vision therapy can have on an individual's academic, social, and personal life, and therefore is passionate about bringing awareness and access to these services in Hawaii.

In her spare time, she enjoys watching YouTube and Netflix videos, going to the beach, all things music related, but most of all spending time with her family and friends.

Curriculum Vitae

School



Millilani High School



College

Pacific University, B.S Biology

Summa Cum Laude

Pacific University College of Optometry

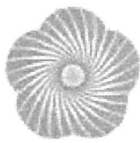
Valedictorian

Professional Organizations

American Optometric Association

Hawaii Optometric Association

College of Optometrists in Vision Development



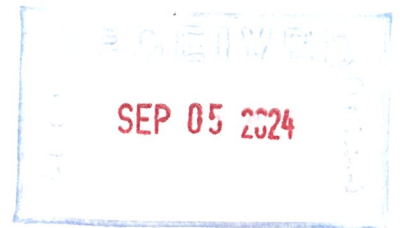
hawaii optometric
association

(//hawaiioptometry.org/)



AMERICAN
OPTOMETRIC
ASSOCIATION

(https://www.aoa.org/)



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Contact Us (/contact)



HAWAII OPTOMETRIC ASSOCIATION

DATE 11/3/2024 PLACE Oahu Country Club HOURS 8

COURSE NAME Pacific Rim Optometric Conference

INSTRUCTOR DR. Kalli Hirasa; Dr. Christopher Lum;
Dr. Jeffrey Peterson; Dr. Elyse Tom

This form, properly signed by the H.O.A. Education Chairman and an Education Session Assistant verifies attendance at the above course by:

(NAME OF ATTENDEE) _____

Attest Education Assistant _____

Education Chairman _____

(Submit with license renewal)

State of Hawaii
Department of Commerce and Consumer Affairs
HAWAII BOARD OF OPTOMETRY
335 Merchant St., 3rd Floor, Honolulu, HI 96813
Mailing Address: P.O. Box 3469, Honolulu, HI 96801
Access this form via website at: cca.hawaii.gov/pvl

PROGRAM SPONSOR AGREEMENT FOR CONTINUING EDUCATION ("CE")

PROGRAM TITLE: Review of Cataract and IOL Technology

FOR OFFICE USE ONLY	
Index number	_____
Reviewed by	_____
Approved by	_____
Amended date	_____

INSTRUCTIONS

1. Submit this original completed application form for each course title no more than 45 days after the course is completed;
2. Attach a program outline including time schedule;
3. Attach course description;
4. Attach curriculum vitae of all lecturer(s);
5. Attach a copy of the certificate of attendance (please see Hawaii Administrative Rules §16-92-40(a) for the required information); and
6. Attach a check for \$25 made payable to: "COMMERCE & CONSUMER AFFAIRS". (check must be in U.S. dollars and be from a U.S. financial institution.)

SPONSOR'S NAME: Aloha Laser Vision

PHONE NO.: 808-792-3937

EMAIL ADDRESS: drkatie@alohalaser.com

TYPE OF ORGANIZATION: Private Ophthalmology Practice

BUSINESS ADDRESS: 1100 Ward Avenue, Suite 1000; Honolulu, HI 96814

LOCATION OF PROGRAM (City, State): Zoom (Honolulu, HI)

DATE OF PROGRAM: 10/9/2024

Total CE hour(s) being requested: 1

1 hours(s) will apply towards fulfilling the 36 hours of CE in the diagnosis, treatment and management of ocular and systemic diseases, required for license renewal of an optometrist with therapeutic pharmaceutical agent ("TPA") certification.

The sponsor agrees that the program shall be such:

1. That it will require and monitor the attendance;
2. That it will be at least 50 minutes in duration for each hour claimed from the beginning of the subject matter to its conclusion;
3. That it will be presented by a qualified lecturer, whose name, title, and qualifications are to be included in attached curriculum vitae;
4. That written records of its attendees and of the program outline shall be maintained in its files for a period of two years immediately following its conclusion;
5. That written evidence of attendance will be issued by the Sponsor to **each attendee** with the CE hour(s) and the Board's Hawaii Index Number shown thereon. The Board will not accept any certification of attendance or lists of attendees from the Sponsor. If any are received, they will be discarded;

(CONTINUED ON PAGE 2)

Print Name of Sponsor: Aloha Laser Vision

Date: 8/27/2024

- 6. That the CE hour(s) requested are exclusive of any preparation time;
- 7. That the program records will be subject to review by the Hawaii Board of Optometry ("Hawaii Board") and the program sponsor agrees to make these records available to the Hawaii Board or its designee during regular business hours at the business address indicated on this application for a period of two years following the date of presentation; and
- 8. That the Hawaii Board will be notified as to the location of these records if they are removed from the above location prior to expiration of the above two year period.

In consideration for compliance with this agreement, we understand that we may advise prospective attendees of the approval of our program and the number of hours of credit allowable. If we fail to comply with this agreement or fail to meet acceptable standards in our program, we understand that approval of our program may be revoked by the Hawaii Board and that notice of such revocation may be given by the Hawaii Board to all licensees.

By 
 Signature of individual responsible for CE administration

8/27/2024
 Date

Its Optometrist
 Title

Kathryn Mau, OD
 Print name of individual responsible for CE administration

(THIS FORM MAY BE DUPLICATED)

Print Form



Program: Review of Cataract and IOL Technology

Program Date: 10/9/2024

Speakers: Alan Faulkner, MD

Program Outline and Time Schedule

5:45 – 6:00 Check-in

6:00 – 6:50 “Review of Cataract and IOL Technology” lecture

6:50 – 7:00 Q&A

7:00 End of meeting

Course Description

With the ubiquity of cataract surgery and rise in Refractive Lens Exchange, our knowledge of available IOL technology as eye care providers is increasingly important when consulting our patients. As a consistent early adopter of new technology, Dr. Faulkner has been privileged to gain valuable insight into the most advanced technology available. Consistently, the most important factor to success is patient selection, as each treatment recommendation is highly individualized, and there is no "one lens fits all". Dr. Faulkner will review the different IOL technologies and what patient characteristics are the best fit.

1100 WARD AVENUE SUITE 1000 HONOLULU, HAWAII 96814 ✦ PHONE: 808.792-3937 FAX: 808.599-4818

Alan R. Faulkner, MD ✦ Neda Nikpoor, MD ✦ Kathryn Mau, OD ✦ Elizabeth Hanohano-Hong, OD ✦ Jordan Schmerbauch, OD

Rev 5/2023

ALAN R. FAULKNER, M.D., F.A.A.O.

1100 Ward Avenue, Suite 1000

Honolulu, HI 96814

(808) 792-2927

dralan@alohalaser.com

EMPLOYMENT HISTORY

Aloha Laser Vision, LLC <i>Founder, Medical Director</i> 1100 Ward Avenue, Suite 1000 Honolulu, HI 96814	Jan 2002 - present
The Surgical Suites, LLC <i>Co-owner, Managing Director</i> 1100 Ward Avenue, Suite 1010 Honolulu, HI 96814	Jan 2005 - present
Faulkner Eye Care & Surgery <i>Ophthalmologist</i> 1100 Ward Avenue, Suite 1000 Honolulu, HI 96814	May 2000 – Dec 2001
Eye Associates of West Jefferson <i>Ophthalmologist</i> 1111 Medical Center Blvd., N-213 Marrero, LA 70072	Aug 1998 – Apr 2000
Medical & Surgery Eye Center <i>Ophthalmologist</i> 1051 Gause Blvd., Suite 480 Slidell, LA 70458	Aug 1998 – Apr 2000
Tulane University Medical School <i>Assistant Professor of Ophthalmology</i> Department of Ophthalmology 1430 Tulane Avenue New Orleans, LA 70131	Jul 1991 – Aug 1998
Valley Supply Company <i>Salesman / Business Owner</i> West Des Moines, IA	Jan 1977 – Aug 1980

EDUCATION

Northwestern University, Kellogg School of Management Evanston, IL Physician CEO	Sept 2015
Tulane University School of Medicine New Orleans, LA Medical Doctorate	May 1986
University of Hawaii at Manoa Honolulu, HI	May 1982
Northwestern University Evanston, IL B.A. Sociology	Aug 1976

Tulane University
New Orleans, LA

Dec 1973

POST-GRADUATE TRAINING

Internship	June 1987
Tulane Affiliated Hospitals Department of Medicine, Preliminary Internal Medicine New Orleans, LA	
Residency	June 1990
Tulane Affiliated Hospitals Department of Ophthalmology New Orleans, LA	
Fellowship	June 1991
Tulane University School of Medicine Department of Ophthalmology Oculoplastic, Orbit, and Ophthalmic Oncology Fellowship Barrett G. Haik, MD & Thomas Naugle, MD New Orleans, LA	

LICENSURE & CERTIFICATION

American Board of Ophthalmology Lifetime Certificate	Nov 1991
State of Louisiana Medical License #018763 (Inactive)	1986 – 2002
State of Hawaii Medical License #MD-10871	2000 – present

HONORS & ACTIVITIES

- Best Doctors
- OSN Premier Surgeon 300 Innovators in Refractive Cataract Surgery, 2016
- Senior Year Medical School Revision Committee, Tulane University School of Medicine, 1994
- Institutional Committee on Graduate Medical Education, Tulane University School of Medicine, Jul 1994 – Dec 1997
- Southern Eye Bank, New Orleans, LA
 - Board Member/Medical Director, Aug 1994 – Mar 2000
 - Secretary of the Board, Jan 1999 – Mar 2000
- Skill Examiner for Joint Commission of Allied Health Personnel in Ophthalmology, 1992 – 1998
- Medical School Admissions Committee, Tulane University School of Medicine, 1984 – 1986
- Treasurer, American Medical Student Association, Tulane University Chapter, 1983 – 1984
- Co-chairman of Applicant Housing Committee, Student Advisory Board to Admissions at Tulane University School of Medicine, 1983 – 1984
- President of Student Advisory Board, 1984 – 1985
- Alpha Omega Alpha – Medical School Honor Society

ACADEMIC APPOINTMENTS

Clinical Assistant Professor of Ophthalmology Tulane Medical School, Department of Ophthalmology	Aug 1998 – May 2000
Assistant Professor of Ophthalmology, Full-time Faculty Tulane Medical School, Department of Ophthalmology	Jul 1991 – Aug 1998

PROFESSIONAL ASSOCIATIONS

American Academy of Ophthalmology, Fellow
American Society of Cataract and Refractive Surgery
American-European Congress of Ophthalmic Surgery, Founding Member
Hawaii Ophthalmological Society

PROFESSIONAL ACTIVITIES

Hawaiian Eye Foundation
Scientific Advisory Board, 2014 – 2016
Board Member, 2016 – present

INDUSTRY ASSOCIATIONS (current and past)

Acufocus – speaker
Alcon – speaker, consultant, research
Avedro – consultant
Bausch & Lomb – speaker, consultant
LenSx – clinical trials
Omeros – consultant
Refocus – clinical research
Shire – speaker
Wavetec – speaker, consultant, clinical trials

PRESENTATIONS and MEETING FACULTY

AECOS Aspen – multiple presentations/panels/multiple meetings
AECOS Deer Valley – multiple presentations/panels/multiple meetings
ESCRS – numerous presentations of own and for others
Hawaiian Eye Meeting – 2013 to present
ISRS – AAO 2014
National Medical Association – Honolulu Meeting
OSN New York – 2012 – 2016
OSN Rome/Milan – 2011, 2013 – 2015

PUBLICATIONS

Jacob-Labarre JT, Faulkner A, Kargioglu Z, Gordon R: Polymeric Patches to Prevent Muscle Adhesions. Association for Research in Vision and Ophthalmology (ARVO). Invest Ophthalmol Vis Suppl 30:131, 1989.

Ainbinder DJ, Faulkner AR, Haik BG: Review of Orbital Tumors. Current Opinion in Ophthalmology 2:3, 1991.

Fry C, Faulkner AR: Transactions of the New Orleans Academy of Ophthalmology, 1999. Kugler Publishing, 2000.

Wang, MX, Refractive Lens Exchange: A Surgical Treatment for Presbyopia, 2016. Chapter co-author: Keratorefractive Enhancement After Refractive Lens Exchange.

