

Occupational Authorizations

Arkansas State Board of Optometry

Arkansas State Board of Optometry**OPTOMETRIST**

Authorization Type:	Licensure	# of Individuals Regulated:	549
Entity Division Name:	ADH - Arkansas State Board of Optometry		
Scope of Practice:	<p>Issue license to all optometrists in Arkansas per A.C.A 17-90-101:</p> <p>(1) The “practice of optometry” means the examination, diagnosis, treatment, and management of conditions of the human eye, lid, adnexa, and visual system, including the removal of foreign bodies from the cornea, conjunctiva, lid, or adnexa but shall exclude other surgery of the lid, adnexa, or visual system which requires anything other than a topical anesthetic.</p> <p>(2) “Optometry” shall include utilizing any method or means which the licensed optometrist is educationally qualified to provide, as established and determined by the State Board of Optometry. In administering this chapter, the board shall by rule prescribe those acts, services, procedures, and practices which constitute both primary optometric eye care and the practice of optometry.</p> <p>(3) (A) The “practice of optometry” shall include, but not be limited to, the prescribing and sale of eyeglasses and contact lenses, the prescribing and administering of all oral and topical drugs for the diagnosis or treatment only of conditions of the eye, lids, and adnexa, and the prescribing and administering of epinephrine, benadryl, or other comparable medication for the emergency treatment of anaphylaxis or anaphylactic reactions.</p> <p>(B) All licensed optometrists are prohibited from using ophthalmic lasers for surgical procedures except as permitted in subdivision (a)(3)(D) of this section, performing cataract surgery, performing radial keratotomy surgery, and selling prescription drugs.</p> <p>(C) (i) Optometrists are excluded from possessing, administering, or prescribing those pharmaceutical agents listed in Schedules I and II of the Uniform Controlled Substances Act, § 5-64-101 et seq., except hydrocodone combination drugs, regardless of their schedule, in combination with oral analgesic drugs.</p> <p>(ii) A prescription written by an optometrist for hydrocodone combination drugs, regardless of their schedule, in combination with oral analgesic drugs, shall not exceed seventy-two (72) hours and shall not authorize refills.</p> <p>(D) The “practice of optometry” includes the following procedures:</p> <p>(i) Injections, excluding intravenous or intraocular injections;</p> <p>(ii) Incision and curettage of a chalazion;</p> <p>(iii) Removal and biopsy of skin lesions with low risk of malignancy, excluding lesions involving the lid margin or nasal to the puncta;</p> <p>(iv) Laser capsulotomy; and</p> <p>(v) Laser trabeculoplasty.</p> <p>(b) Any person who utilizes any objective or subjective method, including, but not limited to, self-testing devices and computerized or automated refracting devices for the purpose of preparing an optical prescription, to analyze or determine any optical defect, deficiency, deformity, or visual or muscular anomaly of the visual system, who measures the curvature of the human cornea, who prescribes, tints, coats, dispenses, adapts, or duplicates lenses, prisms, ocular exercises, visual therapy, or orthoptics for the correction, relief, or aid of the visual functions, who prescribes, adapts, fits, duplicates, dispenses, modifies, sells, or supplies contact lenses, or who holds himself or herself out as being able to do so, shall be deemed to be engaged in the practice of optometry.</p> <p>(c) Those licensed optometrists who meet the qualifications and standards established by the board shall be designated “optometric physicians”.</p> <p>(d) Nothing in this chapter shall apply to physicians and surgeons as defined in the Arkansas Medical Practices Act, § 17-95-201 et seq., § 17-95-301 et seq., and § 17-95-401 et seq. (e) Nothing in this chapter shall prevent the performance of those acts, practices, and procedures, including the ordering, application, and sale of tints or coats for spectacle lenses, by legally qualified persons who are specifically authorized and approved by the Ophthalmic Dispensing Act, § 17-89-101 et seq.</p> <p>(1) Every licensed optometrist shall within ten (10) days of receipt of written notification of the filing of a claim or lawsuit alleging malpractice against him or her notify the board by registered letter of the lawsuit and provide information or reports as required by the board.</p> <p>(2) All information and reports shall be exempt from the Freedom of Information Act of 1967, § 25-19-101 et seq., and shall be released only upon the order of a court of competent jurisdiction.</p>		

OPTOMETRIST (Continued)

Statutory Requirement(s): Arkansas Code 17-90-101 Optometry Law and ACA § 17-90-104 (4) provides that it is unlawful “for any person, firm, corporation, or partnership not having a license, to engage in the practice of optometry.”

