



Kansas *Kansas Board of
Examiners in Optometry*

February 2024 Newsletter

Changes in the Board office this year. We have two new Board members:

Philip Walters, OD replacing Lora Durst, OD who resigned her position last summer.

Gary Beaver, OD replacing Gerard Lozada, OD who rolled off the Board after serving 3 three-year terms.

Meet the new Board members:

Gary Beaver, O.D. grew up in Independence, Kansas. He graduated from the University of Kansas majoring in Chemistry and Biology. His Doctor of Optometry degree was earned from Southern College of Optometry in Memphis, TN. Upon graduation he opened a new practice in his hometown of Independence where he continues to practice today. He is a member of the Independence Chamber of Commerce, Independence Rotary Club, American Optometric Association and Kansas Optometric Association.

Gary and his wife Catherine, have a daughter Gretchen and son Creighton. Hobbies include traveling, golf, and playing with his granddaughter.

Philip Walters is a native of southeast Kansas and a graduate of Pittsburg State University. He completed his Doctor of Optometry degree at the University of Missouri – St. Louis. Dr. Walters has been practicing in McPherson since 2010. He is a member of the American Optometric Association, the Kansas Optometric Association, the McPherson Chamber of Commerce, YPMac (Young Professionals Organization), and the McPherson Optimist club.

Phil and his wife, Katie, have two daughters, Emory and Elsie, and a son, Sam. Outside of work, Phil enjoys spending time with family and friends. His hobbies include playing guitar and golf and following his favorite sports teams.

REGULATION UPDATE:

The Board is in the process of reviewing all their administrative regulations. This is a long process if amendments are needed. These are the high level of the steps that need to be taken:

1. The proposed regulations must be submitted to the Secretary of Administration for review and approval as to organization, style, spelling, and grammar.

2. Once the regulation has been approved by the Secretary of Administration, it is submitted to the Attorney General for review and approval as to legality.
3. Once the regulation has been approved by both the Secretary of Administration and the Attorney General, the Board will schedule a public hearing which must be published in the Kansas Register at least 60 days in advance of the hearing for any public comments.
4. The proposed regulations are then submitted to the Secretary of State, who will send the regulations to the Joint Committee on Administrative Rules and Regulations.
5. Upon receiving a notice of public hearing from an agency, the Joint Committee on Administrative Rules and Regulations will schedule a review of the proposed regulations during the 60-day public comment period. As part of the review, the Joint Committee will give the agency an opportunity to explain the proposed regulations and consider other supporting or opposing statements. This review will form the basis of any public comments submitted to the agency by the Joint Committee.
6. The Board holds a public hearing and adopts the regulation. It is then submitted to the Secretary of State who publishes it in the Kansas Register and it becomes effective 15 days after the publication.

If anywhere along the way, it gets returned/rejected, the process starts all over again.

These regulations have been formally adopted in 2023:

65-4-4. Notice to board. A licensee shall provide notice to the board, in writing, within 20 days of the following: (a) The licensee's conviction of a felony, whether or not related to the practice of optometry;

(b) the revocation, suspension or limitation of a licensee's license to practice optometry in another state, territory, nation or the District of Columbia;

(c) the censure of the licensee by the proper licensing authority of another state, territory, nation or the District of Columbia;

(d) a finding by a court of competent jurisdiction that the licensee is mentally ill, disabled, not guilty by reason of insanity or incompetent to stand trial;

(e) sanctions or disciplinary actions taken against the licensee by a peer review committee, medical care facility or professional association or society;

(f) adverse action for acts or conduct which would constitute grounds for disciplinary action pursuant to K.S.A. 65-1517, and amendments thereto, taken against the licensee by another state or licensing jurisdiction, a peer review body, a medical care facility, a professional association or society, a governmental agency, by a law enforcement agency, or a court;

(g) surrender of the licensee's license or authorization to practice optometry in another state, territory, nation or the District of Columbia, or surrender of the licensee's membership on any professional staff, or in any professional association or society;

(h) an adverse judgment, award, or settlement against the licensee resulting from a medical liability claim;

(i) any change in contact information to receive notifications from the Board including physical address, electronic mail address, and phone number. (Authorized by K.S.A. 74-1504(a)(6); implementing K.S.A. 65-1509; effective May 18, 1992; amended June 7, 1993; amended Nov. 17, 2023.)

65-5-4. Approved schools or colleges of optometry. An approved school or college of optometry shall be a school or college accredited by the Accreditation Council on Optometric Education (ACOE). (Authorized by K.S.A. 74-1504(a)(6) and K.S.A. 65-1505; implementing K.S.A. 65-1505; effective May 18, 1992; amended Nov. 17, 2023.)

NOTE: The following regulation will not apply until the 2025 renewal period

65-5-14. Biennial renewal. (a)(1) Commencing with license renewals occurring in 2024, all licensees with an odd numbered license that is scheduled to be renewed by May 31, 2024, shall renew the license for a one year period ending on May 31, 2025. The licensee shall pay a license renewal fee equal to one-half the amount of the biennial license renewal fee specified in K.A.R. 65-4-3 and any applicable additional fees.

(2) Each subsequent license renewal for any licensee specified in paragraph (a)(1) shall be for a two (2) year period ending on the second May 31 following the applicable renewal date. The licensee shall pay the biennial license renewal fee specified in K.A.R. 65-4-3 and any applicable additional fees.

(b)(1) Commencing with license renewals occurring in 2025, all licensees with an even numbered license that is scheduled to be renewed by May 31, 2025, shall renew the license for a one year period ending on May 31, 2026. The licensee shall pay a license renewal fee equal to one-half the amount of the biennial license renewal fee specified in K.A.R. 65-4-3 and any applicable additional fees.