CLINICAL TRIAL EXPERIENCE

STAAR Surgical Company – CP22-01, Post-Market Evaluation of the EVO ICL. 2022 to present.

STAAR Surgical Company – CP18-02, Post-Approval Study of the Visian Toric Implantable Collamer Lens. 2022 to present.

STAAR Surgical Company – CP19-01, A Multicenter Clinical Evaluation of the EVO/EVO+ Visian Implantable Collamer Lens. 2020 to present.

Refocus Group, Inc., Protocol Number VIS-2014, A Prospective, Multicenter Clinical Trial Of The VisAbility Implant System For Improvement Of Near Visual Acuity In Presbyopic Patients. 2014 – 2017.

Refocus Group, Inc., Protocol Number VIS-2014-5YR, A Prospective, Multicenter Clinical Trial Of The VisAbility™ Micro Insert System For The Improvement of Near Visual Acuity In Presbyopic Subjects – Long-Term Follow-Up. 2018 – 2021.

WaveTec Vision Systems, Inc., Protocol Number WA-13-001, A Multi-Center, Prospective, Randomized, Contralateral, Observer-Masked, Comparison of 1-Month Postoperative Refractive Outcomes between Intraoperative Measurements Obtained with the Optiwave Refractive Analysis System (ORA System® with VerifEye) Combined with Implantation of an Alcon Toric IOL and standard biometry and Alcon Toric IOL implantation. 2014.

Alcon LenSx, Inc., Protocol Number CPT-006m, Evaluation of a Modified Disposable Contact Lens Patient Interface for the LenSx Laser in Cataract and Corneal Surgery. 2012.



CERTIFICATE OF CONTINUING EDUCATION

This Acknowledges That

<Insert Name Here>

Has Successfully Completed

"Review of Cataract and IOL Technology"
Course ID: XX-XXX, 1 Credit Hour of TPA Certification
Honolulu, HI (Zoom Live Webinar)



ALAN R. FAULKNER, MD
BOARD CERTIFIED OPHTHALMOLOGIST



OCT 9
2024

PROGRAM SPONSOR AGREEMENT FOR CONTINUING EDUCATION ("CE")

PROGRAM TITLE: Hydrus Microstent Advancements

FOR OFFICE USE ONLY	
Index number	<u>24-015</u>
Reviewed by	_____
Approved by	_____
Amended date	_____

INSTRUCTIONS

1. Submit this original completed application form for each course title no more than 45 days after the course is completed;
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3. Attach course description;
4. Attach curriculum vitae of all lecturer(s);
5. Attach a copy of the certificate of attendance (please see Hawaii Administrative Rules §16-92-40(a) for the required information); and
6. Attach a check for \$25 made payable to: "COMMERCE & CONSUMER AFFAIRS". (check must be in U.S. dollars and be from a U.S. financial institution.)

SPONSOR'S NAME: Hawaii Vision Specialists

PHONE NO.: 808-333-3233 **EMAIL ADDRESS:** info@hawaiivisionspecialists.com

TYPE OF ORGANIZATION: Ophthalmology and Optometry Practice

BUSINESS ADDRESS: 392 Kapiolani St, Hilo HI 96720

LOCATION OF PROGRAM (City, State): Hilo, HI **DATE OF PROGRAM:** 10/28/2024

Total CE hour(s) being requested: 2

2 hours(s) will apply towards fulfilling the 36 hours of CE in the diagnosis, treatment and management of ocular and systemic diseases, required for license renewal of an optometrist with therapeutic pharmaceutical agent ("TPA") certification.

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(CONTINUED ON PAGE 2)

Print Name of Sponsor: Hawaii Vision Specialists

Date: 10/28/2024

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By 
 Signature of individual responsible for CE administration

10/28/2024
 Date

Its optometrist/ophthalmologist
 Title

Jana Souza, OD/Dan Driscoll, MD
 Print name of individual responsible for CE administration

(THIS FORM MAY BE DUPLICATED)



Synopsis and Time Table

Hour 1

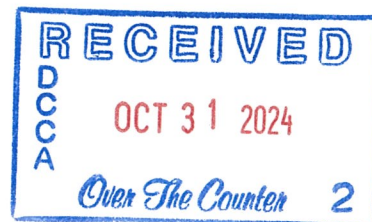
Dan Driscoll, MD to speak about current trends in Minimally Invasive Glaucoma Surgery (MIGS) with recent developments, advances, and changes both at present and on the horizon. This will include a discussion and presentation of surgical techniques designed to lower intraocular pressure through various means that are able to take advantage of the eye's anatomy and optimize both physiologic outflow via natural mechanisms as well as those that are able to bypass the natural outflow altogether with trans-scleral techniques. These include an extensive discussion of the Hydrus microstent and currently approved indications for use as well as those in evolution.

Hour 2

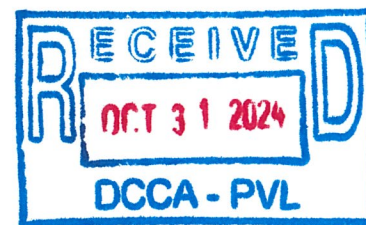
Discussion of long-term data analysis for the hydrus microstent including the Horizon 5 year study. Additional discussion will occur regarding the FDA-approved use for the Hydrus microstent and some minor changes to the approved times it can be used in combination with cataract and other MIGS procedures.

Time for additional questions from the audience will be included in both hours.

Closing comments and thank you for attending this CE event.



Dan Driscoll, MD
392 Kapiolani Street
Hilo, Hawaii 96720
W: (808) 333-3233
M: (808) 895-2080
dan.driscoll.md@gmail.com



Education	08/02 - 06/06	<i>The Ohio State University College of Medicine and Public Health.</i> Columbus, Ohio. Doctor of Medicine, Magna Cum Laude
	08/98 - 05/02	<i>Case Western Reserve University.</i> Cleveland, Ohio. Bachelor of Science, Biochemistry, Summa Cum Laude
Professional Training	07/10- 07/11	Cornea Fellowship. <i>Bascom Palmer Eye Institute.</i> Miami, Florida
	07/07 - 06/10	Ophthalmology Residency. <i>Bascom Palmer Eye Institute.</i> Miami, Florida
	06/06 - 06/07	Transitional Year Residency. <i>Mercy Hospital Pittsburgh.</i> Pittsburgh, Pennsylvania
Professional experience	01/12-present	Cornea, Cataract, and Refractive Surgeon. Hawaii Vision Specialists, Hilo, Hawaii Specializing in cataract and refractive lens surgery, all-laser refractive surgery, DSAEK and cornea transplant surgery, as well as comprehensive ophthalmology including glaucoma, oculoplastic, and medical retina care
	08/11-12/11	Cornea, Cataract, and Refractive Surgeon. Southeast Eye, Brunswick, GA Performed specialty cataract and refractive lens surgery, all-laser refractive surgery, DSAEK and cornea transplant surgery.
Academic Societies		American Academy of Ophthalmology American Society of Cataract and Refractive Surgery
Licensure		Hawaii License MD16407 valid through 01/31/2018
Board Certification		American Board of Ophthalmology Board Certified 06/2012 through 06/2022
Volunteer Work and Community Service	2012-present	Project Vision: Community vision screenings with coordinated effort from Hawaii Lions Clubs on the island of Hawaii. Locations have included Hilo, Waimea, Ka'u
Publications and Presentations		Driscoll, D. <i>All You've Ever Wanted to Know about Eyes (from audience-submitted questions) (2 hours).</i> Hilo Bay Café, Hilo, Hawaii. July 15, 2017.
		Driscoll, D. <i>Glaucoma Update (2 hours).</i> Hilo Bay Café, Hilo, Hawaii. July 08, 2016.
		Driscoll, D. <i>Retina, Glaucoma, and Cataract Update.</i> 4 hour Presentation for Continuing Education for the Hawaiian Optometric Association's annual state meeting. Mauna Lani Resort, Waikaloa, HI. November 1, 2015.
		Driscoll, D. <i>Ophthalmic Medical and Surgical Update (2 hours).</i> Restaurant Miwa, Hilo, HI. July 10, 2015.
		Driscoll, D. <i>Evaluation and Management of Common Ophthalmic Conditions (1 hour).</i> Hilo Medical Center Continuing Medical Education Seminar, Hilo, Hawaii. October, 11, 2014.
		Driscoll, D. <i>Interesting Cases in Ophthalmology (2 hours).</i> Hilo Bay Café, Hilo, Hawaii. August 21, 2014.



Driscoll, D. *Ophthalmic Update for Community Optometrists (3 hours)*. Imiloa Astronomy Center, Hilo, Hawaii. September 27, 2013.

Driscoll, D. Lam, B. *The effect of resistance training on microsurgical tremor: Incorporation of Pharmacologic Intervention*. Bascom Palmer Eye Institute Residents Day, 2011. Miami, Florida. June 17, 2011.

Driscoll, D. *International Ophthalmology Experiences*. Speaking presentation at Bascom Palmer weekly Cornea Conference. Bascom Palmer Eye Institute. May 11, 2011

Driscoll, D. *Corneal Topography for Residents*. Speaking presentation at weekly resident's conference. Bascom Palmer Eye Institute, November 23, 2010.

Driscoll, D. *What a cornea fellowship-trained ophthalmologist can offer to a referring optometrist*. SouthEast Eye Annual Fall Conference, St. Simons Island, Ga. September 25, 2010.

Driscoll, D. *Visual outcomes after wavefront-guided photorefractive keratectomy and wavefront-guided laser in situ keratomileusis: Prospective comparison*. Discussed in detail at Bascom Palmer Department of Cornea Refractive Journal Club. August 30, 2010.

Driscoll, D. *Manual Small Incision Cataract Surgery as an Alternative to Phacoemulsification in Dense Nuclear Sclerotic Cataracts*. Bascom Palmer Eye Institute Grand Rounds. Discussant Charlie Wykoff, MD, PhD. July 8, 2010.

Driscoll, D. Lam, B. *The effect of resistance training on microsurgical tremor*. Bascom Palmer Residents Day 2010. Miami, Florida. June 18, 2010.

Driscoll, D, Yoo S. *SubTenons Ranibizumab for the Inhibition of Neovascularization in the Cornea in High Risk Corneal Transplant Surgery*. Speaking presentation, ASCRS Boston. April 12, 2010.

Driscoll, D. *Intraorbital Cavernous Hemangioma; Management and Operative Options*. Bascom Palmer Eye Institute Grand Rounds. Discussant Chris Alabiad, MD. March 10, 2010

Driscoll, D. *Aspergillus keratitis requiring emergency penetrating keratoplasty: Investigation of current pharmacologic susceptibilities*. Bascom Palmer Eye Institute Grand Rounds. Discussant William Culbertson. November 19, 2009

Driscoll, D, Yoo S. *SubTenons Ranibizumab for the Inhibition of Neovascularization in the Cornea in High Risk Corneal Transplant Surgery*. Bascom Palmer Residents Day 2009, Miami, Florida, June 19, 2009.

Driscoll, D. *Current pharmacologic treatment modalities for proliferative vitreoretinopathy with subfocus on methods of intravitreal sustainable drug delivery*. Retina morning conference. Bascom Palmer Eye Institute. April 22, 2009.

Driscoll, D. *Refractive screening and vision correction with ready-made glasses in Belize*. Bascom Palmer Eye Institute Grand Rounds. Discussant Tom Shane, MD. April 16, 2009.

Driscoll D, et. al. ASCRS April 3-8, 2009 San Francisco, CA: Poster presentation: *Allopatric Femtosecond Laser Air Bubble Formation in a Closed System*

Driscoll, D. ASCRS April 7, 2009 San Francisco, CA: Sports Ophthalmology Society of the Americas Guest Speaker: *Sports-Related Ophthalmic Injuries*

Driscoll, D. *Malignant meningioma case presentation*. Bascom Palmer Eye Institute Grand Rounds. Discussant Norman Schatz, MD. February 19, 2009.



Driscoll, D. *IOL calculations after PRK and Lasik Surgery*. Bascom Palmer Eye Institute morning lecture. January 5, 2009

Driscoll, D. *Unusual retinal vasculitis with complication of corneal perforation*. Bascom Palmer Eye Institute Grand Rounds. Discussants Thomas Albini, MD and Victor Perez, MD. December 4, 2008.

