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**INDIANA OPTOMETRY BOARD**

**402 West Washington Street, Room W072**

**Indianapolis, Indiana 46204**

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 **Governor Mitchell E. Daniels, Jr.**

June 11, 2012

Ms. Amanda Dolph

Indianapolis Newspapers, Inc.

307 North Pennsylvania Street

Indianapolis, Indiana 46202

PublicNotices@indystar.com

**SENT VIA E-MAIL THIS 11th DAY OF JUNE, 2012**

Dear Ms. Dolph:

Please publish the following legal notice of public hearing in the Friday, June 15, 2012 edition of The Indianapolis Star for one time only:

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on July 24, 2012 at 10:00 a.m., at the Indiana Government Center-South, 302 West Washington Street, Conference Center - Room 14, Indianapolis, Indiana the Indiana Optometry Board will hold a public hearing to add and amend the following administrative rules: Add 852 IAC 1-1.1-2.5 to establish the requirements concerning the applications and fees for issuance or renewal of an optometry license and optometric legend drug certificate. Amend 852 IAC 1-1.1-4 concerning the requirements for an optometry license. Amend 852 IAC 1-1.1-5 concerning the acceptance of a current certificate issued by the Association of Regulatory Boards of Optometry (ARBO), Council on Endorsed Licensure Mobility for Optometrists (CELMO), in lieu of an official transcript. Amend 852 IAC 1-2.1-2 concerning the requirements for licensure by endorsement. Amend 852 IAC 1-2.1-4 concerning the jurisprudence examination covering Indiana law. Add 852 IAC 1-2.1-6 to establish requirements for an optometric legend drug certificate. Amend 852 IAC 1-3-1 to delete the term "grossly incompetent". Amend 852 IAC 1-5.1-1 to add the expiration of a prescription for contact lenses. Amend 852 IAC 1-8-1 to add definitions for the terms "agency" and "COPE”. Amend 852 IAC 1-10-1 to add fees for the application and renewal of an optometric legend drug certificate. Amend 852 IAC 1-10-2 concerning support fees to Indiana University for active and inactive licensees. Amend 852 IAC 1-11-1 to modify the term "optometric diagnosis" to "diagnosis". Amend 852 IAC 1-15-1 to correct the spelling of the term "hygienic”. Amend 852 IAC 1-15-3 to add "governmental agency" as an entity with which an optometrist may contract to provide independent optometric services. Amend 852 IAC 1-16-1 regarding continuing education requirements to renew an optometry license. Add 852 IAC 1-16-1.1 to establish continuing education requirements for renewal of an optometric legend drug certificate. Amend 852 IAC 1-16-2 regarding the licensee's responsibility to certify completion of continuing education to renew their optometry license and optometric legend drug certificate. Amend 852 IAC 1-16-3 regarding the requirements for approval of continuing education sponsor. Amend 852 IAC 1-16-4 regarding the standards for the approval of optometry continuing education. Add 852 IAC 1-16-4.1 to establish the standards for the approval of optometric legend drug continuing education. Amend 852 IAC 1-16-5 regarding the penalty for noncompliance of a licensee who fails to comply with 852 IAC 1-16-1. Add 852 IAC 1-16-6.5 to establish continuing education credit for optometrists who are speakers at continuing education programs. Amend 852 IAC 1-16-7 concerning the number of continuing education hours granted for self-study per renewal period. Amend 852 IAC 1-16-8 to add additional sponsors of continuing education programs deemed approved. Amend 852 IAC 1-17-1 regarding the requirements for a limited license. Amend 852 IAC 1-17-2 concerning the jurisprudence examination covering Indiana law for a limited license. Amend 852 IAC 1-17-3 regarding the required number of continuing education hours to renew a limited license. Amend 852 IAC 3-3-1 regarding the formulary of legend drugs. Repeals 852 IAC 1-8-5.1, 852 IAC 1-16-6, 852 IAC 2, 852 IAC 3-1-1, 852 IAC 3-1-2, 852 IAC 3-1-3, 852 IAC 3-2, and 852 IAC 3-3-2.

The Indiana Optometry Board has the authority to promulgate rules in accordance with IC 4-22-2. The Board also has the authority to adopt rules pursuant to IC 25-24-1-1(b); IC 25-24-1-1(c); IC 25-24-2-2(e); and IC 25-24-3-10 which explicitly states the Board, “shall adopt rules not inconsistent with this chapter, governing applicants and applications for license under this chapter, and establish standards for the competent practice of optometry. And to establish a formulary of legend drugs that may be prescribed, dispensed, or administered by an optometrist and to establish education and training requirements in ocular pharmacology required for certification and continuing education requirements. This rule will have no fiscal impact on small businesses or impose any cost to the public or state or local government.

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W072 and Legislative Services Agency, Indiana Government Center North, 100 North Senate Avenue, Room N201, Indianapolis, Indiana and are open for public inspection.

 Frances L. Kelly

 Executive Director

Indiana Professional Licensing Agency

Please forward the publisher’s affidavits and billing to the Indiana Professional Licensing Agency (Account No. 82322). Feel free to contact me at cvaught@pla.IN.gov or (317) 234-2003 if you have any questions.

Sincerely,

**Cindy A. Vaught**

Cindy A. Vaught

Board Director

Indiana Optometry Board

cc: Marty Allain

Maureen Bennett