(2) Each subsequent license renewal for any licensee specified in paragraph (b)(1) shall be for a two (2) year period ending on the second May 31 following the applicable renewal date. The licensee shall pay the biennial license renewal fee specified in K.A.R. 65-4-3 and any applicable additional fees.

(c)(1) For initial licenses issued on or after January 1, 2024, all licensees with an odd numbered license shall renew their license by May 31 of each odd numbered year. The licensee shall pay a license renewal fee prorated to the time period of licensure and based upon the amount of the biennial license renewal fee specified in K.A.R. 65-4-3 and any applicable additional fees.

(2) Each subsequent renewal for odd numbered licenses shall be for a two (2) year period ending on the second May 31 following the applicable renewal date. The licensee shall pay the biennial license renewal fee specified in K.A.R. 65-4-3 and any applicable additional fees.

(d)(1) For initial licenses issued on or after January 1, 2024, all licensees with an even numbered license shall renew their license by May 31 of each even numbered year. The licensee shall pay a license renewal fee prorated to the time period of licensure and based upon the amount of the biennial license renewal fee specified in K.A.R. 65-4-3 and any applicable additional fees.

(2) Each subsequent renewal for even numbered licenses shall be for a two (2) year period ending on the second May 31 following the applicable renewal date. The licensee shall pay the biennial license renewal fee specified in K.A.R. 65-4-3 and any applicable additional fees. (Authorized by K.S.A. 74-1504 and K.S.A. 65-1509; implementing K.S.A. 65-1509; effective Feb. 2, 2024.)

Coming Soon:

New website, Spring 2024. The new website will be mobile friendly and easier to navigate.

New Licensing System, Spring 2025. The new licensing system will enable K.A.R. 65-5-14. Starting in 2025, if you have an even numbered license, you will only be renewing for one year. In 2026, an even numbered license will renew for 2 years. If you have an odd numbered license, in 2025 you will renew for two years as usual. In 2026, an odd numbered license will only renew for 1 year. This should make it easier to remember when you need to renew your license.

The new licensing system will also allow for electronic verification. You will no longer need to contact the Board office when you need a renewal certificate or need license verification.

OE Tracker Subscriptions:

The Board will continue to pay everyone's OE Tracker subscription in July. The number of CE in the OE tracker has continued to rise:

- 2017-2019 83.1% had over 40 hours in the OE Tracker
- 2018-2020 86.6% had over 40 hours in the OE Tracker
- 2019-2021 - 89.5% had over 40 hours in the OE Tracker
- 2020-2022 – 92.1% had over 40 hours in the OE Tracker
- 2021-2023 – 94% had over 40 hours in the OE Tracker

Look for an updated OE Tracker app coming this Spring.

Contents of a Prescription:

The Board office has been receiving inquiries via phone calls and emails regarding missing components on prescriptions. Frequently absent items include PDs and signatures. It is essential to verify the completeness of your prescriptions before dispensing them to patients. Per K.A.R. 65-8-4:

65-8-4. Content of prescription. (a) Any prescription issued by a licensee for spectacle lenses shall include:

- (1) the sphere power;
 - (2) the cylinder power;
 - (3) the axes location;
 - (4) the prism power and base direction;
 - (5) the type, size, and power of multifocal; and
 - (6) the interpupillary distance, far and near.
- (b) No prescription for spectacle lenses shall include instructions to obtain the specifications from existing lenses without examination.
- (c) Any prescription issued by a licensee for rigid contact lenses shall include:
- (1) the lens material;
 - (2) the base curve;
 - (3) the back vertex power;
 - (4) the prism power;
 - (5) the overall diameter;
 - (6) the optic zone diameter;
 - (7) peripheral curve radii and widths;
 - (8) the center thickness;
 - (9) the tint; and
 - (10) the edge shape.
- (d) Any prescription issued by a licensee for flexible contact lenses shall include:
- (1) the base curve;
 - (2) the power;
 - (3) the diameter, when necessary;
 - (4) the manufacturer;
 - (5) the water content, where necessary;
 - (6) the type, spherical, toric, or extended wear;
 - (7) the color; and
 - (8) the manufacturer's suggested sterilization method.
- (e) No prescription issued by a licensee for rigid or flexible contact lenses shall include instructions to obtain the specifications from:
- (1) existing lenses, without examination; or
 - (2) conversion of a spectacle lens prescription.
- (f) In addition, the following information shall be included on any prescription issued by a licensee for any ophthalmic lenses:
- (1) the printed name and license registration number of the prescribing licensee;
 - (2) the address and telephone number at which the patient's records are maintained and at which the prescribing licensee can be reached for consultation;
 - (3) the name of the patient;
 - (4) the signature of the prescribing licensee;
 - (5) the date the prescription was issued, the date of the examination, and expiration date, if appropriate;
 - (6) any instructions necessary for the fabrication or use of the ophthalmic lenses; and
 - (7) any special instructions.
- (g) Any prescription issued by a licensee for spectacle lenses which does not include the requirements for flexible or rigid contact lens prescriptions shall not become an adequate prescription for contact lenses by any comment on the prescription indicating it can be used for contact lenses.
- (h) Any prescription issued by a licensee for a topical pharmaceutical drug shall include:

- (1) the printed name and license registration number of the prescribing licensee;
- (2) the address and telephone number at which the patient's records are maintained and at which the prescribing licensee can be reached for consultation;
- (3) the name and address of the patient;
- (4) the name and quantity of the drugs prescribed;
- (5) directions for use;
- (6) the number of refills permitted;
- (7) the date of issue and expiration; and
- (8) the signature of the prescribing licensee.

(Authorized by K.S.A. 74-1504(a)(6); implementing K.S.A. 1991 Supp. 65-1501; effective May 18, 1992.)