Driscoll D, Davis J. *A 19 year old female has transient black spots, headaches. Stellate maculopathy, disc edema occur during treatment: What is your diagnosis?* Ophthalmology Times 2008; Nov 15: 8-10.

Driscoll D, Karp, C. *Conjunctival Intraepithelial Neoplasia*. Southeast Cornea Conference, Asheville, North Carolina, September 19, 2008.

Driscoll, D. *Trauma Case Discussion: Nail to the Orbit*. OphthalmologyWeb.com featured article. September 2008.

<http://www.ophtalmologyweb.com/FeaturedArticle.aspx?spid=23&aid=403&headerid=23>

Driscoll, D. *Neovascular Glaucoma: Emergency Treatment Experiences*. OphthalmologyWeb.com featured article. August 2008.

<http://www.ophtalmologyweb.com/FeaturedArticle.aspx?spid=23&aid=399&headerid=23>

Driscoll, D. *Masquerading papillophlebitis in a healthy 19 year old female*. Bascom Palmer Eye Institute Grand Rounds. Discussant Janet Davis, MD. July 31, 2008.

Driscoll D, Yoo, S. *Pilot Study: Prevalence of Demodex folliculorum in the eyelashes of all comers*. Bascom Palmer Eye Institute Residents Day 2008, Miami, Florida, June 13, 2008.

Driscoll, D. *White retinal lesion in immunosuppressed pediatric patient with history of leukemia*. Bascom Palmer Eye Institute Grand Rounds. Discussant Janet Davis, MD. June 5, 2008.

Driscoll, D. *Differentiating severe keratitis from endophthalmitis: Management and diagnostic strategies*. Bascom Palmer Eye Institute Grand Rounds. Discussant Elena Roth, MD. March 20, 2008.

Driscoll, D. *Case report: Blindness due to fludarabine toxicity*. Bascom Palmer Eye Institute Grand Rounds. Discussant Norman Schatz, MD. November 15, 2007.

Driscoll, D. *Bilateral Herpes Simplex virus acute retinal necrosis*. Bascom Palmer Eye Institute Grand Rounds. Discussant Thomas Albini, MD. August 23, 2007

Ophthalmic Research

- 2009 - 2011 *The effect of resistance training on microsurgical tremor.*
Collaboration of Bascom Palmer Eye Institute and University of Miami Medical Wellness Center.
- 2004 - 2005 *The Effect of a Cataract Surgery Incision on Corneal Wavefront.*
OSUCOMPH Department of Ophthalmology, Columbus, Ohio.
Thomas Mauger, M.D., Jennifer Lewis, Ph.D.

Past Research

- 2000 - 2002 CWRU Department of Biochemistry: Development of gene therapy techniques in yeast by inducing genomic damage and supplying exogenous nucleotide sequences in hopes of cellular incorporation and genotypic conversion.

Academic Achievements

- 2006 Eli G. Alcorn and John B. Alcorn Prize in Ophthalmology for outstanding achievement in ophthalmology.
- 2006 Alpha Omega Alpha medical honor society
- 2005 Orr scholarship in medicine, OSU
- 2004 Helmick Scholarship, OSU

2004 OSU College of Medicine Student Service Award
2003 OSU Scholarship in Medicine
2002 Dean's High Honors
2002 Harland G. Wood Biochemistry Award, Case Western Reserve University
2001 Golden Key National Honor Society
1998 Case Western Reserve University Trustee's Scholarship

Committees

2006 - 2007 Mercy Hospital Transitional Year Curriculum Review Committee
Resident Representative
2003 - 2004 Integrated Pathway Academic Programming Committee The Ohio
State University College of Medicine and Public Health Student
Representative



This certifies that

Jana Miki'ala Souza, OD

has successfully attended and completed

HYDRUS MICROSTENT ADVANCEMENTS

For 2 CE TPA Certification Credits

Course # 00-000

On October 28, 2024



Dan Driscoll, MD



HAWAII VISION SPECIALISTS

State of Hawaii
Department of Commerce and Consumer Affairs
HAWAII BOARD OF OPTOMETRY
335 Merchant St., 3rd Floor, Honolulu, HI 96813
Mailing Address: P.O. Box 3469, Honolulu, HI 96801
Access this form via website at: cca.hawaii.gov/pvl

PROGRAM SPONSOR AGREEMENT FOR CONTINUING EDUCATION ("CE")

PROGRAM TITLE: Interventional Glaucoma Advancements

FOR OFFICE USE ONLY	
Index number	<u>24-016</u>
Reviewed by	_____
Approved by	_____
Amended date	_____

INSTRUCTIONS

1. Submit this original completed application form for each course title no more than 45 days after the course is completed;
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SPONSOR'S NAME: Hawaii Vision Specialists

PHONE NO.: 808-333-3233 **EMAIL ADDRESS:** info@hawaiivisionspecialists.com

TYPE OF ORGANIZATION: Ophthalmology and Optometry Practice

BUSINESS ADDRESS: 392 Kapiolani St, Hilo HI 96720

LOCATION OF PROGRAM (City, State): Hilo, HI **DATE OF PROGRAM:** 11/11/2024

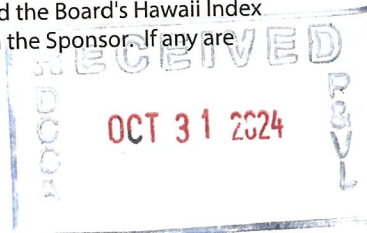
Total CE hour(s) being requested: 2

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(CONTINUED ON PAGE 2)




Print Name of Sponsor: Hawaii Vision Specialists

Date: 10/28/2024

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By 
 Signature of individual responsible for CE administration

10/28/2024
 Date

Its optometrist/ophthalmologist
 Title

Jana Souza, OD/Dan Driscoll, MD
 Print name of individual responsible for CE administration

(THIS FORM MAY BE DUPLICATED)



Interventional glaucoma advancements

Dr. Dan Driscoll

Hour 1:

Hour 1 will deal with advances made in the glaucoma early intervention segment of the glaucoma treatment market at this point. Up until this more modern technology that has been evolving over the past decade, the previous standard of care was to use topical glaucoma medications to treat mild, moderate, and even advanced forms of glaucoma up until the point where the patient may require a very advanced type of interventional incisional surgery such as trabeculectomy or tube shunt surgery. Both of these types of surgical procedure were fraught with potential for substantial complications as well as potential for vision loss and other issues that made doing these surgeries more of a last resort for patients having significant vision loss due to glaucoma.

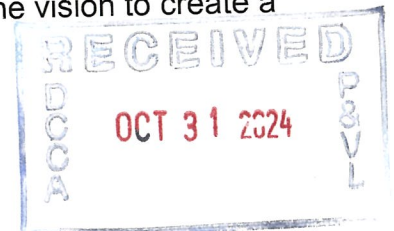
Over the years, as the MIGS market has developed (minimally invasive glaucoma surgery), there have been ways invented to improve on interventional aspects of glaucoma treatment without relying as much on patient compliance as would be required with topical medications. Many of these advances have come of late including intervention at the angle of the eye involving goniotomy, shunting of Schlemm's canal, viscodilation of Schlemm's canal, as well as minimally invasive bleb surgery such as the Xen gel stent implant and the Preserflow stent.

Of late, there has been more focus on interventional glaucoma dealing with long-acting medications that can slowly elute prostaglandin analogues into the anterior chamber and have greater efficacy on the trabecular meshwork and uveal scleral outflow system compared to that which is delivered through topical therapy with much better reliability. The company Glaukos has been the forerunner in this aspect of research and development and release of new products into the market for interventional glaucoma specifically dealing with stenting of Schlemm's canal. There have been several generations of iStent released including the original iStent G from 2014 progressing to the iStent W and now, the iStent Infinite.

Additionally, there have been significant abilities to combine viscocannular dilation of Schlemm's canal in combination with goniotomy for 3 or more clock hours with a procedure known as the OMNI from Sight Sciences. Recent changes in the guidelines for MIGS procedures has relegated this surgery to being paired with standalone iStent or iDose surgery or done as a standalone procedure as most cataract + stent procedures are not allowing additional MIGs procedures to occur concomitantly.

Hour 2:

Hour 2 will deal with more discussion of recent developments in the long elution IOP lowering drugs that are able to be implanted intracamerally at this point. Glaukos started doing research in this segment of the market as early as 2008 with the vision to create a



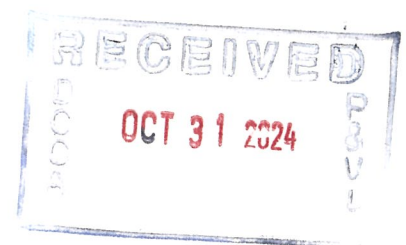
device that would have very long-acting activity through a prostaglandin analog being able to be slowly released into the anterior chamber and have efficacy on the trabecular meshwork and uveal scleral outflow system.

The iDose TR is a 75 µg implant containing slow dissolving travoprost emulsion that is dissolved through a slow elution semi-permeable membrane. To bring this to FDA approval, this was required to go through clinical trials and show a non-inferiority aspect compared to the standard of care for glaucoma which is twice daily timolol maleate, and it was able to very successfully show this non-inferiority aspect both with a slow elution and a more rapid elution style delivery mechanism. Given that there was minimal difference between a slow and rapid elution delivery mechanism in terms of efficacy, Glaukos made the decision to move forward with the slow elution to gain additional time that iDose would have longevity in the anterior chamber .

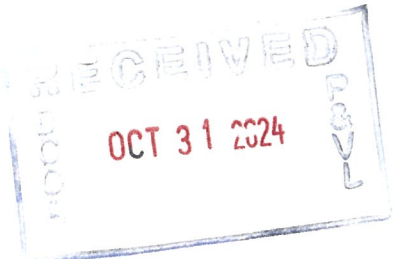
For approval purposes, the iDose was compared to timolol when the current standard of care for typical glaucoma treatment is putting patients on a nightly prostaglandin analog as would be expected for a device also that contains a prostaglandin analogue. This was for standard FDA approval only. In order to show that this stent has non-inferiority to topical prostaglandin analogues as a real-world application, this was done in a prospective cohort trial that compared a similar segment of patients that either continued to take topical glaucoma drops and had them washed out and replaced with the iDose versus those that never had any type of topical therapy and had the iDose placed. What they found was that the patient's baseline pressures on topical prostaglandin analogues were stable at a certain level and when these were washed out and replaced with the iDose, the baseline pressures actually were lowered by > 1.3 mm Hg showing actual superiority to a clinically significant level of the iDose compared to topical therapy.

This brings into question what might be the reason behind better intracameral compared to topical efficacy which there are many theorems about. One could be the patient compliance being less than 100% on topical medications. Others could be the actual formulation of the medication being delivered; also there could be the actual aqueous barrier caused by the cornea.

Further discussion of the iDose includes ways that are clinically indicated at this point which can be for ocular hypertension and open-angle glaucoma. These are independent factors of any other types of failed medical therapies or failed surgeries unlike the iStent Infinite which requires one of these failures to be true before implementation is indicated. For that purpose, there should be considerable uptake of the iDose when shown the significant clinical advantages and 100% compliance rate once it is implanted in patients. There is also a much lower learning curve in terms of the surgical implantation technique as it does not require natural anatomical cannulation of Schlemm's canal, but does require simple insertion through trabecular meshwork to be anchored in the sclera which can be accomplished relatively easily in even a more inexperienced surgeon's hands.



