

OPTOMETRISTS

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CHAPTER 180
LICENSURE OF OPTOMETRISTS

[Prior to 6/13/01, see 645—Chapter 180]

645—180.1(154) Definitions. For purposes of these rules, the following definitions shall apply:

“*Active license*” means a license that is current and has not expired.

“*Approved program or activity*” means a continuing education program or activity meeting the standards set forth in these rules.

“*Board*” means the board of optometry.

“*CELMO*” means the Council on Endorsed Licensure Mobility for Optometrists.

“*Grace period*” means the 30-day period following expiration of a license when the license is still considered to be active. In order to renew a license during the grace period, a licensee is required to pay a late fee.

“*Inactive license*” means a license that has expired because it was not renewed by the end of the grace period. The category of “inactive license” may include licenses formerly known as lapsed, inactive, delinquent, closed, or retired.

“*Licensee*” means any person licensed to practice as an optometrist in the state of Iowa.

“*Licensure by endorsement*” means the issuance of an Iowa license to practice optometry to an applicant who is or has been licensed in another state.

“*Mandatory training*” means training on identifying and reporting child abuse or dependent adult abuse required of optometrists who are mandatory reporters. The full requirements on mandatory reporting of child abuse and the training requirements are found in Iowa Code section 232.69. The full requirements on mandatory reporting of dependent adult abuse and the training requirements are found in Iowa Code section 235B.16.

“*NBEO*” means the National Board of Examiners in Optometry.

“*Optometrist*” means an optometrist who is licensed to practice optometry in Iowa and who is certified by the board of optometry to employ all diagnostic and therapeutic pharmaceutical agents for the purpose of diagnosis and treatment of the conditions of the human eye and adnexa, excluding the use of injections other than to counteract an anaphylactic reaction, and notwithstanding Iowa Code section 147.107, may without charge supply any of the above pharmaceuticals to commence a course of therapy, with the exclusions cited in Iowa Code chapter 154.

“*Reactivate*” or “*reactivation*” means the process as outlined in rule 645—180.11(17A,147,272C) by which an inactive license is restored to active status.

“*Reinstatement*” means the process as outlined in 645—11.31(272C) by which a licensee who has had a license suspended or revoked or who has voluntarily surrendered a license may apply to have the license reinstated, with or without conditions. Once the license is reinstated, the licensee may apply for active status.

“*TPA*” means therapeutic pharmaceutical agents.

[ARC 0899C, IAB 8/7/13, effective 9/11/13]

645—180.2(154) Requirements for licensure.

180.2(1) The following criteria shall apply to licensure:

a. Applicants shall complete a board-approved application. Applications may be completed at the board’s website (www.idph.iowa.gov/licensure).

b. Applicants shall submit the appropriate fees payable to the Board of Optometry. The fees are nonrefundable.

c. No application will be considered complete until official copies of academic transcripts sent directly to the board from an accredited school or college of optometry are received by the board and the applicant submits proof of satisfactory completion of all educational requirements contained in Iowa Code chapter 154.

d. Applicants shall provide evidence of passing all current NBEO examinations including the Treatment and Management of Ocular Disease examination.

e. Licensees who were issued their licenses within six months prior to the renewal date shall not be required to renew their licenses until the renewal date two years later.

180.2(2) Rescinded IAB 8/7/13, effective 9/11/13.

[ARC 0899C, IAB 8/7/13, effective 9/11/13; ARC 3428C, IAB 10/25/17, effective 11/29/17; ARC 5776C, IAB 7/14/21, effective 8/18/21; ARC 6374C, IAB 6/29/22, effective 8/3/22]

645—180.3(154) Licensure by endorsement.

