

BOARDS AND COMMISSIONS

Board of Optometric Examiners

(Amended at ARRS Committee)

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

RELATES TO: KRS 218A.205(3)(g), 320.220, 320.250, 320.270, 320.280

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

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 320.220(1) 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) Effective immediately, a ~~[A]~~ person applying for a license to practice optometry shall submit to the board ~~within~~ fifteen (15) days prior to ~~off~~ board review:

- (a) A completed Application for License to Practice Optometry;
- (b) A 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 of Examiners in Optometry, "NBEO", results for Part 1, Part 2, and Part 3. The Optometry Examining Board of Canada, "OEBC", written examination results may be submitted in lieu of Part 1 of the NBEO results if the OEBC Part 1 test was taken by the licensee or the test results were submitted to the Kentucky Board of Optometric Examiners by the licensee between July 30, 2025 and April 15, 2026;
- (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 recent photograph of head and shoulders, front view;
- (j) Payment in the amount of \$500 representing the non-refundable application fee; and
- (k) Payment in the amount of twenty-five (25) dollars 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 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) Effective January 1, 2027, a person applying for a license to practice optometry shall submit to the board ~~f, within~~ fifteen (15) days ~~prior to f, of~~ board review:

- (a) A completed Application for License to Practice Optometry;
- (b) A 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 of Examiners in Optometry, "NBEO", results for Part 1, Part 2, and Part 3;
- (f) NBEO Therapeutic Management of Ocular Disease, "TMOD" results;
- (g) NBEO Injections Skill Exam, "ISE" results;
- (h) Two (2) letters of recommendation, one (1) of which shall be from a licensed optometrist;
- (i) Proof of successful completion of State Law Exam results;
- (j) A recent photograph of head and shoulders, front view;
- (k) Payment in the amount of \$500 representing the non-refundable application fee; and
- (l) Payment in the amount of twenty-five (25) dollars 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 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. ~~[Section 2.]~~

(1) A person applying for a license to practice optometry by endorsement shall submit to the board ~~f, within~~ fifteen (15) days ~~prior to f, of~~ board review:

- (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;
- (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 recent photograph of head and shoulders, front view;
- (k) Payment 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 in the amount of twenty-five (25) dollars 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 4. ~~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 reinstatement fee established in 201 KAR 5:005, Section 7.

(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 reinstatement fee established in 201 KAR 5:005, Section 7 for each year, or any portion of a year, that the license was not renewed.

Section 5. ~~Section 4.~~ The board shall notify licensees of any proposed changes to the licensing process and provide licensees with information on the public comment period for any proposed change.

Section 6. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Application for License to Practice Optometry", ~~April 2026~~~~June 2024~~; and

(b) "Application for License by Endorsement to Practice Optometry", ~~April 2026~~~~June 2024~~.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Optometric Examiners, 100 Consumer Lane, Frankfort, Kentucky 40601, phone (502) 234-2114, Monday through Friday, 9:00 a.m. to 4:30 p.m.

~~[-]~~ This material may also be viewed on the board's Web site at: <https://optometry.ky.gov/applicants/Pages/default.aspx>.

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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), 320.220, 320.250, 320.270, 320.280

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

No.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

Kentucky Board of Optometric Examiners

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:\$0 expenditure increase with this amendment.

For subsequent years:\$0 expenditure increase with this amendment.

2. Revenues:

For the first year:\$0 revenue increase with this amendment.

For subsequent years:\$0 revenue increase with this amendment.

3. Cost Savings:

For the first year:\$0

For subsequent years:\$0

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

N/A

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

All applicants for licensure to practice optometry in Kentucky are affected by this regulation and these amendments.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

There is no additional fiscal impact on licensees with these amendments. The amendments clarify which licensing examination tests will be required, and this clarification does not result in any increased licensing examination costs that do not already exist. The agency amendment does not result in any additional fiscal impact on licensees.

(b) Methodology and resources used to reach this conclusion:

N/A

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

No.

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

This amendment does not change any applicant fees paid to the Kentucky Board of Optometric Examiners and does not change any current licensing examination costs for licensees.