

## Chapter Opt 3

### EXAMINATION FOR LICENSURE

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**History:** Chapter Opt 3 and 4 as they existed on March 31, 1989 were repealed and a new chapter Opt 3 was created effective April 1, 1989.

#### Opt 3.01 Scheduling of examination.

**History:** Cr. Register, March, 1989, No. 399, eff. 4-1-89; CR 06-116: r. Register May 2007 No. 617, eff. 6-1-07.

**Opt 3.02 Application for examination. (1)** Prior to taking the examination for licensure as an optometrist, an applicant shall file with the board a completed application on a form provided by the board. The application shall include:

(a) The fee authorized in s. 440.05 (1), Stats.

**Note:** A list of all current examination fees may be obtained at no charge from the Office of Examinations, Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708.

**Note:** An otherwise qualified applicant with a disability shall be provided with reasonable accommodations. Application forms for examination may be obtained from the board office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708 or from the department's website at <http://dsps.wi.gov>.

(b) Verification of the applicant's successful completion of parts I, II and III of the national board examination submitted directly to the board by the national board of examiners in optometry.

**Note:** It is the responsibility of the applicant to contact the National Board of Examiners in Optometry to request that it forward verification of the applicant's successful completion of the requisite examination to the board. An application will not be considered complete until after the board receives the examination verification and other required information.

(c) A certified transcript of the coursework completed by the applicant submitted directly to the board by an accredited college of optometry approved and recognized by the board.

**Note:** The board annually reviews for approval the colleges of optometry accredited by the council on optometry education of the American Optometric Association or other accrediting bodies. A list of board approved colleges of optometry is included in the application packet on-line at <http://dsps.wi.gov>. It is the responsibility of the applicant to contact the appropriate college to request that the college forward a certified transcript to the board office. An application will not be considered complete until after the board receives a copy of the transcript and other essential information.

(2) An applicant who has a pending criminal charge or who has been convicted of any crime shall provide the board all related information necessary for the board to determine whether the circumstances of the pending criminal charge or conviction substantially relate to the circumstances of the licensed activity.

(3) Failure of an applicant to give complete and correct answers to all questions on the application may be considered sufficient reason for denial of license or for discipline after the license is issued.

**History:** Cr. Register, March, 1989, No. 399, eff. 4-1-89; am. (1) (a), Register, July, 1994, No. 463, eff. 8-1-94; am. (1) (a), Register, April, 1996, No. 484, eff. 5-1-96; am. (1) (intro.) and (a), r. and recr. (1) (b), r. (2), renum. (3) to (5) to be (1) (c), (2) and (3) and am. (1) (c), Register, September, 1997, No. 501, eff. 10-1-97; am. (1) (b), Register, December, 1998, No. 516, eff. 1-1-99; CR 06-116: am. (1) (intro.) Register May 2007 No. 617, eff. 6-1-07.

**Opt 3.03 State law examination.** An applicant shall pass a written examination on state law relating to optometry including, but not limited to, ch. 449, Stats., and chs. Opt 1 to 8.

**History:** Cr. Register, March, 1989, No. 399, eff. 4-1-89; am. Register, April, 1996, No. 484, eff. 5-1-96; r. (1), renum. (2) to be Opt 3.03, Register, December, 1998, No. 516, eff. 1-1-99; CR 06-116: am. Register May 2007 No. 617, eff. 6-1-07.

**Opt 3.04 Rules of conduct.** An applicant who gives or receives unauthorized assistance, violates rules of conduct of the examination or otherwise acts dishonestly during the written examination may be denied licensure by the board. Future consideration of the applicant shall be at the discretion of the board.

**Note:** The rules of conduct of an examination are provided to candidates prior to the administration of an examination.

**History:** Cr. Register, March, 1989, No. 399, eff. 4-1-89; am. Register, September, 1997, No. 501, eff. 10-1-97; am., Register, December, 1998, No. 516, eff. 1-1-99.

**Opt 3.05 Controls.** Time limits and other necessary controls may be provided by the board chairperson or examiner prior to the examinations.

