

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

Opt 8

3. Subject

Continuing Education for Optometrists

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

20.165(1)(g)

6. Fiscal Effect of Implementing the Rule

No Fiscal Effect Increase Existing Revenues Increase Costs
 Indeterminate Decrease Existing Revenues Could Absorb Within Agency's Budget
 Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)

State's Economy Specific Businesses/Sectors
 Local Government Units Public Utility Rate Payers
 Small Businesses **(if checked, complete Attachment A)**

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

9. Policy Problem Addressed by the Rule

This rule update provides greater clarity for Optometrists in scheduling and completing their required continuing education. The update reflects the current practice of Optometry, the current offerings of continuing education, and updated technological methods of delivery available.

Section 1 adds a definition of "hour" to clarify how to calculate continuing education events for the purposes of this chapter.

Section 2 modifies the designated continuing education topics from 7 hours of glaucoma education to 20 of the 30 hours relating to ocular health, conditions, or disease management. This change expands the subject matter designation on the available topics of continuing education for licensees.

Section 3 requires that licensees obtain two hours of continuing education related to responsible prescribing of controlled substances for the 2019/2021 biennium.

Section 4 clarifies that licensees who are not authorized to use diagnostic and therapeutic agents may not use continuing education courses on the removal of superficial foreign bodies from an eye or from an appendage to the eye to satisfy the minimum of 20 of 30 continuing education hours on ocular health, conditions, or disease management requirement.

Section 5 creates three new sections for Opt 8.02. Section Opt 8.02 (3e) provides that at least 20 hours must be completed in person, allowing for an increase from the previous rule to 10 hours which may be completed by

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

alternative methods. Any course which is not in person must be approved by the Council on Optometric Practitioner Education (COPE), Joint Accreditation for Interprofessional Continuing Education, or by the Board. Section Opt 8.02 (3m) allows for additional hours to be completed by methods other than in person for cases of hardship. Section Opt 8.02 (3s) provides a clearer standard of what continuing education is required for a new licensee's first renewal.

Section 6 repeals provisions relating to topics which have been clarified by new provisions in this rule project. The revision in Section 2 eliminates the need for Section Opt 8.02 (4). Section Opt 8.02 (3s) simplifies the repealed Section Opt 8.02 (8), which required licensees who are licensed in the middle of a biennium to prorate their continuing education. Lastly, Sections Opt 8.02 (9) and (10), related to alternative delivery methods are repealed as the topic is now addressed in Section Opt 8.02 (3e).

Section 7 lists the organizations which provide approved continuing education. If a continuing education course is provided by an organization not on the approved list then the organization can apply for approval by supplying the listed information. The provider also agrees to provide a certificate of attendance to each participant. A Note is included with information on how to obtain the form referenced in Opt 8.03 (2).

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

The proposed rule was posted on the Department of Safety and Professional Services' website for 14 days in order to solicit comments from businesses, representative associations, local governmental units, and individuals that may be affected by the rule. No comments were received.

11. Identify the local governmental units that participated in the development of this EIA.
No local governmental units participated in the development of the EIA.

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

This proposed rule will not have a significant impact on specific businesses, business sectors, public utility rate payers, local governmental units, or the state's economy as a whole.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The primary benefits of implementing this rule include providing transparent and consistent approval of continuing education, which additionally provides Optometrists greater assurance that the time and money spent on such continuing education satisfies the requirements of the administrative code.

If the rule is not implemented, then Optometrists will continue to have uncertainty when enrolling in continuing education credits.

14. Long Range Implications of Implementing the Rule

The long range implications of implementing the rule is providing transparency and consistency in the approval of continuing education for Optometrists.

15. Compare With Approaches Being Used by Federal Government
None.

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois: Illinois requires 30 hours of continuing education every two years. At least 12 hours of credit shall be certified by an approved optometry college, osteopathic or medical college, or pharmacy college. The remaining continuing education may be earned through papers published, teaching students at an optometry school, and self-instruction or video teleconferencing that is sponsored by any approved optometry college, institution or national or state optometry association. A program sponsor requesting approval shall submit an application with a list of all courses and programs offered, including a description, location, date, and time the course is offered. There are no specific continuing education requirements on prescribing controlled substances.

Iowa: Iowa requires 50 hours of continuing education every two years. Only 10 hours of credit is allowed for correspondence or local study group programs. There is also a limit on the number of credit hours in the following topics: practice management courses (limit of 6 hours); dependent adult abuse and child abuse identification (limit of 2 hours) and postgraduate study courses (limit of 20 hours). Continuing education may be taken through programs sponsored by COPE, associations, and optometry schools. There are no specific continuing education requirements on prescribing controlled substances.

Michigan: Michigan requires 40 hours of continuing education every two years. A licensee who holds a certification to administer topic ocular diagnostic pharmaceutical agents or certification to administer and prescribe therapeutic pharmaceutical agents or both shall complete 20 hours of board approved continuing education in pharmacological management of ocular conditions. Approved continuing education includes courses approved by COPE or other continuing education programs that are approved by the Board. A program sponsor requesting approval shall submit an application with the clinical optometry program content, instructor credentials, description of delivery method and of physical facilities used, number of lecture hours on the content, and attendance monitoring plan. Beginning with the 2018 renewal cycle, and all renewal cycles thereafter, licensees are required to complete 2 hours of board approved continuing education in pain and symptom management.

Minnesota: Minnesota requires 40 continuing education credits every two years. Licensees may acquire up to 15 hours through home study, up to 6 hours on practice management, and up to 7 by providing medical eye care and eyeglasses helping underserved people. Licensees may also obtain continuing education credits for presentation of a lecture or for preparation of articles or books accepted for publication. A program sponsor requesting approval from the Board must submit a program, schedule and course description to the Board. There are no specific continuing education requirements on prescribing controlled substances. However, the Board may, when compelled by an emerging public health issue, require all optometrists to attend specified subjects of continuing education for a biennium.

17. Contact Name

Helen Leong, Administrative Rules Coordinator

18. Contact Phone Number

608-266-2112

This document can be made available in alternate formats to individuals with disabilities upon request.