

INSPECTIONS AND APPEALS DEPARTMENT[481]

Regulatory Analysis

Notice of Intended Action to be published: 481—Chapter 760 and subrule 761.3(2)
“Licensure of Optometrists; Specific Criteria”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 154 and 272C

State or federal law(s) implemented by the rulemaking: Iowa Code chapters 147, 154 and 272C

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 8, 2026
2:30 p.m.

6200 Park Avenue
Des Moines, Iowa

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Board of Optometry no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Purpose and Summary

This proposed rulemaking amends rules for continuing education and allows licensees to complete more distance learning continuing education credits that will go toward the 50 credit hours required. This proposed rulemaking also promulgates rules for foreign-trained optometrists and a pathway toward licensure for these applicants.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

• Classes of persons that will bear the costs of the proposed rulemaking:

There are no anticipated costs related to this proposed rulemaking other than the costs already incurred by the Board to enforce the rules. Licensed optometrists will not incur any additional costs other than the cost of licensing. The continuing education rules may allow them to save money taking distance learning courses rather than in-person courses.

• Classes of persons that will benefit from the proposed rulemaking:

This proposed rulemaking provides requirements for foreign-trained graduates since there were previously no rules allowing licensure for these graduates. It will also benefit licensees, allowing them to take additional distance learning courses that do not require them to be in person.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

• Quantitative description of impact:

Members of the public would incur no costs other than payment/copayment for optometry services provided. Optometrists would be responsible for ensuring they meet the continuing education and licensure requirements.

- **Qualitative description of impact:**

The Board believes that the benefits achieved justify the costs because the rules provide a pathway to licensure for foreign-trained graduates while still ensuring safe and competent care for patients. It also gives licensees additional flexibility with continuing education courses.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

Costs to the agency are for the staff time needed to manage Board activities, which include oversight of practice standards and requirements. The Board does not anticipate any further costs than are already incurred. The time needed to manage this provision is generally in the form of responding to questions related to practice standards. Staff salaries to support the work of the Board are covered by the Licensing and Regulation Fund established in 2023 Iowa Acts, Senate File 557.

- **Anticipated effect on State revenues:**

This rulemaking has no anticipated impact on State revenues. Staff salaries to support the work of the Board are covered by the fund. Licensing fees go to the fund to cover the operations of the regulated professional licensing boards.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The Board believes the costs and benefits are worth developing these rules because the Board developed rules to provide a pathway to licensure for foreign-trained graduates. The Board also alleviated some barriers to obtaining continuing education credit.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Board does not believe there is a less costly or less intrusive method to achieve the purpose of this rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

The Board has not identified any alternative methods to carry out this rulemaking.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

The Board has not identified any alternative methods to carry out this rulemaking.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.

- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.

- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The proposed rulemaking relates to public safety concerns that are present whether the business is a small business or a large corporation. While some optometrists may work in a smaller optometry office, some also work for large corporations, hospitals, and other optometry facilities. To exempt a small business from adhering to this chapter would jeopardize any member of the public who sought services from that small business. The risk to the public is greater than the potential harm or cost to the small business.

Text of Proposed Rulemaking

ITEM 1. Amend rule **481—760.1(154)**, definition of “Reactivate,” as follows:
“*Reactivate*” or “*reactivation*” means the process as outlined in rule ~~481—760.5(17A,147,272C)~~ 481—760.6(17A,147,272C) by which an inactive license is restored to active status.

ITEM 2. Renumber rules **481—760.3(154)** to **481—760.6(17A,147,272C)** as **481—760.4(154)** to **481—760.7(17A,147,272C)**.

ITEM 3. Adopt the following new rule 481—760.3(154):

481—760.3(154) Educational qualifications for foreign-trained optometrists. Prospective applicants who completed their education outside of the United States may receive credit for their education, provided they comply with the following:

760.3(1) Provide an equivalency evaluation of the applicant’s educational credentials by a board-approved agency, demonstrating the curriculum is equivalent to that stated in these rules. The applicant bears the expense of the curriculum evaluation.

760.3(2) Provide a notarized copy of the certificate or diploma awarded to the applicant from an optometry program in the country in which the applicant was educated.

760.3(3) Receive a final determination from the board that the applicant’s education is acceptable.

ITEM 4. Amend renumbered subrule 760.5(3) as follows:

760.5(3) A licensee applying for renewal will:

a. Meet the continuing education requirements of rule 481—761.2(154) and the mandatory reporting requirements of ~~subrule 760.5(4)~~ subrule 760.6(4). A licensee whose license was reactivated during the current renewal compliance period may use continuing education credit earned during the compliance period for the first renewal following reactivation; and

b. No change.

ITEM 5. Amend subparagraph **761.3(2)“b”(1)** as follows:

(1) ~~Five~~ Twelve hours of credit for distance learning.

ITEM 6. Amend subparagraph **761.3(2)“c”(2)** as follows:

(2) Training on child abuse and dependent adult abuse identification and reporting through the department of health and human services for all licensees who examine, attend, counsel or treat children or dependent adults in the scope of the professional practice. Initial ~~two-hour~~ courses need to be taken with six months of employment. ~~One-hour recertification training~~ Training needs to be done every three years.