180.3(1) Applicants who have been licensed as an optometrist in another state may apply for licensure by endorsement by submitting the following:

a. A completed licensure application and payment of the application fee.

b. Verification of license from the jurisdiction in which the applicant has most recently been practicing during the time period in which the Iowa license was inactive, sent directly from the jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

- (1) Licensee's name;
- (2) Date of initial licensure;
- (3) Current licensure status; and
- (4) Any disciplinary action taken against the license.

c. Evidence of a passing score for all parts of the NBEO examination at the time of licensure as an optometrist in another state and evidence of a passing score for the Treatment and Management of Ocular Disease examination.

d. Verification of current competence to practice as an optometrist by satisfying one of the following criteria:

- (1) Current CELMO certification; or
 - (2) Practice as an optometrist for a minimum of 2,080 hours during the preceding two-year period;
- or
- (3) Employment as a faculty member teaching optometry in an accredited school of optometry for at least one academic year during the preceding two-year period; or
 - (4) Completion of a minimum of 50 hours of continuing education during the preceding two-year period; or
 - (5) Passing the NBEO examination during the preceding two-year period.

180.3(2) Applicants for licensure by endorsement who were issued their Iowa licenses within six months prior to the renewal date shall not be required to renew their licenses until the renewal date two years later.

180.3(3) Licensure by verification. A person who is licensed in another jurisdiction but who is unable to satisfy the requirements for licensure by endorsement may apply for licensure by verification, if eligible, in accordance with rule 645—19.1(272C).

[ARC 0899C, IAB 8/7/13, effective 9/11/13; ARC 5776C, IAB 7/14/21, effective 8/18/21; ARC 6374C, IAB 6/29/22, effective 8/3/22; ARC 7000C, IAB 4/19/23, effective 5/24/23]

645—180.4 Reserved.

645—180.5(154) License renewal.

180.5(1) The biennial license renewal period for a license to practice optometry shall begin on July 1 of an even-numbered year and end on June 30 two years later. The licensee is responsible for renewing

the license prior to its expiration. Failure of the licensee to receive notice from the board does not relieve the licensee of the responsibility for renewing the license.

180.5(2) An individual who was issued a license within six months of the license renewal date will not be required to renew the license until the subsequent renewal two years later.

180.5(3) A licensee seeking renewal shall:

a. Meet the continuing education requirements of rule 645—181.2(154) and the mandatory reporting requirements of subrule 180.5(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. Submit the completed renewal application and renewal fee before the license expiration date.

180.5(4) Mandatory reporter training requirements.

a. A licensee who, in the scope of professional practice or in the licensee's employment responsibilities, examines, attends, counsels or treats children in Iowa shall indicate on the renewal application completion of training in child abuse identification and reporting as required by Iowa Code section 232.69(3)"*b*" in the previous three years or condition(s) for waiver of this requirement as identified in paragraph 180.5(4)"*e*."

b. A licensee who, in the course of employment, examines, attends, counsels or treats adults in Iowa shall indicate on the renewal application completion of training in dependent adult abuse identification and reporting as required by Iowa Code section 235B.16(5)"*b*" in the previous three years or condition(s) for waiver of this requirement as identified in paragraph 180.5(4)"*e*."

c. The course(s) shall be the curriculum provided by the Iowa department of human services.

d. The licensee shall maintain written documentation for three years after mandatory training as identified in paragraphs 180.5(4)"*a*" to "*c*," including program date(s), content, duration, and proof of participation.

e. The requirement for mandatory training for identifying and reporting child and dependent adult abuse shall be suspended if the board determines that suspension is in the public interest or that a person at the time of license renewal:

(1) Is engaged in active duty in the military service of this state or the United States.

(2) Holds a current waiver by the board based on evidence of significant hardship in complying with training requirements, including an exemption of continuing education requirements or extension of time in which to fulfill requirements due to a physical or mental disability or illness as identified in rule 645—4.14(272C).

f. The board may select licensees for audit of compliance with the requirements in paragraphs 180.5(4)"*a*" to "*e*."

180.5(5) Upon receiving the information required by this rule and the required fee, board staff shall administratively issue a two-year license. In the event the board receives adverse information on the renewal application, the board shall issue the renewal license but may refer the adverse information for further consideration or disciplinary investigation.

180.5(6) A person licensed to practice optometry shall keep the license certificate and renewal displayed in a conspicuous public place at the primary site of practice.

180.5(7) Late renewal. The license shall become late when the license has not been renewed by the expiration date on the renewal. The licensee shall be assessed a late fee as specified in 645—subrule 5.12(3). To renew a late license, the licensee shall complete the renewal requirements and submit the late fee within the grace period.

