

Final Rule

LSA Document #05-325(F)

DIGEST

Amends [852 IAC 1-16-1](#) concerning continuing education requirements for the renewal of a license to revise the number of continuing education hours for renewal. Amends [852 IAC 1-16-2](#) concerning the responsibilities of licensees, including the time a licensee has to retain verification of the completion of continuing education. Amends [852 IAC 1-16-3](#) concerning an application for approval to address when a sponsoring organization must file an application for approval and to establish information required for the record of attendance that sponsoring organizations must provide. Amends [852 IAC 1-16-6](#) concerning continuing education sources to revise the list of board-approved activities that may satisfy the continuing education requirements. Adds [852 IAC 1-16-7](#) to establish the requirements for self-study continuing education courses to be accepted as continuing education for license renewal. Adds [852 IAC 1-16-8](#) to establish continuing education programs for optometrists sponsored by organizations that are deemed approved. Effective 30 days after filing with the Publisher.

[852 IAC 1-16-1](#); [852 IAC 1-16-2](#); [852 IAC 1-16-3](#); [852 IAC 1-16-6](#); [852 IAC 1-16-7](#); [852 IAC 1-16-8](#)

SECTION 1. [852 IAC 1-16-1](#) IS AMENDED TO READ AS FOLLOWS:

[852 IAC 1-16-1](#) Continuing education requirements**Authority:** [IC 25-24-1-1](#)**Affected:** [IC 25-24-1-14.1](#); [IC 25-26-15](#)

Sec. 1. (a) ~~Thirty (30)~~ **Twenty (20)** hours of continuing education are required for license renewal.

~~(b) An optometrist who holds an optometric legend drug certificate issued under [IC 25-26-15](#) may apply ten (10) hours of continuing education approved under [857 IAC 1-2](#) to renew an optometry license.~~

~~(c) (b)~~ Programs that have not been approved under this article will not be accepted as credit for license renewal.

~~(d) (c)~~ A licensee is not required to complete continuing education requirements for the year in which the initial license is issued.

~~(e) (d)~~ Continuing education credit units or clock hours:

(1) must be obtained within the biennial renewal period; and

(2) may not be carried over from one (1) licensure period to another.

~~(f) (e)~~ If a licensee is licensed in Indiana and any other state with a mandatory continuing education requirement, the Indiana optometry board will accept that requirement of the other state, provided the:

(1) number of clock hours or credit units; and ~~the~~

(2) quality;

of the continuing education equal or exceed the Indiana requirement.

(f) Any continuing education hours that are counted towards the renewal of a licensee's legend drug certificate issued under [IC 25-26-15](#) may not be counted towards the renewal of the licensee's optometry license.

(Indiana Optometry Board; [852 IAC 1-16-1](#); filed Jul 23, 1987, 9:15 a.m.: 10 IR 2737; filed Feb 21, 1992, 4:00 p.m.: 15 IR 1221; filed Jan 26, 1995, 4:30 p.m.: 18 IR 1477; filed Jan 3, 2000, 10:07 a.m.: 23 IR 1106; readopted filed Jul 10, 2001, 2:59 p.m.: 24 IR 4238; filed Aug 8, 2006, 11:01 a.m.: [20060906-IR-852050325FRA](#))

SECTION 2. [852 IAC 1-16-2](#) IS AMENDED TO READ AS FOLLOWS:

[852 IAC 1-16-2](#) Responsibilities of licensees

Authority: [IC 25-24-1-1](#)

Affected: [IC 25-24-1-14.1](#)

Sec. 2. (a) A licensee must **do the following**:

(1) Certify completion of continuing education required by this rule at the time of license renewal. ~~on a form provided by the bureau.~~

~~(b) A licensee must~~ (2) Retain verification of completion of continuing education required by this rule for ~~four~~ (4) **three (3)** years after the last renewal date.

~~(c) A licensee must~~ (3) Present verification of completion of continuing education required by this rule at the request of the **Indiana optometry** board.

(Indiana Optometry Board; [852 IAC 1-16-2](#); filed Jul 23, 1987, 9:15 a.m.: 10 IR 2737; filed Jan 3, 2000, 10:07 a.m.: 23 IR 1106; readopted filed Jul 10, 2001, 2:59 p.m.: 24 IR 4238; filed Aug 8, 2006, 11:01 a.m.: [20060906-IR-852050325FRA](#))

SECTION 3. [852 IAC 1-16-3](#) IS AMENDED TO READ AS FOLLOWS:

[852 IAC 1-16-3](#) Application for approval

Authority: [IC 25-24-1-1](#)

Affected: [IC 25-24-1-14.1](#)

Sec. 3. (a) The sponsoring organization or the attendee must file an application provided by the ~~bureau~~ **agency sixty (60) days before the date the program is given**. The application may contain the following information:

(1) **The** name of **the** lecturer.

(2) **The** academic and professional background of **the** lecturer.

(3) **A** brief summary of **the** content of **the** program.

(4) **The** date and location of **the** program.

(5) **The** number of clock hours of continuing education requested.

(6) **The** name of the person or persons who will monitor attendance and the manner in which attendance will be monitored.

(7) Any other pertinent information required by the **Indiana optometry** board.

(b) As a condition to approval of programs, the sponsoring organization must agree to provide participants with a record of attendance. ~~and to~~ **The record of attendance shall state the following:**

(1) **The name of the participant.**

(2) **The name of the sponsoring organization.**

(3) **The title of the program.**

(4) **The date of the program.**

(5) **The location of the program.**

(6) **The number of continuing education hours awarded.**

(c) **The sponsor shall** retain records of attendance by participants for four (4) years from the date of the program.

