



Board of Examiners in Optometry

October 2024 Newsletter

Light Adjustable Lens Update:

In the February of 2023 edition of the Board's Newsletter, it was reported that current optometry statutes do not allow the use of light adjustable lens in the practice of optometry. Unfortunately, this statement has caused some confusion and was made in error. During its October 26, 2022 meeting, the Board reviewed whether or not an optometrist's use of a light delivery device to adjust the power of a light adjustable lens previously implanted by an ophthalmologist falls within the scope of practice of optometry pursuant to K.S.A. 65-1501. The Board did not take action on the issue or reach informal consensus regarding whether or not the procedure falls within the authorized scope of practice of optometry. During its October 15, 2024 meeting, the Board determined to formally retract the statement made in the February 2023 Newsletter and clarified that the Board has not made a determination regarding whether or not the procedure falls within the authorized scope of practice of optometry. The Board further resolved to request an opinion from the Kansas Attorney General's office regarding whether or not the procedure falls within the authorized scope of practice of optometry. The Board will provide an update in the future based on any opinion provided by the Attorney General.

K.A.R. 65-5-6 Continuing Education

Effective 08/30/2024, K.A.R. 65-5-6 was updated. With this update, non-live CE hours were increased to 12 hours per year. Ophthalmic Surgery Observation will now be considered non-live and still be limited to 4 hour per year.

'Live Presentation' shall mean a continuing education program offered at a set time during which the licensed optometrist is physically present in the same room as the moderator or presenter to comment and ask questions in real time. Only those courses that have the OE Tracker format of 'Synchronous In-Person' will count as live. 'Synchronous Virtual' and 'Asynchronous' will count as non-live.

The Board's licensing database has not been updated to reflect these changes yet.

Notice of Regulation Hearing

The Kansas State Board of Examiners in Optometry will conduct a public hearing on Wednesday, January 8, 2025, at 8:00 a.m., in the Kansas State Capitol, Committee Room 218-N, 310 SW 10th St., Topeka, KS 66612, to consider the adoption of the proposed regulations K.A.R. 65-5-2 and 65-8-4 of the Kansas State Board of Examiners in Optometry on a permanent basis.

All interested parties may submit written comments prior to the hearing by mailing them to the Kansas Board of Examiners in Optometry, 3109 W 6th St., Suite A, Lawrence, KS 66049 or by email to

kssbeo@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to ask that each participant limit any oral presentation to an appropriate time frame.

Complete copies of the proposed regulations and economic impact statement may be found on the Board's website: <https://www.kssbeo.ks.gov/rules-regs/regulation-update>

A summary of the proposed regulations and their economic impacts are as follows:

K.A.R. 65-5-2 – Application for licensure by examination: K.A.R. 65-5-2 is an amended permanent regulation that updates application requirements.

Economic Impact: The adoption of this regulation has no economic impact. There is no environmental impact.

K.A.R. 65-8-4 – Content of prescription: K.A.R. 65-8-4 is an amended permanent regulation that modernizes regulation to meet current technology and terminology.

Economic Impact: The adoption of this regulation has no economic impact. There is no environmental impact.