In summary, Glaukos and Sight Sciences continue to evolve the market share for minimally invasive glaucoma surgical devices. Sight Sciences continues to produce a quality device with a very specific subset of candidate patients who would benefit from its application to their subset of glaucoma. With the introduction of the iStent Infinite for independent of cataract surgery type of stenting as well as the iDose 75 µg travoprost implant, the hope is that Glaukos will continue to develop more market share for early intervention glaucoma surgeons to enjoy additional mechanisms by which to have their patients benefit from much better compliance and the lower need for topical or other more invasive intervention therapies moving forward



Dan Driscoll, MD
392 Kapiolani Street
Hilo, Hawaii 96720
W: (808) 333-3233
M: (808) 895-2080
dan.driscoll.md@gmail.com

Education 08/02 - 06/06 *The Ohio State University College of Medicine and Public Health.* Columbus, Ohio. Doctor of Medicine, Magna Cum Laude

08/98 - 05/02 *Case Western Reserve University.* Cleveland, Ohio. Bachelor of Science, Biochemistry, Summa Cum Laude

Professional Training 07/10- 07/11 Cornea Fellowship. *Bascom Palmer Eye Institute.* Miami, Florida

07/07 - 06/10 Ophthalmology Residency. *Bascom Palmer Eye Institute.* Miami, Florida

06/06 - 06/07 Transitional Year Residency. *Mercy Hospital Pittsburgh.* Pittsburgh, Pennsylvania

Professional experience 01/12-present Cornea, Cataract, and Refractive Surgeon. Hawaii Vision Specialists, Hilo, Hawaii
Specializing in cataract and refractive lens surgery, all-laser refractive surgery, DSAEK and cornea transplant surgery, as well as comprehensive ophthalmology including glaucoma, oculoplastic, and medical retina care

08/11-12/11 Cornea, Cataract, and Refractive Surgeon. Southeast Eye, Brunswick, GA
Performed specialty cataract and refractive lens surgery, all-laser refractive surgery, DSAEK and cornea transplant surgery.

Academic Societies American Academy of Ophthalmology
American Society of Cataract and Refractive Surgery

Licensure Hawaii License MD16407 valid through 01/31/2018

Board Certification American Board of Ophthalmology Board Certified 06/2012 through 06/2022

Volunteer Work and Community Service 2012-present Project Vision: Community vision screenings with coordinated effort from Hawaii Lions Clubs on the island of Hawaii. Locations have included Hilo, Waimea, Ka'u

Publications and Presentations Driscoll, D. *All You've Ever Wanted to Know about Eyes (from audience-submitted questions) (2 hours).* Hilo Bay Café, Hilo, Hawaii. July 15, 2017.

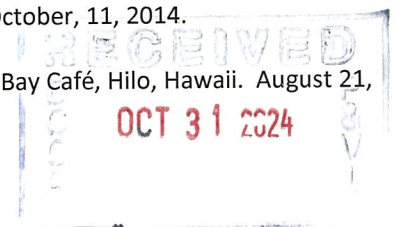
Driscoll, D. *Glaucoma Update (2 hours).* Hilo Bay Café, Hilo, Hawaii. July 08, 2016.

Driscoll, D. *Retina, Glaucoma, and Cataract Update.* 4 hour Presentation for Continuing Education for the Hawaiian Optometric Association's annual state meeting. Mauna Lani Resort, Waikaloa, HI. November 1, 2015.

Driscoll, D. *Ophthalmic Medical and Surgical Update (2 hours).* Restaurant Miwa, Hilo, HI. July 10, 2015.

Driscoll, D. *Evaluation and Management of Common Ophthalmic Conditions (1 hour).* Hilo Medical Center Continuing Medical Education Seminar, Hilo, Hawaii. October, 11, 2014.

Driscoll, D. *Interesting Cases in Ophthalmology (2 hours).* Hilo Bay Café, Hilo, Hawaii. August 21, 2014.



Driscoll, D. *Ophthalmic Update for Community Optometrists (3 hours)*. Imiloa Astronomy Center, Hilo, Hawaii. September 27, 2013.

Driscoll, D. Lam, B. *The effect of resistance training on microsurgical tremor: Incorporation of Pharmacologic Intervention*. Bascom Palmer Eye Institute Residents Day, 2011. Miami, Florida. June 17, 2011.

Driscoll, D. *International Ophthalmology Experiences*. Speaking presentation at Bascom Palmer weekly Cornea Conference. Bascom Palmer Eye Institute. May 11, 2011

Driscoll, D. *Corneal Topography for Residents*. Speaking presentation at weekly resident's conference. Bascom Palmer Eye Institute, November 23, 2010.

Driscoll, D. *What a cornea fellowship-trained ophthalmologist can offer to a referring optometrist*. SouthEast Eye Annual Fall Conference, St. Simons Island, Ga. September 25, 2010.

Driscoll, D. *Visual outcomes after wavefront-guided photorefractive keratectomy and wavefront-guided laser in situ keratomileusis: Prospective comparison*. Discussed in detail at Bascom Palmer Department of Cornea Refractive Journal Club. August 30, 2010.

Driscoll, D. *Manual Small Incision Cataract Surgery as an Alternative to Phacoemulsification in Dense Nuclear Sclerotic Cataracts*. Bascom Palmer Eye Institute Grand Rounds. Discussant Charlie Wykoff, MD, PhD. July 8, 2010.

Driscoll, D. Lam, B. *The effect of resistance training on microsurgical tremor*. Bascom Palmer Residents Day 2010. Miami, Florida. June 18, 2010.

Driscoll, D, Yoo S. *SubTenons Ranibizumab for the Inhibition of Neovascularization in the Cornea in High Risk Corneal Transplant Surgery*. Speaking presentation, ASCRS Boston. April 12, 2010.

Driscoll, D. *Intraorbital Cavernous Hemangioma; Management and Operative Options*. Bascom Palmer Eye Institute Grand Rounds. Discussant Chris Alabiad, MD. March 10, 2010

Driscoll, D. *Aspergillus keratitis requiring emergency penetrating keratoplasty: Investigation of current pharmacologic susceptibilities*. Bascom Palmer Eye Institute Grand Rounds. Discussant William Culbertson. November 19, 2009

Driscoll, D, Yoo S. *SubTenons Ranibizumab for the Inhibition of Neovascularization in the Cornea in High Risk Corneal Transplant Surgery*. Bascom Palmer Residents Day 2009, Miami, Florida, June 19, 2009.

Driscoll, D. *Current pharmacologic treatment modalities for proliferative vitreoretinopathy with subfocus on methods of intravitreal sustainable drug delivery*. Retina morning conference. Bascom Palmer Eye Institute. April 22, 2009.

Driscoll, D. *Refractive screening and vision correction with ready-made glasses in Belize*. Bascom Palmer Eye Institute Grand Rounds. Discussant Tom Shane, MD. April 16, 2009.

Driscoll D, et. al. ASCRS April 3-8, 2009 San Francisco, CA: Poster presentation: *Allopatric Femtosecond Laser Air Bubble Formation in a Closed System*

Driscoll, D. ASCRS April 7, 2009 San Francisco, CA: Sports Ophthalmology Society of the Americas Guest Speaker: *Sports-Related Ophthalmic Injuries*

Driscoll, D. *Malignant meningioma case presentation*. Bascom Palmer Eye Institute Grand Rounds. Discussant Norman Schatz, MD. February 19, 2009.

Driscoll, D. *IOL calculations after PRK and Lasik Surgery*. Bascom Palmer Eye Institute morning lecture. January 5, 2009

Driscoll, D. *Unusual retinal vasculitis with complication of corneal perforation*. Bascom Palmer Eye Institute Grand Rounds. Discussants Thomas Albini, MD and Victor Perez, MD. December 4, 2008.

Driscoll D, Davis J. *A 19 year old female has transient black spots, headaches. Stellate maculopathy, disc edema occur during treatment: What is your diagnosis?* Ophthalmology Times 2008; Nov 15: 8-10.

Driscoll D, Karp, C. *Conjunctival Intraepithelial Neoplasia*. Southeast Cornea Conference, Asheville, North Carolina, September 19, 2008.

Driscoll, D. *Trauma Case Discussion: Nail to the Orbit*. OphthalmologyWeb.com featured article. September 2008.

<http://www.opthalmologyweb.com/FeaturedArticle.aspx?spid=23&aid=403&headerid=23>

Driscoll, D. *Neovascular Glaucoma: Emergency Treatment Experiences*. OphthalmologyWeb.com featured article. August 2008.

<http://www.opthalmologyweb.com/FeaturedArticle.aspx?spid=23&aid=399&headerid=23>

Driscoll, D. *Masquerading papillophlebitis in a healthy 19 year old female*. Bascom Palmer Eye Institute Grand Rounds. Discussant Janet Davis, MD. July 31, 2008.

Driscoll D, Yoo, S. *Pilot Study: Prevalence of Demodex folliculorum in the eyelashes of all comers*. Bascom Palmer Eye Institute Residents Day 2008, Miami, Florida, June 13, 2008.

Driscoll, D. *White retinal lesion in immunosuppressed pediatric patient with history of leukemia*. Bascom Palmer Eye Institute Grand Rounds. Discussant Janet Davis, MD. June 5, 2008.

Driscoll, D. *Differentiating severe keratitis from endophthalmitis: Management and diagnostic strategies*. Bascom Palmer Eye Institute Grand Rounds. Discussant Elena Roth, MD. March 20, 2008.

Driscoll, D. *Case report: Blindness due to fludarabine toxicity*. Bascom Palmer Eye Institute Grand Rounds. Discussant Norman Schatz, MD. November 15, 2007.

Driscoll, D. *Bilateral Herpes Simplex virus acute retinal necrosis*. Bascom Palmer Eye Institute Grand Rounds. Discussant Thomas Albini, MD. August 23, 2007

Ophthalmic Research

2009 - 2011 *The effect of resistance training on microsurgical tremor.*
Collaboration of Bascom Palmer Eye Institute and University of Miami Medical Wellness Center.

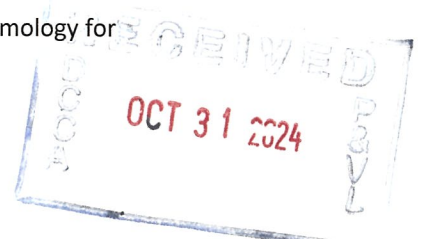
2004 - 2005 *The Effect of a Cataract Surgery Incision on Corneal Wavefront.*
OSUCOMPH Department of Ophthalmology, Columbus, Ohio.
Thomas Mauger, M.D., Jennifer Lewis, Ph.D.

Past Research

2000 - 2002 CWRU Department of Biochemistry: Development of gene therapy techniques in yeast by inducing genomic damage and supplying exogenous nucleotide sequences in hopes of cellular incorporation and genotypic conversion.

Academic Achievements

2006 Eli G. Alcorn and John B. Alcorn Prize in Ophthalmology for outstanding achievement in ophthalmology.
2006 Alpha Omega Alpha medical honor society
2005 Orr scholarship in medicine, OSU
2004 Helmick Scholarship, OSU



2004 OSU College of Medicine Student Service Award
2003 OSU Scholarship in Medicine
2002 Dean's High Honors
2002 Harland G. Wood Biochemistry Award, Case Western Reserve University
2001 Golden Key National Honor Society
1998 Case Western Reserve University Trustee's Scholarship

Committees

2006 - 2007 Mercy Hospital Transitional Year Curriculum Review Committee
Resident Representative
2003 - 2004 Integrated Pathway Academic Programming Committee The Ohio
State University College of Medicine and Public Health Student
Representative

This certifies that

Jana Miki'ala Souza, OD

has successfully attended and completed

INTERVENTIONAL GLAUCOMA ADVANCEMENTS

For 2 CE TPA Certification Credits

Course # 00-000

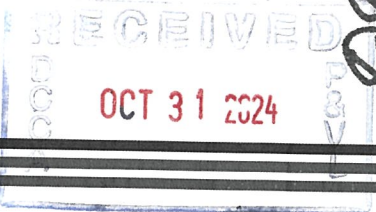
On November 11, 2024

Daniel

Dan Driscoll, MD




HAWAII VISION SPECIALISTS



Dear Board of Optometry,

My name is Chia Yu Chen, and I am in the process of starting my own optometry practice next month. I am hoping to practice under the name LocalEyes Optometry of Hawaii. I am writing this letter to seek your approval before submitting my business registration.

Thank you kindly,



Chia Yu Chen, OD

Date

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



NADINE Y. ANDO
DIRECTOR | KA LUNA HO'OKELE

AHLANI K. QUIOGUE
LICENSING ADMINISTRATOR

HAWAII BOARD OF OPTOMETRY

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
KA 'OIHANA PILI KĀLEPA
P.O. BOX 3469
HONOLULU, HAWAII 96801
cca.hawaii.gov/pvl

September 16, 2024

Chia Yu Chen, O.D.