(Indiana Optometry Board; [852 IAC 1-16-3](#); filed Jul 23, 1987, 9:15 a.m.: 10 IR 2737; filed Mar 26, 1993, 5:00 p.m.: 16 IR 1954; readopted filed Jul 10, 2001, 2:59 p.m.: 24 IR 4238; filed Aug 8, 2006, 11:01 a.m.: [20060906-IR-852050325FRA](#))

SECTION 4. [852 IAC 1-16-6](#) IS AMENDED TO READ AS FOLLOWS:

[852 IAC 1-16-6](#) Continuing education sources

Authority: [IC 25-24-1-1](#)

Sec. 6. (a) The continuing education requirement may be satisfied by participating in the following activities upon approval of the **Indiana optometry** board:

- (1) Educational programs presented by professional optometric organizations.
- (2) University courses taken beyond those required for initial licensure if the course content pertains to the professional practice of optometry.
- ~~(3) Educational programs approved by the Council on Optometric Practitioner Education.~~
- (4) **(3)** Other **optometric** educational seminars, lectures, and workshops.
- ~~(5) Self-study, including the following:~~
 - ~~(A) Journals and books.~~
 - ~~(B) Audio tapes.~~
 - ~~(C) Films and video tapes.~~

~~(D) (b) The writing of articles for publication and teaching of courses are not acceptable for approval of continuing education hours.~~

~~(E) Internet on-line.~~

~~(b) In order to be accepted as continuing education for license renewal, self-study methods of presentation must include a written examination or postevaluation.~~

~~(c) Self-study continuing education shall be limited to three (3) hours biennially unless the practitioner provides evidence to the board that such a limitation poses an undue burden upon the practitioner or that the practitioner may not otherwise satisfy his or her continuing education requirements.~~

(Indiana Optometry Board; [852 IAC 1-16-6](#); filed Jan 3, 2000, 10:07 a.m.: 23 IR 1107; readopted filed Jul 10, 2001, 2:59 p.m.: 24 IR 4238; filed Aug 8, 2006, 11:01 a.m.: [20060906-IR-852050325FRA](#))

SECTION 5. [852 IAC 1-16-7](#) IS ADDED TO READ AS FOLLOWS:

[852 IAC 1-16-7](#) Self-study

Authority: [IC 25-24-1-1](#)

Affected: [IC 25-24-1-14](#); [IC 25-24-1-14.1](#)

Sec. 7. (a) Self-study shall include the following:

- (1) Journals and books.**
- (2) Audiotapes.**
- (3) Films and videotapes.**
- (4) Internet on-line.**
- (5) Closed circuit television.**
- (6) Satellite broadcasts.**
- (7) Correspondence courses.**
- (8) CD-ROM.**
- (9) DVD.**
- (10) Teleconferencing.**
- (11) Videoconferencing.**
- (12) Distance learning.**

(b) In order to be accepted as continuing education for license renewal, self-study methods of presentation must include a written examination or postevaluation.

(c) Self-study continuing education shall be limited to three (3) hours biennially unless the practitioner provides evidence to the Indiana optometry board that:

- (1) such a limitation poses an undue burden upon the practitioner; or**
- (2) the practitioner may not otherwise satisfy his or her continuing education requirements.**

(Indiana Optometry Board; [852 IAC 1-16-7](#); filed Aug 8, 2006, 11:01 a.m.: [20060906-IR-852050325FRA](#))

SECTION 6. [852 IAC 1-16-8](#) IS ADDED TO READ AS FOLLOWS:

[852 IAC 1-16-8](#) Continuing education programs deemed approved

Authority: [IC 25-24-1-1](#)

Affected: [IC 25-24-1-14](#); [IC 25-24-1-14.1](#)

Sec. 8. Notwithstanding section 4 of this rule, continuing education programs for optometrists, but not practice management courses, sponsored by the following are deemed approved and no approval by the board shall be required:

- (1) The Indiana Optometric Association and its affiliates.**
- (2) The American Optometric Association (AOA).**
- (3) The Council on Optometric Practitioner Education (COPE).**
- (4) The American Academy of Ophthalmologists and its affiliate organizations.**
- (5) The American Academy of Optometrists and its affiliate organizations.**
- (6) Other state optometric associations and their affiliate local societies.**
- (7) Regional optometric associations.**
- (8) Postgraduate courses offered at any accredited school of optometry.**

(Indiana Optometry Board; [852 IAC 1-16-8](#); filed Aug 8, 2006, 11:01 a.m.: [20060906-IR-852050325FRA](#))

LSA Document #05-325(F)

Notice of Intent: December 1, 2005; 29 IR 835

Proposed Rule: February 1, 2006; 29 IR 1761

Hearing Held: May 17, 2006

Approved by Attorney General: August 3, 2006

Approved by Governor: August 8, 2006

Filed with Publisher: August 8, 2006, 11:01 a.m.

Documents Incorporated by Reference: None Received by Publisher

Small Business Regulatory Coordinator: Cindy A. Vaught, Indiana Professional Licensing Agency, 402 West Washington Street, Room W072, Indianapolis, Indiana 46204, (317) 234-2054, cvaught@pla.in.gov

Posted: 09/06/2006 by Legislative Services Agency

An [html](#) version of this document.