

## February 2016 Newsletter

### **Message From the President:**

Over the past two years, the entire KSSBEO Board has changed. Last year, Governor Brownback replaced long-time Board member Dr Doug Ayre. Dr Ayre served the maximum number of consecutive three year terms allowed by statute. Dr Ayre served one term, off a year, and then three consecutive terms - for a total of 12 years. His experience and expertise will be greatly missed. The Governor appointed Dr Craig Newland of Parsons to the Board. We look forward to working with Dr. Newland.

We will continue striving to protect the public with our Public Service Announcements. Though we are struggling to get this project off the ground, we gained momentum last year when Governor Brownback proclaimed October 2015 *Contact Lens Safety Awareness Month*.

Public protection is our number one priority. Should you have any opinion, concern, or comment..... our door is always open and we would love to hear from you. **Ron Hansen, OD, KSSBEO President**

### **Meet the New Board Member:**

**Craig Newland, OD**, is a graduate of the University of Kansas with a degree in Business Administration. He attended the University Of Houston College Of Optometry and graduated in 1990. He did an externship at the Veterans Administration in Tulsa, OK during his fourth year of Optometry School.

After graduation he moved back to his hometown of Parsons and joined his father, Dr Dale Newland, in his practice. They worked together for nine years before he retired in 1999. Dr. Steve Bartholomew and Dr Newland decided to combine their two practices and built a new building and brought in an associate Dr. Wayne Gilmore in the summer of 1999. Dr. Bartholomew moved away in 2005 and Dr. Gilmore and Dr Newland continue to work together in Parsons.

Dr Newland is a member of the Wesley United Methodist Church, past president of Rotary Club and currently serves on the local school board for the past 10 years including president for 2 of those years. He is a member of the KOA and served as Secretary/Treasurer from 2009-2014, AOA

and a Diplomat of the American Board of Optometry.

Dr Newland's wife, Leah, is an Occupational Therapist for the local schools and they have two children Rachel and Max. Rachel is a senior at KU and Max is a freshman at Drake University. He enjoys playing golf and working in the yard.

## CLIA

In 1988, Congress passed the Clinical Lab Improvement Amendments (CLIA) establishing standards for all laboratory testing to ensure the accuracy, reliability, and timeliness of patient test results regardless of where the test was performed. In 2003, the CDC and CMS published final CLIA Quality Systems regulations. These regulations regulate laboratory testing and **require** clinical laboratories to be certified by the state as well as CMS before they can accept human samples for diagnostic testing.

Under federal law, **all** facilities that perform laboratory testing on human specimens for health assessment or the diagnosis, prevention, or treatment of disease are regulated under CLIA. In Kansas, there are a number of laboratory tests that are within the scope of practice of optometrists. Examples are tear osmolarity, finger stick blood glucose, and adenovirus assay. These tests all are considered waived tests, which are defined by CLIA as simple with a low risk of erroneous results. However, waived tests are not error-proof, and therefore must be performed correctly by trained personnel in an environment where good laboratory practices are followed. In order to perform

these tests in office, the office **must** be registered as a CLIA lab.

To do these tests, and in order to get paid (when applicable) by third party payers, a practice must do two things. First, an office must obtain a CLIA lab certificate. Second, one of the doctors in the practice must be designated and approved as clinical lab director.

The application process can be started [here](#).

You will download a Form CMS-116. This should be filled out and mailed to KDHE at:

KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT  
CLIA Laboratory Certification  
6810 SE Dwight Street  
Topeka, KS 66620.

They will then contact you regarding the next steps in the process. Currently, there is a \$150 biennial fee.

Finally, a few notes about coding and billing for CLIA-waived testing. The QW modifier is used to designate a waived test. CPT codes for waived tests that optometrists typically perform are:

83861-QW - Tear Osmolarity

87809 - QW - Adenoviral Test.

## Like Us Facebook

KSSBEO is now on [Facebook](#).

## Trade Names:

You know it's a trade name if:

You use such descriptive words as:

- a. Optometry
- b. Vision
- c. Vision Care
- d. Eyes
- e. Eyecare
- f. Eye Associates
- g. Eye Health
- h. The use of a geographic area
- i. Etc.

If the trade name consists of only the doctor's name(s) and title, such as *O.D.*, *Dr.*, or *Optometrist*, it is not a trade name and thus does not need to be approved by the Board. Examples include:

- a. Dr A Jones, Optometrist
- b. Drs A Jones and B Smith, Optometrists

To further clarify, *Jones Optometry* must be approved by the Board but not *Dr A Jones, Optometrist*.

Trade Names must be approved by the Board **PRIOR** to its use.

A few other reminders about trade names:

1. They are not transferable. If you buy a practice with an existing trade name, you are required to reapply.
2. They are also location specific. If you plan on moving or adding offices you are also required to reapply for the new location.

For complete rules and list of approved trade names, please visit our [website](#). The approved trade name list is updated quarterly after Board meetings.

## Non-COPE Continuing Education

You just ran your OETracker report from ARBO and you see *Non-COPE* CE. You panic – Do you not get credit for those hours? The answer is yes. KSSBEO has been assigning KS ID's to all non-COPE CE that they approve. ARBO will not enter any non-COPE CE unless it has been assigned an ID from KSSBEO. This ID consists of the year, followed by a number, followed by a two letter category code – GO, PH, or PM. (KS2016-14-PH for example)

## Continuing Education

You are required to have 24 hours of CE each year. The year runs June 1<sup>st</sup> – May 31<sup>st</sup>. If you attend a conference at year end – the hours that you earn on May 31<sup>st</sup> will count towards the first year and the hours earned after June 1<sup>st</sup> will count towards the second year.

If you subscribe to the OETracker, ARBO will enter your CE into the tracker for you. Once the hours are entered into the OETracker, they will automatically be downloaded into the Board's database. If all your hours are in the OETracker, then at renewal time you will not need to submit any certificates to the Board office.

*The Board office does not accept certificates until renewals begin in March and then only for those renewing in the current year.*

The Board has updated the CE regulations K.A.R. 65-5-6: You can now have up to 4 hours of practice management each year. You can now have up to 4 hours of ophthalmic surgery observation, in addition to the minimum of 5 hours of pharmacology.

A lot of the COPE categories will be translated over to pharmacology. For the crosswalk of COPE categories to Kansas Categories, please visit our [website](#).

### Updating your Record Online

Per K.S.A. 65-1509, you are required to notify the Board in writing any changes in location or practice. You can now do that [online](#) or you can always mail/fax/email the updated information to the Board office.

Be sure to list all ODs that are at your practice location. If you need license numbers of your co-workers to complete, please contact the Board office.

***This should be done every time there is a change not just during renewals.***

### Licenses Retired and Expired

#### *Licenses retired in 2015*

Dwight E Blackwood  
William A Carriger  
F Rodney Copeland  
Sharon K Dyer  
Clifford L Goodman  
Robert L Hoch  
Cecil B Kohake  
Timothy J Mason  
Bren A Myers  
Michael D Torrence

#### *Licenses expired 2015*

Kelly N Bailey  
Devin A Duval  
Lori K Ehlers Swopes  
Marilyn K Holm  
Lawrence D Reed  
Melanie Riley  
Farzaneh Salatini

Blake Simmons

### Updated Statues and Regulations

The Optometry statues were updated in 2012 and the regulations were updated 2015. If you have not reviewed the Optometry statues and regulations in a while, you are encouraged to do so. The can be found on our [website](#):

Remember, ***YOU*** are responsible for knowing and following the laws.

The board is considering a new regulation to address disruptive behavior by attendees at continuing education seminars.