RE: Request for Trade Name Approval – LocalEyes Optometry of Hawaii

Dear Dr. Chen,

On September 13, 2024, the Hawaii Board of Optometry ("Board") received your request to use the above-mentioned trade name. Your request has been approved by the Board Chairperson, Dr. Paul Chin, and will be ratified at the Board's next regularly scheduled meeting on Monday, November 18, 2024.

You may contact the Business Registration Division by going to the web page <https://cca.hawaii.gov/breg/> or you may call them at (808) 586-2727, for instructions on how to register your trade name. They will require a copy of this approval letter to register the trade name.

I can be contacted at (808) 586-2705 or via email at: optometry@dcca.hawaii.gov If you have any questions.

Sincerely,

Kerrie Shahan
Executive Officer

HAWAII BOARD OF OPTOMETRY RECIPROCITY

HRS §459-7.5 Reciprocity. The board, by rules, shall provide for licensure of optometrists registered and licensed under the laws of any state or territory of the United States or any other jurisdiction with qualifications for licensure which equal or exceed those of this State.

HAR §16-92-26 Reciprocity. An optometrist who is registered and licensed under the laws of another state or jurisdiction shall be licensed in this State, subject to all of the following:

- (1) That the originating state accords like privileges to the licensees of this State;
- (2) That the educational requirements of the originating state are equivalent to or greater than those of this State, as specified in section 459-7, HRS;
- (3) That the applicant has met the requirements of section 16-92-10;
- (4) **That the applicant has passed the NBEO written and practical examinations in their entirety;**
- (5) That the applicant shall have been engaged in the practice of optometry or in federal service continuously for not less than four of the five years immediately preceding the date of application;
- (6) That the applicant must not have committed acts which constitute professional misconduct, gross carelessness or negligence, or manifest incapacity in the practice of optometry as specified in subchapter 10; and
- (7) That all states or jurisdictions in which applicant is licensed provide a certified statement that the license of the applicant shall not have been and is not currently in the process of being investigated, suspended, or revoked by that state for any cause which constitutes grounds for revocation, suspension, or refusal to issue a license as specified in this chapter.

Kerrie E. Shahan

From: Lisa Fennell [REDACTED]
Sent: Friday, November 8, 2024 8:28 AM
To: Lisa Fennell
Subject: [EXTERNAL] Potential Regulatory Issue

Importance: High

CAUTION: This email originated from outside of Hawaii State Gov't / DCCA. Do not click links or open attachments unless you recognize the sender and are expecting the link or attachment.

ARBO Member Board Executives:

On behalf of the ARBO Board of Directors, I am sending this email to you to bring a potential regulatory issue to your attention. ARBO recently became aware of a proposed change to the Rules and Regulations of Kentucky that has the potential to affect each of your agencies. Please share this with your Board members.

A proposal has been made to allow applicants for licensure in Kentucky to use the written portion of the Optometry Examining Board of Canada (OEBC) Exam in lieu of the NBEO Part I Exam. The reasoning (attachments below with OEBC abbreviated incorrectly) is to provide "an alternate path to Kentucky licensure". Such a change has the potential to permit optometry graduates, who have failed NBEO Part 1 the maximum of six times, an opportunity to take the OEBC written Exam and obtain a Kentucky license. With that license, these individuals could then apply for reciprocity or endorsement in another jurisdiction.

The proposal creates multiple concerns:

- The reason for the change listed in the Impact Analysis states that it is necessary because students are unable to pass the NBEO Part I Exam.
- The Kentucky Board of Optometry does not provide any information showing that the OEBC written Exam is equivalent to the NBEO Part I Exam.
- The OEBC written exam does not test basic science like the NBEO Part I Exam, which is critical when evaluating competence to enter into practice.
- The OEBC Exams are designed around the scope of practice in Canada which is different than the scope of practice in many of the US States.
- The proposed amendment does not protect the health and safety of the citizens of Kentucky. It creates a situation where an optometrist who has not been able to demonstrate that they are competent to practice obtains a license in Kentucky.
- A licensure pathway for optometry graduates unable to pass NBEO Part 1 could create issues in all states that have licensure by endorsement or reciprocity.

Written comments on this proposed amendment may be submitted to the Kentucky Board of Optometry contact person prior to the deadline of November 30, 2024.

Christi LeMay, Executive Director
[REDACTED]

BOARDS AND COMMISSIONS
Board of Optometric Examiners
(Amendment)

201 KAR 5:010. Application for licensure; endorsement.

RELATES TO: KRS 218A.205(3)(g), 320.220, 320.250, 320.270

STATUTORY AUTHORITY: KRS 218A.205(3)(g), 320.240(7), 320.270(4)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 320.220 requires all persons who practice optometry in this state to be licensed by the Kentucky Board of Optometric Examiners. KRS 320.250 establishes criteria for an applicant to apply for a license. KRS 320.270 grants the board the discretion to admit to practice in Kentucky persons licensed to practice optometry in other states. KRS 218A.205(3)(g) requires fingerprint-supported criminal record checks and queries to the National Practitioner Data Bank on applicants. This administrative regulation prescribes the procedures to be followed in making application to the board for a license.

Section 1.

(1) A person wishing to apply for a license to practice optometry shall submit to the board, within fifteen (15) days of board review, the following items:

- (a) A completed Application for License to Practice Optometry;
- (b) Birth certificate;
- (c) A certified copy of college transcripts received directly from the registrar's office;
- (d) A certified copy of optometry school ~~transcripts~~ received directly from the registrar's office;
- (e) National board "NBEO" or Canadian OBEO written examination in lieu of Part I NBEO results;
- (f) Therapeutic Management of Ocular Disease, "TMOD" results;
- (g) Two (2) letters of recommendation, one (1) of which shall be from a licensed optometrist;
- (h) Proof of successful completion of State Law Exam results;
- (i) A ~~passport sized,~~ recent photograph of head and shoulders, front view;
- (j) Payment ~~{A money order or cashier's check payable to the Kentucky State Treasurer}~~ in the amount of \$500 representing the non-refundable application fee; and
- (k) Payment ~~{A money order or cashier's check}~~ in the amount of twenty-five (25) dollars ~~{made payable to the Kentucky State Treasurer}~~ for the purpose of submitting a query on the applicant to the National Practitioner Data Bank of the United States Department of Health and Human Services.

(2)

- (a) Prior to approval for examination, the board shall review ~~{receive}~~ and consider:

(b) "Application for License by Endorsement to Practice Optometry", June 2024~~[August 2012]~~.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Optometric Examiners, 2365 Harrodsburg Road, Suite A240, Lexington, Kentucky 40504-3333~~[2624 Research Park Drive, Suite 305, Lexington, Kentucky 40511]~~, phone (859) 246-2744, Monday through Friday, 9:00 a.m. to 4:30 p.m.~~[8:30 a.m. to 5 p.m.]~~.

JOE ELLIS, OD, President

APPROVED BY AGENCY: August 15, 2024

FILED WITH LRC: August 30, 2024 at 10:30 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 21, 2024, at 2:00 p.m. EST, at 2365 Harrodsburg Road, Suite A240, Lexington, Kentucky 40504. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Christi LeMay, Executive Director, 2365 Harrodsburg Road, Lexington Kentucky 40504, (859) 246-2744, email christi.lemay@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Christi LeMay

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This amendment will allow an additional path to secure a Kentucky license.

(b) The necessity of this administrative regulation:

Post pandemic, there were a number of optometry school students that could not pass the National boards as required in current Kentucky regulation.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS authorizes the Board to determine license requirements.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This amendment adds an additional path to Kentucky licensure.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

This will allow an additional path to secure a Kentucky license.

(b) The necessity of the amendment to this administrative regulation:

Post pandemic, there were a number of optometry school students that could not pass the National boards as required in current Kentucky regulation.

(c) How the amendment conforms to the content of the authorizing statutes:

KRS authorizes the Board to determine license requirements.

(d) How the amendment will assist in the effective administration of the statutes:

This amendment adds an additional path to Kentucky licensure.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This amendment will affect potential applicants for a Kentucky optometrist license.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will

This amendment will affect potential applicants for a Kentucky optometrist license.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

The potential applicant will need to sit for and pass the OBOE written examination that is done online.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

This amendment will give applicants a choice, not require them to take the OBOE written exam and does not incur a cost more than the accepted NBEO Part 1 exam.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

This amendment will give applicants an additional path to secure a Kentucky optometrist license.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

\$0

(b) On a continuing basis:

\$0

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

N/A

Regards,
Lisa

Lisa Fennell

Executive Director/CEO

Association of Regulatory Boards of Optometry
3440 Toringdon Way
Suite 205 PMB #20533
Charlotte, NC 28277

Main Phone: 704-970-2710
Direct Phone: 704-970-2755
www.arbo.org

Kerrie E. Shahan

From: Margaret Whelan [REDACTED]
Sent: Thursday, November 7, 2024 11:05 AM
To: Margaret Whelan
Subject: [EXTERNAL] Request for comments; KY Board of Optometry; Canadian Board Exam
Attachments: KY proposed Admin Code for Canadian exam.pdf

CAUTION: This email originated from outside of Hawaii State Gov't / DCCA. Do not click links or open attachments unless you recognize the sender and are expecting the link or attachment.

Dear Colleagues,

Happy November!

This email is from me, in my position as the executive director of the Arizona State Board of Optometry. (Not in my capacity as an ARBO Board Member)

I want to bring to your attention an important development regarding the Kentucky Board of Optometry's recent decision and subsequent promulgation of related Administrative Code to accept the Optometry Examining Board of Canada ("OEBC") as an alternative to the National Board of Examiners in Optometry ("NBEO") for licensure in Kentucky.

This is a change that could have broad implications for the profession we regulate and I believe it's important that we all carefully consider the potential effects on our respective state's licensure standards, as well as the profession as a whole. I encourage everyone to review the attached information about the proposed changes to the KY Administrative Code, consider its potential impact, and draft a response/position statement opposing their adoption of the OEBO.

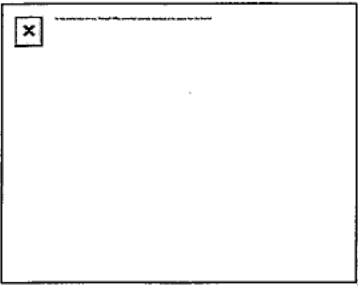
It's crucial that we respond thoughtfully on this issue, as it could influence licensure practices and the overall regulatory environment for optometrists by possibly changing the minimum competency standards of an optometrist. By commenting on the proposed changes, we can ensure our concerns are heard as we continue advocating for the standards and integrity of the profession we regulate. Our input will also be vital as we engage in discussions with one another, with legislators and with ARBO moving forward.

If you are so inclined, you may submit your response/position statement to me via email and I will forward it to the Kentucky Board as well as the Rules Subcommittee; to our colleague Christi LeMay at the KY Board at christi.lemay@ky.gov or directly to Emily Caudill, Administrative Regulation Compiler emily.caudill@ky.legislature.gov AND Ange Darnell, Assistant Administrative Regulation Compiler at ange.darnell@ky.legislature.gov. The letter should be addressed to both Administrative Regulation Review Subcommittee Co-Chairs Senator Stephen West and Representative Derek Lewis.

This is time sensitive as the proposed language is due to be heard at the scheduled Committee meeting on November 21, 2024. They are also taking comments until November 30, 2024. The earlier date is preferred but either way is fine.

Please let me know if I can be of further assistance.

Margaret Whelan
Executive Director
AZ State Board of Optometry





ADMINISTRATIVE REGISTER OF KENTUCKY

The submission deadline for this edition of the *Administrative Register of Kentucky* was noon, September 15, 2024

MEETING NOTICES

The **Administrative Regulation Review Subcommittee** is tentatively scheduled to meet on October 15, 2024, at 1:00 p.m. in room 149 Capitol Annex.

