

BOARDS AND COMMISSIONS
BOARD OF OPTOMETRIC EXAMINERS
(New Administrative Regulation)

201 KAR 5:021. Licensure Compliance Review.

RELATES TO: KRS 320.220, 320.250, 320.280.

STATUTORY AUTHORITY: KRS 320.240

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 320.240(4) requires the Board of Optometric Examiners to promulgate administrative regulations for the reasonable regulation of the profession of optometry and the practice thereof by licensed optometrists. This administrative regulation is necessary to address the directive for the Board of Optometric Examiners to investigate and review certain licensures per the Opinion of the Attorney General, OAG 25-13 in a way best to protect public health and welfare.

Section 1. This administrative regulation shall be in effect until 2/28/2027.

Section 2. For all initial licenses approved by the Board for individuals who graduated optometry school between 2020-2023, the following examinations shall be taken and a passing score must be submitted and in the possession of the Board prior to license renewal for 2027:

- (1) National Board of Examiners in Optometry (NBEO) Part 1 results or Optometry Examining Board of Canada (OEBC) Part 1 results;
- (2) NBEO Part 2 and TMOD results; and
- (3) NBEO Part 3 results or results of the American Board of Optometry (ABO) board certification exam.

Section 3. The ABO board certification exam shall be utilized for this limited purpose and for the specific review of licenses.

Section 4. Any licensee who has not met the requirements of Section 2 of this administrative regulation shall not perform the following procedures until all required results are submitted, reviewed and accepted by the Board:

- (1) Argon Laser Trabeculoplasty (ALT);
- (2) Selective Laser Trabeculoplasty (SLT);
- (3) Laser Peripheral Iridotomy (LPI); or
- (4) Yttrium Aluminum Garnet (YAG) capsulotomy.

Section 5. The Board shall provide written notice to the Office of the Attorney General when the investigation and review is complete.

MARY BETH MORRIS, OD, Board President

APPROVED BY AGENCY: February 5, 2026

FILED WITH LRC: February 5, 2026 at 3:45 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on April 24, 2026, at 1:00 p.m. EST, at 100 Consumer Lane, Frankfort, Kentucky 40601. 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 April 30, 2026. 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, 100 Consumer Lane, Frankfort, Kentucky 40601, (502) 234-2114, christi.lemay@ky.gov