

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1164

5 By: Representative M. Gray  
6 By: Senator Irvin  
7

## For An Act To Be Entitled

9 AN ACT TO AUTHORIZE LICENSURE BY ENDORSEMENT FOR  
10 OPTOMETRISTS; TO DECLARE AN EMERGENCY; AND FOR OTHER  
11 PURPOSES.  
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## Subtitle

14 TO AUTHORIZE LICENSURE BY ENDORSEMENT FOR  
15 OPTOMETRISTS; AND TO DECLARE AN  
16 EMERGENCY.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 17-90-302 is amended to read as follows:

23 17-90-302. ~~Reciprocity~~ Licensure by endorsement.

24 (a) Any person from another state desiring to engage in the practice  
25 of optometry in this state may be issued ~~a certificate~~ licensure by  
26 endorsement at the sole discretion of the State Board of Optometry ~~without a~~  
27 ~~written examination~~ upon satisfactory proof that he or she:

28 (1) Is qualified under this chapter;

29 (2) Has been issued a certificate or license to practice  
30 optometry by a state, territory, the District of Columbia, or Canada having  
31 ~~licensure requirements at least equal in scope and standards to Arkansas with~~  
32 ~~whom the board has an agreement of reciprocity~~ standards of proficiency at  
33 least equal to the standards of Arkansas; and

34 (3) Has engaged in the lawful practice of optometry for a period  
35 of three (3) years of the past four (4) years in the other state, territory,  
36 the District of Columbia, or Canada and has complied with all the



1 requirements of the Arkansas licensure law at the time of application; and

2 (4) Has passed an Arkansas jurisprudence examination.

3 (b) ~~He or she shall be required to~~ The applicant shall pay a fee to  
4 the Secretary-treasurer of the State Board of Optometry for registration in a  
5 reasonable amount to ~~be fixed~~ cover the administrative costs of the  
6 application process as determined by the board.

7 (c) An application for licensure by endorsement shall be accompanied  
8 by:

9 (1) The fee described in subsection (b) of this section;

10 (2) Certification from all other states or territories in which  
11 the applicant has practiced;

12 (3) A certificate of good standing from each authority which  
13 issued the license, setting forth the applicant's moral reputation and  
14 character, history with the authority, professional ability, continuing  
15 education compliance, and other information or data as the State Board of  
16 Optometry may deem necessary or expedient;

17 (4) A copy of the therapeutic license held by the applicant;

18 (5) A copy of the cardiopulmonary resuscitation certification  
19 held by the applicant;

20 (6) Transcripts from:

21 (A) All colleges or universities attended by the  
22 applicant; and

23 (B) An accredited school or college of optometry;

24 (7) Proof of completion of all parts of the National Board of  
25 Examiners in Optometry examination required at the time of graduation for  
26 initial licensure sent directly to the State Board of Optometry;

27 (8) Information on past medical malpractice claims and any  
28 disciplinary actions; and

29 (9) Application to the Identification Bureau of the Department  
30 of Arkansas State Police for a state and national criminal background check,  
31 to be conducted by the Federal Bureau of Investigation.

32 (d) Upon furnishing satisfactory proof of fitness as contemplated in  
33 this section, the State Board of Optometry in its discretion may issue a  
34 license to practice optometry to the applicant without further cost except as  
35 otherwise provided in this chapter for the renewal of licenses.

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1           SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
 2 General Assembly of the State of Arkansas that in order to become a licensed  
 3 optometrist in the State of Arkansas, optometrists who are licensed in other  
 4 states must retake examinations if the optometrist has not taken all parts of  
 5 the examination since 1997, which causes a delay in licensure and places a  
 6 barrier on optometrists moving into the state; that licensure by endorsement  
 7 authorizes the State Board of Optometry to license individuals with  
 8 optometrist licenses in other states quickly and easily; that other states  
 9 offer reciprocity to optometrists licensed in Arkansas through licensure by  
 10 endorsement; and that this act is immediately necessary to ensure that  
 11 optometric practices are performed within the State of Arkansas with a  
 12 license issued by the State Board of Optometry, to bring Arkansas laws  
 13 regarding reciprocity of optometrists as quickly as possible, and to increase  
 14 health care access to optometric services for the citizens of the State of  
 15 Arkansas. Therefore, an emergency is declared to exist, and this act being  
 16 immediately necessary for the preservation of the public peace, health, and  
 17 safety shall become effective on:

18                     (1) The date of its approval by the Governor;

19                     (2) If the bill is neither approved nor vetoed by the Governor,  
 20 the expiration of the period of time during which the Governor may veto the  
 21 bill; or

22                     (3) If the bill is vetoed by the Governor and the veto is  
 23 overridden, the date the last house overrides the veto.

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