180.5(8) Inactive license. A licensee who fails to renew the license by the end of the grace period has an inactive license. A licensee whose license is inactive continues to hold the privilege of licensure in Iowa, but may not practice as an optometrist in Iowa until the license is reactivated. A licensee who practices as an optometrist in the state of Iowa with an inactive license may be subject to disciplinary action by the board, injunctive action pursuant to Iowa Code section 147.83, criminal sanctions pursuant to Iowa Code section 147.86, and other available legal remedies.

[ARC 9641B, IAB 7/27/11, effective 8/31/11; ARC 5071C, IAB 7/1/20, effective 8/5/20; ARC 5776C, IAB 7/14/21, effective 8/18/21]

645—180.6 to 180.10 Reserved.

645—180.11(17A,147,272C) License reactivation. To apply for reactivation of an inactive license, a licensee must submit the following:

180.11(1) A completed reactivation application and payment of the application fee.

180.11(2) Verification of license from the jurisdiction in which the applicant has most recently been practicing during the time period in which the Iowa license was inactive, sent directly from the jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

- a. Licensee's name;
- b. Date of initial licensure;
- c. Current licensure status; and
- d. Any disciplinary action taken against the license.

180.11(3) Verification of current competence to practice as an optometrist by satisfying one of the following criteria:

- a. Current CELMO certification; or
 - b. Practice as an optometrist for a minimum of 2,080 hours during the preceding two-year period;
- or
- c. Employment as a faculty member teaching optometry in an accredited school of optometry for at least one academic year during the preceding two-year period; or
 - d. Completion of a minimum of 50 hours of continuing education during the preceding two-year period; or
 - e. Passing the NBEO examination during the preceding two-year period.

[ARC 6374C, IAB 6/29/22, effective 8/3/22; ARC 7000C, IAB 4/19/23, effective 5/24/23]

645—180.12(17A,147,272C) License reinstatement. A licensee whose license has been revoked, suspended, or voluntarily surrendered must apply for and receive reinstatement of the license in accordance with 645—11.31(272C) and must apply for and be granted reactivation of the license in accordance with 645—180.11(17A,147,272C) prior to practicing as an optometrist in this state.

These rules are intended to implement Iowa Code chapters 17A, 147, 154 and 272C.

[Filed 5/25/01, Notice 4/4/01—published 6/13/01, effective 7/18/01]

[Filed 7/18/02, Notice 5/15/02—published 8/7/02, effective 9/11/02]

[Filed 1/15/03, Notice 11/13/02—published 2/5/03, effective 3/12/03]

[Filed 4/8/04, Notice 2/4/04—published 4/28/04, effective 6/2/04]

[Filed 7/8/05, Notice 5/11/05—published 8/3/05, effective 9/7/05][◇]

[Filed 1/13/06, Notice 10/26/05—published 2/1/06, effective 3/8/06][◇]

[Filed 1/12/07, Notice 11/8/06—published 1/31/07, effective 3/7/07]

[Filed 10/14/08, Notice 8/27/08—published 11/5/08, effective 12/10/08]

[Filed ARC 9641B (Notice ARC 9519B, IAB 5/18/11), IAB 7/27/11, effective 8/31/11]

[Filed ARC 0899C (Notice ARC 0680C, IAB 4/3/13), IAB 8/7/13, effective 9/11/13]

[Filed ARC 3428C (Notice ARC 3223C, IAB 8/2/17), IAB 10/25/17, effective 11/29/17]

[Filed ARC 5071C (Notice ARC 4854C, IAB 1/15/20), IAB 7/1/20, effective 8/5/20]

[Filed ARC 5776C (Notice ARC 5458C, IAB 2/24/21), IAB 7/14/21, effective 8/18/21]

[Filed ARC 6374C (Notice ARC 6095C, IAB 12/15/21), IAB 6/29/22, effective 8/3/22]

[Filed ARC 7000C (Notice ARC 6656C, IAB 11/16/22), IAB 4/19/23, effective 5/24/23]

[◇] Two or more ARCs