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member’s spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

Yes

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License renewal fee	\$150.00	Annually
Fee	Advanced Procedures License Application	\$50.00	Once
Fee	Advanced Procedures Renewal	\$10.00	Annually
Fee	Background Check for Endorsement Licensee Applicants	\$38.00	Once
Fee	Board Exam for Initial Arkansas Optometry License	\$400.00	Once
Fee	Contact Lens Seller's Fee	\$1,000.00	Annually
Penalty	Controlled Substance Testing	\$15.00	Once
Fee	Corporation Registration	\$25.00	Once
Fee	Corporation Registration Renewal	\$10.00	Annually
Fee	Diagnostic Pharmaceutical Agents Certificate (DPA)	\$15.00	Annually
Fee	Jurisprudence Exam (In Person)	\$50.00	Once
Fee	Jurisprudence Exam (Online)	\$35.00	Annually
Fee	License Verification for All Licensed Optometrists	\$125.00	Once
Fee	License Verification per Licensed Optometrist	\$25.00	Once
Fee	Ophthalmology Shadowing Logbook	\$10.00	Once
Fee	Optometric Physician Certificate	\$50.00	Once
Fee	Therapeutic Pharmaceutical Agents Certificate (TPA)	\$15.00	Annually
Penalty	Late License Renewal Fee	\$100.00	Once

Administrative Rules Documents

Document Type	Document
Rules	ASBO_Rules_2024.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

ALC – Occupational Licensing Review Subcommittee
Occupational Entity Questionnaire
ADH – Arkansas State Board of Optometry

Responses to the following questions are due via email to Subcommittee staff no later than the 15th of the month immediately preceding the month the occupational authorization is scheduled for review by the Subcommittee.

1. Would consumers be at risk of substantial harm if Arkansas did not have this occupational authorization? What instances of specific and substantial harm have been documented in the past year? **Arkansas State Board of Optometry was established by the Legislature in Act 101 of 1987 to protect the interests of Arkansas citizens. Consumers would be at risk of substantial harm if this profession was not regulated by a licensing board and if the state did not have this occupational authorization. Licensure and oversight by a licensing board helps to ensure the consumers are treated by an Optometrist who is competent and clinically trained to properly evaluate and diagnose eye and vision-related health issues and provide corrective and therapeutic prescriptions to promote improved eye health and vision. There has been no reported harm documented by the Arkansas Board of Optometry in the past year.**
2. How many complaints were made to the occupational entity by consumers being harmed by unauthorized practitioners? What specific action was taken by the occupational entity? **The Arkansas Board of Optometry has not received any complaints by consumers being harmed by unauthorized practitioners. Therefore, no actions were necessary.**
3. How many complaints were made to the occupational entity by consumers being harmed by authorized practitioners? What specific action was taken by the occupational entity? **The 16 complaints submitted to the Arkansas Board of Optometry between January 1, 2023 and April 25, 2024 were monetary and customer service related. The licensing board's complaint committee reviewed the complaints, practitioner's responses to complaints and made a recommendation of action to present at the next scheduled board meeting. Letters of action taken were mailed to the provider and complainant. Action taken ranged from letters of caution, resolve from any wrongdoing, and requirements to refund payments of patients and reverse medical billing.**

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Occupational Entity Questionnaire

4. Were any applicants who otherwise met authorization requirements denied an authorization in the past year? If so, why? **No.**
5. How much does the occupational entity collect annually in fees, and what are annual expenses? How much money does the occupational entity have in reserves? **Currently for the 9th month of FY24, the Arkansas Board of Optometry's fund balance is \$467,189. For FY23, the revenue was \$114,805.00 with expenditures of \$117,866.65.**
6. If the occupational entity has a positive amount in reserves, when was the last time reserve funds were used? For what purpose? **Reserve funds have been used for technology upgrades and for pay plan needs related to employee compensation.**
7. Does the occupational entity have any other sources of revenue? Could occupational authorization fees be reduced without causing the occupational entity to be underfunded? **No other sources of revenue fund the Arkansas Board of Optometry. The only sources of revenue are from application fees, renewal fees, and fines. A reduction in fees may cause underfunding if reductions in sources of revenue become permanent.**
8. How many applicants for the occupational authorization fail each year? Does the occupational entity track how many applicants that do not progress are veterans, women, or minorities? **Currently, there is a 99% success rate of applicants passing Board licensing exams each year. The 1% reapplied and passed licensing exams on the second attempt. Tracking of veterans, women and minorities occurs in the application process but the passing rate for these 3 groups is 100%.**
9. Can applicants complete the training requirements for this occupational authorization with vocational or non-traditional education (e.g., apprenticeships)? What percentage of applicants complete apprenticeships? **Arkansas-licensed Optometrists must graduate from an accredited medical school of Optometry. All applicants must complete a 100-hour observation requirement with a licensed Ophthalmologist before a license is granted.**
10. In what ways would removal of the occupational authorization or reduction of occupational authorization requirements be harmful to current authorization holders? **The standard of care reflects what is minimally required for prudent and reasonable treatment. Removing the occupational authorization requirements could be considered a failure to meet the standard of care. Licensure provides regulatory**

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Occupational Entity Questionnaire

oversight to ensure the public is protected from obtaining eye health and vision services from improperly trained or untrained individuals. Current licensees would be forced from preventive care to reactive treatment of care failures of the unlicensed.