**History:** Cr. Register, March, 1989, No. 399, eff. 4-1-89; am., Register, December, 1998, No. 516, eff. 1-1-99.

**Opt 3.06 Instructions to be followed.** Credit may be denied on any questions if examination instructions are not followed.

**History:** Cr. Register, March, 1989, No. 399, eff. 4-1-89.

**Opt 3.07 Passing grade. (1) NATIONAL EXAMINATION.** To pass the examination of the national board of examiners in optometry, an applicant shall receive a grade equal to or higher than the passing score recommended by the national board of examiners in optometry.

(2) STATE LAW EXAMINATION. To pass the state law examination, each applicant must receive a grade determined by the board to represent minimum competence to practice optometry.

**Note:** The passing grades for the state law examinations will be determined by the board after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics.

**History:** Cr. Register, March, 1989, No. 399, eff. 4-1-89; am. (2) (a), Register, April, 1996, No. 484, eff. 5-1-96; am. (2), Register, September, 1997, No. 501, eff. 10-1-97; r. (2) (a), renum. (2) (b) to be (2) and am., Register, December, 1998, No. 516, eff. 1-1-99.

**Opt 3.09 Announcement of results.** Examination results shall be released to the applicant after completion of the examination.

**History:** Cr. Register, March, 1989, No. 399, eff. 4-1-89; CR 06-116: am. Register May 2007 No. 617, eff. 6-1-07.

**Opt 3.10 Failure and review. (2)** An applicant who fails the state law examination may request a review of the examination. The applicant shall file a written request to the board within 30 days of the date on which examination results were mailed.

**Note:** The board office is located at 1400 East Washington Avenue, P.O. Box 8366, Madison, Wisconsin 53708.

(3) The time for review shall be limited to one hour.

(4) The examination shall be reviewed only by the applicant and in the presence of the proctor.

(5) The proctor shall not respond to inquiries by the applicant regarding allegations of examination error.

(6) Any comments or claims of error regarding specific questions or procedures in the examination may be placed in writing on the provided form. These comments shall be retained and made available to the applicant for use at any subsequent hearing.

(7) An applicant shall be permitted to review the examination only once.

**History:** Cr. Register, March, 1989, No. 399, eff. 4-1-89; renum. from Opt 3.08, and r. and recr. Register, June, 1990, No. 414, eff. 7-1-90; renum. (intro.) to be (1) and am., am. (2) and (6), Register, September, 1997, No. 501, eff. 10-1-97.; r. (1), am. (2) and (3), Register, December, 1998, No. 516, eff. 1-1-99.

**Opt 3.11 Claim of examination error.** (1) An applicant wishing to claim examination error shall file a written request for board review in the board office within 30 days of the date the examination was reviewed. The request shall include:

- (a) The applicant's name and address.
- (b) The type of license applied for.
- (c) A description of the perceived error, including specific questions or procedures claimed to be in error.
- (d) The facts which the applicant intends to prove, including reference text citations or other supporting evidence for the applicant's claim.

(2) The board shall review the claim and notify the applicant in writing of the board's decision and any resulting grade changes.

(3) If the board's decision does not result in the applicant passing the examination, the applicant may retake the examination as provided under s. Opt 3.12.

**History:** Cr. Register, June, 1990, No. 414, eff. 7-1-90; am. (1) (a) to (c) and (3), Register, September, 1997, No. 501, eff. 10-1-97.

**Opt 3.12 Reexamination.** An applicant who fails the state law examination shall be required to retake the examination.

**Note:** A list of all current examination fees may be obtained at no charge from the Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708.

**Note:** The procedures for license denial are covered in ch. SPS 1.

**History:** Cr. Register, March, 1989, No. 399, eff. 4-1-89; renum. from Opt 3.10 and am. (1), Register, June, 1990, No. 414, eff. 7-1-90; am. (1), Register, July, 1994, No. 463, eff. 8-1-94; am. Register, April, 1996, No. 484, eff. 5-1-96; am. (1), Register, September, 1997, No. 501, eff. 10-1-97; r. and recr., Register, December, 1998, No. 516, eff. 1-1-99.