ARRS Tentative Agenda – 615 [Online agenda updated as needed](#)

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BOARDS AND COMMISSIONS Board of Optometric Examiners (Amendment)

201 KAR 5:005. Fines and fees~~[Fees, fines, and forms]~~.

RELATES TO: KRS 218A.205(3)(h), (8), 320.220, 320.250, 320.270, 320.310

STATUTORY AUTHORITY: KRS 218A.205(3)(h), (8), 320.240(4), (7), 320.270(4)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 320.240(4) requires the board to promulgate administrative regulations for the reasonable regulation of the profession of optometry and the practice thereof by licensed optometrists. KRS 320.220 requires all persons who practice optometry in this state to be licensed by the Kentucky Board of Optometric Examiners. KRS 320.250 establishes criteria for an applicant to apply for a license. KRS 320.270 authorizes the board to admit to practice in Kentucky persons licensed to practice optometry in other states. KRS 218A.205(3)(h) and (8) require fingerprint-supported criminal record checks and queries to the National Practitioner Data Bank on applicants. This administrative regulation establishes fees, including fees relating to licensure and fines those who fail to comply with continuing education requirements.

Section 1. Initial Application Fee. A non-refundable initial application and license fee shall be \$500 per year, as established in 201 KAR 5:010.

Section 2. Application for License by Endorsement Fee. A non-refundable application and license by endorsement fee shall be \$700 per year, as established in 201 KAR 5:010.

Section 3. Initial License Fee. A non-refundable initial license fee shall be pro-rated from \$250 for the remainder of months left in the license year.

Section 4. Renewal License Fee. A non-refundable renewal license fee shall be \$300~~[\$250]~~ per year, as established in 201 KAR 5:090.

Section 5. Late Renewal License Fee. A non-refundable late renewal license fee shall be \$100, in addition to the renewal license Fee outlined in Section 4 of this administrative regulation.

Section 6. Duplicate License Fee. A non-refundable fee for a duplicate license renewal certificate shall be twenty (20) dollars.

Section 7. Reinstatement Fee. A reinstatement fee shall be \$300~~[\$250]~~ for each year, or any portion of a year that the license was not renewed.

Section 8. Reinstatement Administrative Processing Fee. A reinstatement administrative processing fee shall be \$300, in addition to the reinstatement fee outlined in Section 7 of this administrative regulation.

Section 9. Name Change Fee. A non-refundable fee to process a name change shall be twenty-five (25) dollars.

Section 10. Insufficient Funds Fee. An insufficient funds fee for a returned check or denied online banking (ACH) payment shall be fifty (50) dollars.

Section 11. Continuing Education Non-compliance Fine. A fine of \$500 shall be assessed against any licensee who fails to comply with the Continuing Education requirements for Kentucky Optometrists as outlined in KRS 320.280 and 201 KAR 5:030. The initial assessment of this fine against a licensee shall not result in disciplinary action and shall not be reported to the National Practitioners Databank (NPDB). However, any subsequent violations of this provision may be reported to the NPDB at the discretion of the board. In these instances, the action will be appealable pursuant to KRS 320.331 and KRS Chapter 13B.

Section 12. License Verification List. A fee for a licensee verification list shall be \$100.

Section 13. Individual License Verification. A fee for an individual licensee written verification shall be twenty-five (25) dollars.

JOE ELLIS, OD, President

APPROVED BY AGENCY: August 20, 2024

FILED WITH LRC: August 30, 2024 at 10:30 a.m.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 21, 2024, at 2:00 p.m. EST, at 2365 Harrodsburg Road, Suite A240, Lexington, Kentucky 40504. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Christi LeMay, Executive Director, 2365 Harrodsburg Road, Lexington Kentucky 40504, (859) 246-2744, christi.lemay@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Christi LeMay

(1) Provide a brief summary of:

(a) What this administrative regulation does: This amendment will increase renewal fees to offset administrative costs for updated software.

(b) The necessity of this administrative regulation: Our current database is housed on Microsoft Access that is no longer supported and must be replaced. We have budgeted and been allotted the necessary funds, however, our revenue stream does not meet our needs without an increase in renewal fees.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS authorizes the Board to set fees.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: Kentucky statute requires that we issue and administer the licensing process. We require an updated database to fulfill our duties.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment will increase renewal fees to offset administrative costs for updated software.

(b) The necessity of the amendment to this administrative regulation: Our current database is housed on Microsoft Access that is no longer supported and must be replaced. We have budgeted and been allotted the necessary funds, however, our revenue stream does not meet our needs without an increase in renewal fees.

(c) How the amendment conforms to the content of the authorizing statutes: KRS authorizes the Board to set fees.

(d) How the amendment will assist in the effective administration of the statutes: Kentucky statute requires that we issue and administer the licensing process. We require an updated database to fulfill our duties.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This amendment will affect all currently licensed optometrists in Kentucky.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The potential applicant will need to sit for and pass the OBOE written examination that is done online.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): This amendment will give applicants a choice, not require them to take the OBOE written exam and does not incur a cost more than the accepted NBEO Part 1 exam.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): This amendment will give applicants an additional path to secure a Kentucky optometrist license by \$50 annually. The last increase in our fee occurred more than 8 years ago. This is only the second fee increase of \$50 each time since licensing of optometrists began in the state of KY.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

- (a) Initially: \$0
- (b) On a continuing basis: \$0

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: N/A

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There will an increase of renewal fees with the implementation of this amendment.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This amendment increases the fee to renew a Kentucky optometrist license.

(9) TIERING: Is tiering applied? There is no tiering, only a flat fee.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation. 201 KAR 5:005; 201 KAR 5:090; KRS 320.280

(2) Identify the promulgating agency and any other affected state units, parts, or divisions: Kentucky Board of Optometric Examiners

(a) Estimate the following for the first year:

- Expenditures: \$0
- Revenues: \$45,000
- Cost Savings: \$0

(b) How will expenditures, revenues, or cost savings differ in subsequent years? The same increased revenues of \$45,000 will be realized each year.

(3) Identify affected local entities (for example: cities, counties, fire departments, school districts): This will not impact any local entities.

(a) Estimate the following for the first year:

- Expenditures: \$0
- Revenues: \$0
- Cost Savings: \$0

(b) How will expenditures, revenues, or cost savings differ in subsequent years? N/A

(4) Identify additional regulated entities not listed in questions (2) or (3): None

(a) Estimate the following for the first year:

- Expenditures: \$0
- Revenues: \$0
- Cost Savings: \$0

(b) How will expenditures, revenues, or cost savings differ in subsequent years? : N/A

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation: This regulation will result in a fee increase of \$50 annually to renew an optometrist license in Kentucky.

(b) Methodology and resources used to determine the fiscal impact: The Board used a flat fee increase to offset the administrative shortfall we are experiencing.

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate) This regulation will not have an overall negative or adverse major economic impact.

(b) The methodology and resources used to reach this conclusion:

BOARDS AND COMMISSIONS
Board of Optometric Examiners
(Amendment)

201 KAR 5:010. Application for licensure; endorsement.

RELATES TO: KRS 218A.205(3)(g), 320.220, 320.250, 320.270
STATUTORY AUTHORITY: KRS 218A.205(3)(g), 320.240(7), 320.270(4)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 320.220 requires all persons who practice optometry in this state to be licensed by the Kentucky Board of Optometric Examiners. KRS 320.250 establishes criteria for an applicant to apply for a license. KRS 320.270 grants the board the discretion to admit to practice in Kentucky persons licensed to practice optometry in other states. KRS 218A.205(3)(g) requires fingerprint-supported criminal record checks and queries to the National Practitioner Data Bank on applicants. This administrative regulation prescribes the procedures to be followed in making application to the board for a license.

Section 1.

(1) A person wishing to apply for a license to practice optometry shall submit to the board, within fifteen (15) days of board review, the following items:

- (a) A completed Application for License to Practice Optometry;
- (b) Birth certificate;
- (c) A certified copy of college transcripts received directly from the registrar's office;
- (d) A certified copy of optometry school [~~transcripts~~]received directly from the registrar's office;
- (e) National board "NBEO" or Canadian OBEO written examination in lieu of Part 1 NBEO results;
- (f) Therapeutic Management of Ocular Disease, "TMOD" results;
- (g) Two (2) letters of recommendation, one (1) of which shall be from a licensed optometrist;
- (h) Proof of successful completion of State Law Exam results;
- (i) A [~~passport-sized,~~]recent photograph of head and shoulders, front view;

(j) ~~Payment[A money order or cashier's check payable to the Kentucky State Treasurer]~~ in the amount of \$500 representing the non-refundable application fee; and

(k) ~~Payment[A money order or cashier's check]~~ in the amount of twenty-five (25) dollars [~~made payable to the Kentucky State Treasurer]~~ for the purpose of submitting a query on the applicant to the National Practitioner Data Bank of the United States Department of Health and Human Services.

(2)

(a) Prior to approval for examination, the board shall review[receive] and consider:

- 1. A national and state, fingerprint-supported criminal record check conducted by the:
 - a. Federal Bureau of Investigation; or
 - b. Kentucky State Police; and
 - 2. A query for any relevant data from the National Practitioner Data Bank of the U.S. Department of Health and Human Services.
- (b) Both of the items required to be furnished by this subsection shall be less than sixty (60) days old when reviewed by the board.

Section 2.

(1) A person wishing to apply for a license to practice optometry by endorsement shall submit to the board, within fifteen (15) days of board review, the following items:

- (a) A completed Application for License by Endorsement to Practice Optometry;
- (b) Verification that the applicant has been licensed in optometry and in active practice the past five (5) years;
- (c) Information regarding any resolved, pending, or unresolved board action or malpractice suit in any state or territory;
- (d) A certified copy of college transcripts received directly from the registrar's office;
- (e) A certified copy of optometry school transcripts received directly from the registrar's office;

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(f) A certificate of good standing from the board where the applicant is currently licensed and from all state boards where the applicant has held a license in the past;

(g) A copy of the credential that proves the applicant is therapeutically licensed;

(h) Two (2) letters of recommendation, one (1) of which shall be from a licensed optometrist;

(i) Proof of successful completion of Kentucky State Law Exam;

(j) A ~~passport sized,~~ recent photograph of head and shoulders, front view;

(k) ~~Payment [A certified check or money order made payable to the Kentucky State Treasurer]~~ in the amount of \$700 representing the non-refundable application fee;

(l) A notarized statement explaining why the applicant wishes to be admitted to practice in Kentucky; and

(m) ~~Payment [A money order or cashier's check]~~ in the amount of twenty-five (25) dollars ~~[made payable to the Kentucky State Treasurer]~~ for the purpose of submitting a query on the applicant to the National Practitioner Data Bank of the United States Department of Health and Human Services to retrieve any relevant data on the applicant.

(2)

(a) Prior to approval for licensure, the board shall receive and consider:

1. A national and state, fingerprint-supported criminal record check conducted by the:

a. Federal Bureau of Investigation; or

b. Kentucky State Police; and

2. A query for any relevant data from the National Practitioner Data Bank of the U.S. Department of Health and Human Services.

(b) Both of the items required to be furnished by this subsection shall be less than sixty (60) days old when reviewed by the board.

Section 3.

(1) A person whose license has been revoked pursuant to KRS 320.280(3) may apply for reinstatement of his or her license.

(2) Except as provided in subsection (3) of this section, a person applying for reinstatement shall submit to the board:

(a) Evidence of completion of the continuing education requirements established in 201 KAR 5:030; and

(b) Payment of the annual renewal fee established in 201 KAR 5:090, Section 2.

(3) To apply for reinstatement, an optometrist whose license has been revoked pursuant to KRS 320.280(3) shall submit to the board:

(a) Evidence of completion of the annual continuing education requirement for each year, or any portion of a year, that the license was not renewed ~~[up]~~ to a maximum of sixty (60) hours; and

(b) Payment of the renewal fee established in 201 KAR 5:090, Section 2 [of \$200] for each year, or any portion of a year, that the license was not renewed.

Section 4. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Application for License to Practice Optometry", June 2024 [August 2012]; and

(b) "Application for License by Endorsement to Practice Optometry", June 2024 [August 2012].

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Optometric Examiners, 2365 Harrodsburg Road, Suite A240, Lexington, Kentucky 40504-3333 [2624 Research Park Drive, Suite 305, Lexington, Kentucky 40514], phone (859) 246-2744, Monday through Friday, 9:00 a.m. to 4:30 p.m. [8:30 a.m. to 5 p.m.].

JOE ELLIS, OD, President

APPROVED BY AGENCY: August 15, 2024

FILED WITH LRC: August 30, 2024 at 10:30 a.m.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 21, 2024, at 2:00 p.m. EST, at 2365 Harrodsburg Road, Suite A240, Lexington, Kentucky 40504. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend

the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Christi LeMay, Executive Director, 2365 Harrodsburg Road, Lexington Kentucky 40504, (859) 246-2744, email christi.lemay@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Christi LeMay

(1) Provide a brief summary of:

(a) What this administrative regulation does: This amendment will allow an additional path to secure a Kentucky license.

(b) The necessity of this administrative regulation: Post pandemic, there were a number of optometry school students that could not pass the National boards as required in current Kentucky regulation.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS authorizes the Board to determine license requirements.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This amendment adds an additional path to Kentucky licensure.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This will allow an additional path to secure a Kentucky license.

(b) The necessity of the amendment to this administrative regulation: Post pandemic, there were a number of optometry school students that could not pass the National boards as required in current Kentucky regulation.

(c) How the amendment conforms to the content of the authorizing statutes: KRS authorizes the Board to determine license requirements.

(d) How the amendment will assist in the effective administration of the statutes: This amendment adds an additional path to Kentucky licensure.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This amendment will affect potential applicants for a Kentucky optometrist license.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The potential applicant will need to sit for and pass the OBOE written examination that is done online.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): This amendment will give applicants a choice, not require them to take the OBOE written exam and does not incur a cost more than the accepted NBEO Part 1 exam.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): This amendment will give applicants an additional path to secure a Kentucky optometrist license.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: \$0

(b) On a continuing basis: \$0

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: N/A

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There will be no increase in fees necessary.

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(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This amendment does not establish any fees directly or indirectly.

(9) TIERING: Is tiering applied? There are no fees associated with this amendment, therefore there is no tiering.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 218A.205(3)(g), 320.240(7), 320.270(4)

(2) Identify the promulgating agency and any other affected state units, parts, or divisions: Kentucky Board of Optometric Examiners

(a) Estimate the following for the first year:

Expenditures: \$0

Revenues: \$0

Cost Savings: \$0

(b) How will expenditures, revenues, or cost savings differ in subsequent years? N/A

(3) Identify affected local entities (for example: cities, counties, fire departments, school districts): This will not impact any local entities.

(a) Estimate the following for the first year:

Expenditures: \$0

Revenues: \$0

Cost Savings: \$0

(b) How will expenditures, revenues, or cost savings differ in subsequent years? There are no fees so nothing will change.

(4) Identify additional regulated entities not listed in questions (2) or (3): None

(a) Estimate the following for the first year:

Expenditures: \$0

Revenues: \$0

Cost Savings: \$0

(b) How will expenditures, revenues, or cost savings differ in subsequent years? There are no fees associated so there will be no difference.

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation: There is no fiscal impact resulting from this regulation.

(b) Methodology and resources used to determine the fiscal impact: N/A

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate) : N/A

(b) The methodology and resources used to reach this conclusion: N/A

BOARDS AND COMMISSIONS
Board of Optometric Examiners
(Amendment)

201 KAR 5:090. Annual renewal fee.

RELATES TO: KRS 320.280

STATUTORY AUTHORITY: KRS 320.240(4), 320.280(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 320.280(1) requires the Kentucky Board of Optometric Examiners to promulgate an administrative regulation to establish the payment of the fee required for an optometrist to annually secure a renewal certificate. This administrative regulation establishes the amount of the annual renewal fee.

Section 1. The annual renewal fee for an optometrist shall be \$300[\$250].

JOE ELLIS, OD, President

APPROVED BY AGENCY: August 20, 2024

FILED WITH LRC: August 30, 2024 at 10:30 a.m.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 21, 2024, at 2:00 p.m. EST, at 2365 Harrodsburg Road, Suite A240, Lexington, Kentucky 40504. Individuals interested in being heard at

this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Christi LeMay, Executive Director, 2365 Harrodsburg Road, Lexington Kentucky 40504, (859) 246-2744, christi.lemay@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Christi LeMay

(1) Provide a brief summary of:

(a) What this administrative regulation does: This amendment will increase renewal fees to offset administrative costs for updated software.

(b) The necessity of this administrative regulation: Our current database is housed on Microsoft Access that is no longer supported and must be replaced. We have budgeted and been allotted the necessary funds, however, our revenue stream does not meet our needs without an increase in renewal fees.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS authorizes the Board to set fees.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: Kentucky statute requires that we issue and administer the licensing process. We require an updated database to fulfill our duties.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment will increase renewal fees to offset administrative costs for updated software.

(b) The necessity of the amendment to this administrative regulation: Our current database is housed on Microsoft Access that is no longer supported and must be replaced. We have budgeted and been allotted the necessary funds, however, our revenue stream does not meet our needs without an increase in renewal fees.

(c) How the amendment conforms to the content of the authorizing statutes: KRS authorizes the Board to set fees.

(d) How the amendment will assist in the effective administration of the statutes: Kentucky statute requires that we issue and administer the licensing process. We require an updated database to fulfill our duties.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This amendment will affect all currently licensed optometrists in Kentucky.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The potential applicant will need to sit for and pass the OBOE written examination that is done online.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): This amendment will give applicants a choice, not require them to take the OBOE written exam and does not incur a cost more than the accepted NBEO Part 1 exam.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): This amendment will give applicants an additional path to secure a Kentucky optometrist license by \$50 annually. The last increase in our fee occurred more than 8 years ago. This is only the second fee increase of \$50 each time since licensing of optometrists began in the state of KY.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: \$0

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- (b) On a continuing basis: \$0
- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: N/A
- (7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There will an increase of renewal fees with the implementation of this amendment.
- (8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This amendment increases the fee to renew a Kentucky optometrist license.
- (9) TIERING: Is tiering applied? There is no tiering, only a flat fee.

FISCAL IMPACT STATEMENT

- (1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation. 201 KAR 5:005; 201 KAR 5:090; KRS 320.280
- (2) Identify the promulgating agency and any other affected state units, parts, or divisions: Kentucky Board of Optometric Examiners
- (a) Estimate the following for the first year:
Expenditures: \$0
Revenues: \$45,000
Cost Savings: \$0
- (b) How will expenditures, revenues, or cost savings differ in subsequent years? The same increased revenues of \$45,000 will be realized each year.
- (3) Identify affected local entities (for example: cities, counties, fire departments, school districts): This will not impact any local entities.
- (a) Estimate the following for the first year:
Expenditures: \$0
Revenues: \$0
Cost Savings: \$0
- (b) How will expenditures, revenues, or cost savings differ in subsequent years? N/A
- (4) Identify additional regulated entities not listed in questions (2) or (3): None
- (a) Estimate the following for the first year:
Expenditures: \$0
Revenues: \$0
Cost Savings: \$0
- (b) How will expenditures, revenues, or cost savings differ in subsequent years? : N/A
- (5) Provide a narrative to explain the:
- (a) Fiscal impact of this administrative regulation: This regulation will result in a fee increase of \$50 annually to renew an optometrist license in Kentucky.
- (b) Methodology and resources used to determine the fiscal impact: The Board used a flat fee increase to offset the administrative shortfall we are experiencing.
- (6) Explain:
- (a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate) This regulation will not have an overall negative or adverse major economic impact.
- (b) The methodology and resources used to reach this conclusion:

BOARDS AND COMMISSIONS Board of Embalmers and Funeral Directors (Amendment)

201 KAR 15:030. Fees.

RELATES TO: KRS 316.125(2), 316.130(2), (4), (5), 316.132, 316.140(2)

STATUTORY AUTHORITY: KRS 316.125(2), 316.130(2), (4), (5), 316.132, 316.140(2), 316.210(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 316.125(2)(a) and (b) require the board to issue an appropriate establishment license to an applicant who meets the statutory requirements. KRS 316.130(2), (4), and (5) establish the renewal and continuing education requirements for licensure. KRS 316.132 establishes the requirements for continuing education courses, board approval of continuing education courses, and certification for

attendance thereof. KRS 316.140(2) establishes the requirements for a person holding an embalmer's or funeral director's license issued in another state or federal district to obtain a courtesy card. KRS 316.210(1) authorizes the board to promulgate administrative regulations to carry out and enforce the provisions of KRS Chapter 316, and 316.210(6) requires the board to promulgate administrative regulations to establish fees authorized by KRS Chapter 316. This administrative regulation establishes the fees authorized by KRS Chapter 316.

Section 1.

- (1) The funeral establishment license fee shall be \$500.
- (2) The renewal fee for a funeral establishment license shall be \$500.
- (3) The late fee for a funeral establishment license renewal shall be \$500.

Section 2. Individual License Fees.

- (1) The embalmer's license renewal fee shall be \$100.
- (2) The funeral director's license renewal fee shall be \$100.
- (3) The late fee for an embalmer's license renewal or a funeral director's license renewal shall be \$100 per year.

Section 3. The fee for an annual courtesy card shall be \$100 dollars.

Section 4. Apprenticeship Fees.

- (1) The registration fee for an embalmer apprenticeship shall be \$100.
- (2) The registration fee for a funeral directors apprenticeship shall be \$100.
- (3) The reinstatement fee for an apprenticeship shall be fifty (50) dollars [~~(\$50)-~~per license type].
- (4) The registration fee for Level II funeral director registration shall be fifty (50) dollars.
- (5) The registration fee for Level II embalmer registration shall be fifty (50) dollars.
- (6) The licensure exam fee shall be \$100 per license examination.

Section 5. Surface Transportation Fees.

- (1) The surface transportation license fee shall be \$150.
- (2) The surface transportation renewal fee shall be \$150.
- (3) The surface transportation course and examination fee shall be seventy-five (75) dollars.

Section 6. Inspection Fees for Establishment.

- (1) A routine or requested inspection shall be \$100.
- (2) A re-inspection within a period of three (3) months following a routine inspection, due to a deficiency found by the Inspector of the Board of Embalmers and Funeral Directors of the Commonwealth of Kentucky on a routine inspection shall be \$200.
- (3) If an establishment fails three (3) consecutive inspections within a period of six (6) months, any subsequent inspections required to determine if the failures have been cured shall be \$300 for each subsequent inspection.

Section 7. The fee for processing an application for a continuing education program shall be \$150 per program; for programs included in a conference or convention setting, the total fee shall not exceed \$600.

Section 8. Processing and NSF.

- (1) A processing fee of twenty-five (25) dollars shall apply to all document actions not covered by other fees established by KRS Chapter 316 or this administrative regulation, including national exam score requests, out-of-state verifications, official name change requests, paper submissions of any documents or applications that are available to submit electronically, processing or reprinting of any document due to a transfer or missed deadline or meeting, and revisions to wall licensure or wallet card.
- (2) A fee of sixty (60) dollars shall be assessed for any payment made to the Board pursuant to KRS Chapter 316 or these administrative regulations, where the check, draft, money order, or

Optometry Scope of Practice by State (2024)

State	Oral Medication Authority	Glaucoma Authority	Oral Steroids	Injectables	Lasers	Lumps & Bumps	Additional Surgical Procedures Authorized by the Board	Rx Controlled Substances
Alabama	X	T&O	X	A				III-V
Alaska	X	T&O	X	X	YAG Capsulotomy/A LT/SLT/LPI/ PRK	X	X	II*, III-V
Arizona	X	T&O	X	A				II*, III
Arkansas	X	T&O	X	X	YAG Capsulotomy/A LT/SLT	X	X	II*, III-V
California	X	T&O	X	Immunizations only			X	II*, III
Colorado	X	T&O	X	X	YAG Capsulotomy/A LT/SLT/LPI	X	X	II*, III-V
Connecticut	X	T&O	X	A				II-V
Delaware	X	T&O	X	A				II*, III-V
District of Columbia	X	T&O		A				
Florida	X	T&O		A				III-IV
Georgia	X	T&O	X	X		X		II*, III-V
Hawaii	X	T&O	X	A				
Idaho	X	T&O	X	X		X		II-V
Illinois	X	T&O	X	A				II*, III-V
Indiana	X	T&O	X	X	YAG Capsulotomy/A LT/SLT/LPI	X	X	IV
Iowa	X	T&O	X	X			X	II-V
Kansas	X	T&O	X				X	II-V
Kentucky	X	T&O	X	X	YAG Capsulotomy/A LT/SLT/LPI	X	X	II*, III-V
Louisiana	X	T&O	X	X	YAG Capsulotomy/A LT/SLT/LPI	X	X	II-V
Maine	X	T&O		A				III-V
Maryland	X	T	X	A				
Massachusetts	X	T&O	X					III-V
Michigan	X	T&O						II*, III-V
Minnesota	X	T&O		A				IV-V
Mississippi	X	T&O	X	X	YAG Capsulotomy	X		II*, III-V
Missouri	X	T&O	X					II-V
Montana	X	T&O	X	X			X	II-V
Nebraska	X	T&O	X	A				II-V
Nevada	X	T&O	X					III-V
New Hampshire	X	T&O	X	A				III-IV
New Jersey	X	T&O	X	A				II*, III-V
New Mexico	X	T&O	X	X		X		II*, III-V
New York	X	T						
North Carolina	X	T&O	X	X			X	II-V
North Dakota	X	T&O	X	X			X	III
Ohio	X	T&O	X	A				II-IV
Oklahoma	X	T&O	X	X	YAG Capsulotomy/A LT/SLT/LPI/ PRK	X	X	II*, III-V
Oregon	X	T&O	X	X		X		II*, III-V
Pennsylvania	X	T&O	X	A				II*, III-V
Rhode Island	X	T&O	X					II*, III-V
South Carolina	X	T&O						II*, III-V
South Dakota	X	T&O	X	X	YAG capsulotomy / SLT	X		II-V
Tennessee	X	T&O	X	X		X		II-V
Texas	X	T&O	X	A				III-V
Utah	X	T&O	X	X		X	X	II*, III-V
Vermont	X	T&O	X	A				III-V

					YAG Capsulotomy/A LT/SLT/LPI			
Virginia	X	T&O	X	X		X	X	II*, III-IV
Washington	X	T&O	X	A		X		II*, III-V
West Virginia	X	T&O	X	X		X	X	II*, III-V
Wisconsin	X	T&O	X	X				II*, III-V
					YAG Capsulotomy/A LT/SLT/LPI			
Wyoming	X	T&O	X	X		X	X	II*, III-V

T=Topical
O=Oral

A=Anaphylaxis only
X=Anaphylaxis and Other

II*=Hydrocodone products only



Eyeglass Rule Compliance Toolkit

This toolkit includes frequently asked questions, template authorizations and information regarding AOA's advocacy regarding the Eyeglass Rule.

Frequently Asked Questions

Summary and Bare Essentials

What do I need to do and by when?

The new Eyeglass Rule of 2024 requires doctors to obtain confirmation from a patient that the prescription was provided to the patient. In cases where the prescription is provided electronically, doctors need to obtain consent to send the prescription electronically and retain that consent: The new Eyeglass Rule of 2024 will go into effect around September 2024 and the AOA will communicate the exact date as soon as it is known. The Eyeglass Rule of 2024 mirrors the requirements of the Contact Lens Rule of 2020. Please see the following FAQ for more information and details. The FTC indicates that patients must be given their prescription prior to doctors promoting in-office eyeglass and contact lens product sales.

Implementation

What are the new Eyeglass Rule requirements?

Doctors will be required to obtain confirmation from the patient that the eyeglass prescription was provided to the patient prior to soliciting eyeglass sales in-office. Doctors can fulfill this obligation a few different ways described below. The general thought process is that this new Eyeglass Rule of 2024 mimics the Contact Lens Rule of 2020 which requires patients to have access to their prescription before products are offered to the patient.

Can doctors provide eyeglass prescriptions electronically?

Yes! Doctors can choose to provide the prescription electronically. However, doctors cannot just ask if the patient would like their prescription electronically. The patient **MUST** consent to electronic delivery and the consent must specify the method the prescription will be delivered. (e.g. whether via email, portal, or another option). See the [SAMPLE AOA FORM BELOW](#) for specific recommendations that comply with the new Eyeglass Rule.

Can doctors use the same form to obtain consent for electronic delivery of the eyeglass prescription and the contact lens prescription?

Yes! The same form can be used. You can use one form to obtain confirmation for how the patient will receive their eyeglass and contact lens prescriptions. This is especially convenient when doctors are providing access to eyeglass and contact lens prescriptions through online portals.

Do doctors need to obtain consent for electronic delivery at every visit (each yearly exam)?

No! Consent for electronic delivery does not need to be obtained at every yearly exam. FTC has indicated that allowing patients to sign an authorization just once would satisfy the Rule's requirements for both contact lenses prescriptions and eyeglass prescriptions. However, if the doctor changes their delivery policies (for example, by switching from printed prescriptions to access on a portal), the doctor would need to re-obtain the patient's delivery consent for the new format. Additionally, doctors should allow a patient to revoke consent at any time.

Who is exempt from the new prescription acknowledgement requirements of the Eyeglass Rule of 2024 and the Contact Lens Rule of 2020?

Any doctor that writes eyeglasses or contact lens prescriptions but does not sell glasses or contact lenses direct to patients does not have to obtain and retain a prescription acknowledgement. Example, if you sell contact lenses but do not own an optical that sells glasses, then you only need to comply with the Contact Lens Rule prescription acknowledgement requirements of 2020. As a reminder, all doctors are obligated to provide the prescription at the completion of the exam.

If a doctor provides the prescription on paper, how should the patient acknowledge receipt of the prescription?

If the doctor provides the prescription on paper, a separate signed form can be used for the acknowledgement indicating the patient received a paper copy of the prescription before being offered products to purchase with the prescription. A copy of the signed form must be kept for at least three years.

Do doctors need to keep documentation of the acknowledgement form, or the consent for electronic delivery of the prescription?

Yes! Doctors must maintain this documentation for at least three years. This includes electronic consent forms, signed on paper acknowledgements or copies of the signed prescription.

When will the new rules go into effect?

New Eyeglass Rule requirements will go into effect 60 days after the final rule is published in the federal register. This will likely place the implementation date in September 2024 at the earliest. The AOA will announce to members the finalized implementation date once known.

What do I do if a patient refuses to sign?

If a patient refuses to sign a confirmation receipt, note it on the receipt, sign it, and keep it for at least three years.

How do I determine if I have a direct or indirect financial interest in the sale of eyeglasses, which requires that I ask my patients to confirm they received their prescription?

The most obvious relationship is that you directly sell glasses and/or contact lenses in your office. By FTC's definition if you have an association, affiliation, or are co-located with an eyeglass seller, you have a financial interest in the sale of eyeglasses. But there may be other ways where you receive a financial benefit due to an interest you have with a seller. If you're not sure if your interest qualifies, err on the side of caution and ask your patients to confirm receipt of their prescriptions.

The FTC and Rulemaking

Did FTC change the term "eye exam" in the rule?

Yes, FTC amended the term "eye examination" to "refractive eye examination" throughout the Rule. FTC made this change because they believed there was doctor and patient confusion surrounding when a prescription can be withheld due to lack of payment. FTC indicates that this terminology change will help prescribers understand that while they may withhold the prescription pending receipt of payment for the

refraction, it is not appropriate to make prescription-release contingent upon the payment for any additional service. In addition, if you regularly bill insurance companies for refractions that are routinely paid for by the insurance company, you are not allowed to wait for the insurance payment to come in before releasing the prescription. Your intent to bill as a regular part of your business practices (even if at a future date) is considered a reason requiring you to release the prescription at the time of service.

Do the new changes to the Eyeglass Rule differ from the Contact Lens Rule changes implemented in 2020?

The new Eyeglass Rule of 2024 mirrors the Contact Lens Rule update from 2020. FTC indicated they wanted to bring these two rules in line with each other. Both eyeglass prescriptions and contact lens prescriptions require signature acknowledgment from a patient that indicates how the patient will receive a copy of their prescriptions.

Penalties

What will happen to a doctor that does not comply?

Failure to comply will result in warning letters and potentially civil monetary penalties. Upon investigation, FTC may request documentation of prescription release. Doctors would need to be able to provide either the consent for electronic delivery and proof of electronic delivery or the signed acknowledgement form, receipt or signed prescription.

AOA Advocacy

What did AOA do to fight new requirements for doctors of optometry?

Ever since the FTC proposed changes to the Eyeglass Rule in 2015 (or Contact Lens Rule), the AOA has proactively communicated with the FTC that new paperwork requirements would add burdens to optometry practices. AOA consistently requested the FTC to provide data or other information for how patients were being burdened by current practices. The AOA cited specific data from doctors of optometry for how this new rule would negatively impact practices and how doctors were already complying with the current Eyeglass Rule. The AOA sent doctors of optometry to Washington DC several times to advocate against these burdensome regulations. The FTC was steadfast in their fight against our advocacy, citing outdated studies about prescription release.

In total, the AOA's inquiries, official replies, reports, data submissions and official agency communications tallied 133 occurrences in the final rule. This far exceeds those submitted by 1-800 CONTACTS (33), the American Academy of Ophthalmology (22) and the National Association of Retail Optical Companies (55).

- ▶▶ [Read AOA doctors' testimony at the May 2023 FTC Eyeglass Rule workshop.](#)
- ▶▶ [Read AOA's case against FTC rule changes on prescription requirements.](#)
- ▶▶ [Read about AOA's meeting with officials to voice concerns regarding such proposals.](#)

When did FTC start the review of this rule?

FTC began their review of the Eyeglass Rule in 2015.

How did the final rule differ from FTC's initial recommendation on changes?

FTC originally contemplated creating a new requirement for doctors to include pupillary distance on eyeglass prescriptions. FTC also considered developing a verification system such as the one that exists for contact lenses. Doctors would have been required to respond to eyeglass prescription verification requests within 8 working hours, robocalls would have likely increased and we would have likely seen the same abuse of the verification system as we have seen in the contact lens market. Based on AOA advocacy, engagement and information and data shared, FTC ultimately did not finalize any of these additional major changes. The AOA continues to advocate for members about the contact lens robocall abuses and is actively pursuing federal legislation to eliminate robocalls.

Will FTC make other changes in the Rule in the future?

FTC evaluates all rules every 10 years, The Eyeglass Rule would undergo this standard review beginning in 2034.

Template Forms

Consent form For Electronic Delivery of Prescription

Answer Yes or No:

I would like my eyeglasses and/or contact lens prescription sent to me electronically via (Doctors—enter method for delivery. Such as, email; patient portal; other electronic method. Please note doctors must specify how the prescription will be delivered on the consent form)

Yes

No

Template Signed Acknowledgement Form Following Prescription Release


Sign below to acknowledge that you were provided with a copy of your eyeglasses prescription immediately after completing any refractive eye examination

Patient Signature: _____

Date: _____


Additional FTC Resources

[FTC Resource: Complying with the Eyeglass Rule](#)




Recordkeeping Under the Eyeglass Rule

Consent to Digital Delivery




Keep records showing you got the patient's affirmative consent for digital delivery.




Keep for three years, or as long as you rely on the patients' consent to continue receiving the prescription electronically plus three years.

Digital Delivery of Eyeglass Prescriptions




Keep records showing you sent the digital prescription to the patient — and they can access, download, and print it.




Keep for three years.

Paper Eyeglass Prescriptions




Keep the patient's signed confirmation showing they got their paper prescription.



Keep for three years.

Other state or federal laws may require longer recordkeeping requirements.



HAWAII BOARD OF OPTOMETRY
Professional & Vocational Licensing Division
Department of Commerce & Consumer Affairs
State of Hawaii

2025 MEETING SCHEDULE

Meetings from 9:00 a.m. – 11:00 a.m.

Meeting Date	Day	Conference Room
February 10	Monday	1 st Choice: Queen Liliuokalani 2 nd Choice: PVL Exam Room
May 12	Monday	1 st Choice: Queen Liliuokalani 2 nd Choice: PVL Exam Room
August 11	Monday	1 st Choice: Queen Liliuokalani 2 nd Choice: PVL Exam Room
November 10	Monday	1 st Choice: Queen Liliuokalani 2 nd Choice: PVL Exam Room